



# Legal Services Act 2007

## 2007 CHAPTER 29

### PART 8

#### MISCELLANEOUS PROVISIONS ABOUT LAWYERS ETC

##### *Employees of housing management bodies*

PROSPECTIVE

#### **191 Rights of audience etc of employees of housing management bodies**

After section 60 of the County Courts Act 1984 (c. 28) insert—

##### **“60A Rights of audience etc of employees of housing management bodies**

- (1) An employee of a housing management body who is authorised by that body for the purposes of this section has—
  - (a) a right of audience in relation to any proceedings to which this section applies, and
  - (b) a right to conduct litigation in relation to any such proceedings.
- (2) This section applies to relevant housing proceedings in a county court before a district judge which are brought—
  - (a) in the name of a local housing authority, and
  - (b) by the housing management body in the exercise of functions of that local housing authority delegated to that body under a housing management agreement.
- (3) “Relevant housing proceedings” are—
  - (a) proceedings under section 82A of the Housing Act 1985 (demotion because of anti-social behaviour);

*Status: This version of this provision is prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Section 191. (See end of Document for details)*

- (b) proceedings for possession of a dwelling-house subject to a secure tenancy, where possession is sought on ground 2 in Part 1 of Schedule 2 to that Act (anti-social behaviour);
  - (c) proceedings for possession of a dwelling-house subject to a demoted tenancy;
  - (d) proceedings for a suspension order under section 121A of the Housing Act 1985 (suspension of right to buy);
  - (e) proceedings under section 153A, 153B or 153D of the Housing Act 1996 (injunctions against anti-social behaviour);
  - (f) proceedings for the attachment of a power of arrest to an injunction by virtue of section 91(2) of the Anti-social Behaviour Act 2003 or section 27(2) of the Police and Justice Act 2006 (proceedings under section 222 of the Local Government Act 1972: power of arrest attached to injunction);
  - (g) at a hearing at which a decision is made in relation to proceedings within paragraphs (a) to (f), proceedings for permission to appeal against that decision;
  - (h) such other proceedings as the Lord Chancellor may prescribe by order.
- (4) An authorisation for the purposes of this section must be in writing.
- (5) The power to make an order under subsection (3)(h) is exercisable by statutory instrument subject to annulment by resolution of either House of Parliament.
- (6) In subsection (3)(e) the reference to section 153A of the Housing Act 1996 is a reference to that section—
- (a) as inserted by section 13 of the Anti-social Behaviour Act 2003, or
  - (b) as substituted by section 26 of the Police and Justice Act 2006.
- (7) In this section—
- “dwelling-house” has the same meaning as in Part 4 of the Housing Act 1985;
  - “housing management agreement” means an agreement under section 27 of the Housing Act 1985 (including an agreement to which section 27B(2) or (3) of that Act applies);
  - “housing management body” means a person who exercises management functions of a local housing authority by virtue of a housing management agreement;
  - “local housing authority” has the same meaning as in section 27 of the Housing Act 1985;
  - “right of audience” means the right to appear before and address a court, including the right to call and examine witnesses;
  - “right to conduct litigation” means the right—
    - (a) to issue proceedings before any court in England and Wales,
    - (b) to commence, prosecute and defend such proceedings, and
    - (c) to perform any ancillary functions in relation to such proceedings (such as entering appearances to actions);
  - “secure tenancy” has the same meaning as in Part 4 of the Housing Act 1985.”

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Legal Services Act 2007, Section 191.