



Courts and Legal Services Act 1990

1990 CHAPTER 41

PART VI

MISCELLANEOUS AND SUPPLEMENTAL

Supplemental

119 Interpretation

(1) In this Act—

“administration”, in relation to letters of administration, has the same meaning as in section 128 of the Supreme Court Act 1981;

“advocacy services” means any services which it would be reasonable to expect a person who is exercising, or contemplating exercising, a right of audience in relation to any proceedings, or contemplated proceedings, to provide;

“authorised advocate” means any person (including a barrister or solicitor) who has a right of audience granted by an authorised body in accordance with the provisions of this Act;

“authorised body” and “appropriate authorised body”—

(a) in relation to any right of audience or proposed right of audience, have the meanings given in section 27; and

(b) in relation to any right to conduct litigation or proposed right to conduct litigation, have the meanings given in section 28;

“authorised litigator” means any person (including a solicitor) who has a right to conduct litigation granted by an authorised body in accordance with the provisions of this Act;

“authorised practitioner” has the same meaning as in section 37;

“conveyancing services” means the preparation of transfers, conveyances, contracts and other documents in connection with, and other services ancillary to, the disposition or acquisition of estates or interests in land;

“court” includes—

Status: This is the original version (as it was originally enacted).

- (a) any tribunal which the Council on Tribunals is under a duty to keep under review;
- (b) any court-martial; and
- (c) a statutory inquiry within the meaning of section 19(1) of the Tribunals and Inquiries Act 1971;

“designated judge” means the Lord Chief Justice, the Master of the Rolls, the President of the Family Division or the Vice-Chancellor;

“the Director” means the Director General of Fair Trading;

“duly certificated notary public” has the same meaning as it has in the Solicitors Act 1974 by virtue of section 87(1) of that Act;

“the general principle” has the meaning given in section 17(4);

“licensed conveyancer” has the same meaning as it has in the Administration of Justice Act 1985 by virtue of section 11 of that Act;

“litigation services” means any services which it would be reasonable to expect a person who is exercising, or contemplating exercising, a right to conduct litigation in relation to any proceedings, or contemplated proceedings, to provide;

“member”, in relation to any professional or other body (other than any body established by this Act), includes any person who is not a member of that body but who may be subject to disciplinary sanctions for failure to comply with any of that body’s rules;

“multi-national partnership” has the meaning given by section 89(9);

“probate services” means the drawing or preparation of any papers on which to found or oppose a grant of probate or a grant of letters of administration and the administration of the estate of a deceased person;

“prescribed” means prescribed by regulations under this Act;

“proceedings” means proceedings in any court;

“qualification regulations” and “rules of conduct”—

- (a) in relation to any right of audience or proposed right of audience, have the meanings given in section 27; and
- (b) in relation to any right to conduct litigation or proposed right to conduct litigation, have the meanings given in section 28;

“qualified person” has the meaning given in section 36(6);

“registered foreign lawyer” has the meaning given by section 89(9);

“right of audience” means the right to exercise any of the functions of appearing before and addressing a court including the calling and examining of witnesses;

“right to conduct litigation” means the right—

- (a) to exercise all or any of the functions of issuing a writ or otherwise commencing proceedings before any court; and
- (b) to perform any ancillary functions in relation to proceedings (such as entering appearances to actions);

“solicitor” means solicitor of the Supreme Court; and

“the statutory objective” has the meaning given in section 17(2).

- (2) For the purposes of the definition of “conveyancing services” in subsection (1)—
“disposition”—

Status: This is the original version (as it was originally enacted).

- (i) does not include a testamentary disposition or any disposition in the case of such a lease as is referred to in section 54(2) of the Law of Property Act 1925 (short leases); but
 - (ii) subject to that, includes in the case of leases both their grant and their assignment; and
- “acquisition” has a corresponding meaning.
- (3) In this Act any reference (including those in sections 27(9) and 28(5)) to rules of conduct includes a reference to rules of practice.