



Legal Services Act 2007

2007 CHAPTER 29

PART 3

RESERVED LEGAL ACTIVITIES

Offences

14 Offence to carry on a reserved legal activity if not entitled

- (1) It is an offence for a person to carry on an activity (“the relevant activity”) which is a reserved legal activity unless that person is entitled to carry on the relevant activity.
- (2) In proceedings for an offence under subsection (1), it is a defence for the accused to show that the accused did not know, and could not reasonably have been expected to know, that the offence was being committed.
- (3) A person who is guilty of an offence under subsection (1) is liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding [^{F1}the general limit in a magistrates’ court] or a fine not exceeding the statutory maximum (or both), and
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine (or both).
- (4) A person who is guilty of an offence under subsection (1) by reason of an act done in the purported exercise of a right of audience, or a right to conduct litigation, in relation to any proceedings or contemplated proceedings is also guilty of contempt of the court concerned and may be punished accordingly.
- (5) In relation to an offence under subsection (1) committed before [^{F2}2 May 2022], the reference in subsection (3)(a) to [^{F3}the general limit in a magistrates’ court] is to be read as a reference to 6 months.

Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Cross Heading: Offences. (See end of Document for details)

Textual Amendments

- F1** Words in s. 14(3)(a) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), 2(1), **Sch. Pt. 1** table
- F2** Words in s. 14(5) substituted (28.4.2022) by [The Criminal Justice Act 2003 \(Commencement No. 33\) and Sentencing Act 2020 \(Commencement No. 2\) Regulations 2022 \(S.I. 2022/500\)](#), regs. 1(2), **5(1)**, **Sch. Pt. 1**
- F3** Words in s. 14(5) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), 2(1), **Sch. Pt. 1** table

15 Carrying on of a reserved legal activity: employers and employees etc

- (1) This section applies for the interpretation of references in this Act to a person carrying on an activity which is a reserved legal activity.
- (2) References to a person carrying on an activity which is a reserved legal activity include a person (“E”) who—
 - (a) is an employee of a person (“P”), and
 - (b) carries on the activity in E's capacity as such an employee.
- (3) For the purposes of subsection (2), it is irrelevant whether P is entitled to carry on the activity.
- (4) P does not carry on an activity (“the relevant activity”) which is a reserved legal activity by virtue of E carrying it on in E's capacity as an employee of P, unless the provision of relevant services to the public or a section of the public (with or without a view to profit) is part of P's business.
- (5) Relevant services are services which consist of or include the carrying on of the relevant activity by employees of P in their capacity as employees of P.
- (6) Where P is an independent trade union, persons provided with relevant services do not constitute the public or a section of the public where—
 - (a) the persons are provided with the relevant services by virtue of their membership or former membership of P or of another person's membership or former membership of P, and
 - (b) the services are excepted membership services.
- (7) Subject to subsection (8), “excepted membership services” means relevant services which relate to or have a connection with—
 - (a) relevant activities of a member, or former member, of the independent trade union;
 - (b) any other activities carried on for the purposes of or in connection with, or arising from, such relevant activities;
 - (c) any event which has occurred (or is alleged to have occurred) in the course of or in connection with such relevant activities or activities within paragraph (b);
 - (d) activities carried on by a person for the purposes of or in connection with, or arising from, the person's membership of the independent trade union;
 and such other relevant services as the Lord Chancellor may by order specify.

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- (8) The Lord Chancellor may by order make provision about the circumstances in which relevant services do or do not relate to, or have a connection with, the matters mentioned in paragraphs (a) to (d) of subsection (7).
- (9) Subject to that, the Lord Chancellor may by order make provision about—
 - (a) what does or does not constitute a section of the public;
 - (b) the circumstances in which the provision of relevant services to the public or a section of the public does or does not form part of P's business.
- (10) The Lord Chancellor may make an order under subsection (7), (8) or (9) only on the recommendation of the Board.
- (11) If P is a body, references to an employee of P include references to a manager of P.
- (12) In subsection (7), “relevant activities”, in relation to a person who is or was a member of an independent trade union, means any employment (including self-employment), trade, occupation or other activity to which the person's membership of the trade union relates or related.

16 Offence to carry on reserved legal activity through person not entitled

- (1) Where subsection (2) applies it is an offence for a person (“P”) to carry on an activity (“the relevant activity”) which is a reserved legal activity, despite P being entitled to carry on the relevant activity.
- (2) This subsection applies if—
 - (a) P carries on the relevant activity by virtue of an employee of P (“E”) carrying it on in E's capacity as such an employee, and
 - (b) in carrying on the relevant activity, E commits an offence under section 14.
- (3) If P is a body, references in subsection (2) to an employee of P include references to a manager of P.
- (4) In proceedings for an offence under subsection (1), it is a defence for the accused to show that the accused took all reasonable precautions and exercised all due diligence to avoid committing the offence.
- (5) A person who is guilty of an offence under subsection (1) is liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding [^{F4}the general limit in a magistrates’ court] or a fine not exceeding the statutory maximum (or both), and
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine (or both).
- (6) A person who is guilty of an offence under subsection (1) by reason of an act done in the purported exercise of a right of audience, or a right to conduct litigation, in relation to any proceedings or contemplated proceedings is also guilty of contempt of the court concerned and may be punished accordingly.
- (7) In relation to an offence under subsection (1) committed before [^{F5}2 May 2022], the reference in subsection (5)(a) to [^{F6}the general limit in a magistrates’ court] is to be read as a reference to 6 months.

Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Cross Heading: Offences. (See end of Document for details)

Textual Amendments

- F4** Words in s. 16(5)(a) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023](#) (S.I. 2023/149), regs. 1(2), 2(1), **Sch. Pt. 1** table
- F5** Words in s. 16(7) substituted (28.4.2022) by [The Criminal Justice Act 2003 \(Commencement No. 33\) and Sentencing Act 2020 \(Commencement No. 2\) Regulations 2022](#) (S.I. 2022/500), regs. 1(2), **5(1)**, **Sch. Pt. 1**
- F6** Words in s. 16(7) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023](#) (S.I. 2023/149), regs. 1(2), 2(1), **Sch. Pt. 1** table

17 Offence to pretend to be entitled

- (1) It is an offence for a person—
- (a) wilfully to pretend to be entitled to carry on any activity which is a reserved legal activity when that person is not so entitled, or
 - (b) with the intention of implying falsely that that person is so entitled, to take or use any name, title or description.
- (2) A person who is guilty of an offence under subsection (1) is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding [^{F7}the general limit in a magistrates' court] or a fine not exceeding the statutory maximum (or both), and
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine (or both).
- (3) In relation to an offence under subsection (1) committed before [^{F8}2 May 2022], the reference in subsection (2)(a) to [^{F9}the general limit in a magistrates' court] is to be read as a reference to 6 months.

Textual Amendments

- F7** Words in s. 17(2)(a) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023](#) (S.I. 2023/149), regs. 1(2), 2(1), **Sch. Pt. 1** table
- F8** Words in s. 17(3) substituted (28.4.2022) by [The Criminal Justice Act 2003 \(Commencement No. 33\) and Sentencing Act 2020 \(Commencement No. 2\) Regulations 2022](#) (S.I. 2022/500), regs. 1(2), **5(1)**, **Sch. Pt. 1**
- F9** Words in s. 17(3) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023](#) (S.I. 2023/149), regs. 1(2), 2(1), **Sch. Pt. 1** table

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