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STATUTORY INSTRUMENTS

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**2004 No. 2950 (C.122 )**

**LEGAL SERVICES, ENGLAND AND WALES**

**The Courts and Legal Services Act 1990  
(Commencement No. 11) Order 2004**

*Made - - - - 11th November 2004*

The Secretary of State, in exercise of the powers conferred by section 124(3) of the Courts and Legal Services Act 1990<sup>(1)</sup> and now vested in him<sup>(2)</sup>, hereby makes the following Order:

1. This Order may be cited as the Courts and Legal Services Act 1990 (Commencement No. 11) Order 2004.
2. The following provisions of the Courts and Legal Services Act 1990 shall come into force on 7<sup>th</sup> December 2004 —
  - (a) section 53 (the Council for Licensed Conveyancers) and Schedule 8 Part I to the extent that it is not already in force;
  - (b) section 55 (preparation of probate papers etc: exemption from section 23(1) of Solicitors Act 1974) and Schedule 9.

Signed by authority of the Secretary of State

Dated 11th November 2004

*David Lammy*  
Parliamentary Under Secretary of State,  
Department for Constitutional Affairs

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(1) 1990 c. 41. Section 54 has been amended by article 325 of S.I. 2001/3649 with effect from 1<sup>st</sup> December 2001.  
(2) The Secretary of State for Constitutional Affairs Order 2003 (S.I. 2003/1887).

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 7<sup>th</sup> December 2004 provisions in the Courts and Legal Services Act 1990 (c. 41) relating to the preparation of papers for grants of probate and letters of administration. The provisions amend section 23(2) and (3) of the Solicitors Act 1974 (c. 47) to extend the list of persons to whom section 23(1) of that Act does not apply and who can accordingly prepare papers for grants of probate and letters of administration. By section 55 of the 1990 Act the provisions of section 23(1) of the 1974 Act also do not apply to any person who has been granted exemption by an approved body. An ‘approved body’ is approved as such in accordance with the provisions of Schedule 9 to the 1990 Act.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 125(7) (partially) Schedule 20 (partially)	1.11.1990	1990/2170
Sections 9, 21, 22, 23, 24(1) and (2), 25 to 28, 31(1) and (2), 32(1) and (2), 33(1) and (2), 60 to 62, 66 to 68, 70 (partially), 71, 74(1) to (3), 75 to 78, 83, 84, 116 (partially), 118 and 125 (partially); and Schedules 3, 10, 11, 16 (partially), 17 (partially), 18 (partially), 19 (partially) and 20 (partially)	1.1.1991	1990/2484
Sections 17 to 20, 24(3), 29, 30, 31(3) to (9), 32(3) to (9), 33(3) to (9), 34, 35, 40, 53 (partially), 59, 63(1)(a) and (2), 69, 93, 99 to 101, 103 and 113 to 115; and Schedules 1, 2, 4, 5, 8 (partially), 15, 17 (partially), 18 (partially), 19 (partially) and 20 (partially)	1.4.1991	1991/608
Sections 111 and 125 (partially) and Schedule 18 (partially)	1.5.1991	1991/985
Sections, 2, 3, 10, 15, 56, 57, 74(4) to (7), 86 and 117;	1.7.1991	1991/1364

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
and Schedules 17 to 20 (all partially)		
Sections 4 and 112	1.10.1991	1991/1883
Sections 89, 116 (partially) and 125 (partially); and Schedules 14, 16 (partially), 17 (partially), 18 (partially) and 20 (partially)	14.10.1991	1991/1883
Sections 79, 80, 102 and 116(3) and Schedules 12, 18 (partially), 19 (partially) and 20 (partially)	1.1.1992	1991/2730
Section 125 (partially) and Schedules 18 and 20 (both partially)	1.6.1992	1992/1221
Sections 7 (partially) and 58	23.7.1993	1993/2132
Sections 7 (partially), 125 (partially) and Schedule 20 (partially)	1.10.1993	1993/2132
Section 82	6.3.1995	1995/641