



# Access to Justice Act 1999

## 1999 CHAPTER 22

### PART III

#### PROVISION OF LEGAL SERVICES

##### *Rights of audience and rights to conduct litigation*

#### **38 Employees of Legal Services Commission.**

In the Courts and Legal Services Act 1990, after section 31A (inserted by section 37 above) insert—

##### **“31B Advocates and litigators employed by Legal Services Commission.**

- (1) Where a person who has a right of audience or right to conduct litigation granted by an authorised body is employed by the Legal Services Commission, or by any body established and maintained by the Legal Services Commission, any rules of the authorised body which fall within subsection (2) shall not have effect in relation to him.
- (2) Rules of a body fall within this subsection if they are—
  - (a) rules of conduct prohibiting or limiting the exercise of the right on behalf of members of the public by members of the body who are employees; or
  - (b) rules of any other description prohibiting or limiting the provision of legal services to members of the public by such members of the body, and either of the conditions specified in subsection (3) is satisfied.
- (3) Those conditions are—
  - (a) that the prohibition or limitation is on the exercise of the right, or the provision of the services, otherwise than on the instructions of solicitors (or other persons acting for the members of the public); and

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**Changes to legislation:** *There are currently no known outstanding effects for the Access to Justice Act 1999, Section 38. (See end of Document for details)*

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- (b) that the rules do not impose the same prohibition or limitation on members of the body who have the right but are not employees.”

**Changes to legislation:**

There are currently no known outstanding effects for the Access to Justice Act 1999, Section 38.