

Status: Point in time view as at 18/06/2012.

Changes to legislation: Courts and Legal Services Act 1990, Paragraph 25 is up to date with all changes known to be in force on or before 08 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 18

CONSEQUENTIAL AMENDMENTS

The Magistrates' Courts Act 1980 (c.43)

- 25 (1) The Magistrates' Courts Act 1980 shall be amended as follows.
- (2) In section 150(1) (interpretation) after the definition of "impose imprisonment" there shall be inserted the following definition—
- "“legal representative” means an authorised advocate or authorised litigator, as defined by section 119(1) of the Courts and Legal Services Act 1990;”.
- (3) For the words—
- (a) “counsel or a solicitor” in sections 4(4)(b), 6(2)(b), 23(1)(a) and 128(1B);
- (b) “counsel or solicitor” in sections 122(1) and (3);
- there shall be substituted “ a legal representative ” ”.
- (4) For the words—
- (a) “solicitor” in sections 6(2)(a), 12(2), 128(1A)(ii) and (3B);
- ^{F1}(b)
- ^{F2}(c)
- there shall be substituted “ legal representative ” ”.
- (5) [^{F3}For the words “counsel and solicitors” in section 8(4)(d) there shall be substituted “ the legal representatives ” ”.]
- (6) For the words—
- (a) “solicitors and counsel” in section 69(2)(b);
- (b) “solicitors or counsel” in section 69(4),
- there shall be substituted “ legal representatives ” ”.
- (7) In section 144(3) (members of the rule committee) in subsection (3), for the words “one justices’ clerk” to the end there shall be substituted—
- (a) one justices’ clerk;
- (b) one person who has a Supreme Court qualification (within the meaning of section 71 of the Courts and Legal Services Act 1990); and
- (c) one person who has been granted by an authorised body, under Part II of that Act, the right to conduct litigation in relation to all proceedings in the Supreme Court.”.

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Textual Amendments

- F1** Sch. 18 para. 25(4)(b) repealed (1.4.2001) by 2000 c. 43, s. 75, **Sch. 8**; S.I. 2001/919, **art. 2(g)** Table
- F2** Sch. 18 para. 25(4)(c) repealed (1.4.1995) by 1994 c. 29, s. 93, **Sch. 9 Pt. II**; S.I. 1995/685, **art. 1(2)**
- F3** Sch. 18 para. 25(5) repealed (18.6.2012 for specified purposes, 5.11.2012 for specified purposes, 28.5.2013 in so far as not already in force) by **Criminal Justice Act 2003** (c. 44), s. 336(3)(4), **Sch. 37 Pt. 4**; S.I. 2012/1320, **art. 4(1)(d)(2)(3)** (with **art. 5**) (see S.I. 2012/2574, **art. 4(2)** and S.I. 2013/1103, **art. 4**); S.I. 2012/2574, **art. 2(2)(3)(d)**, **Sch.** (with **arts. 3, 4**) (as amended (4.11.2012) by S.I. 2012/2761, **art. 2**) (with S.I. 2013/1103, **art. 4**); S.I. 2013/1103, **art. 2(1)(d)**

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