



# Solicitors (Scotland) Act 1980

## CHAPTER 46

### SOLICITORS (SCOTLAND) ACT 1980

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*Constitution and Proceedings*

- 1 The Society shall be a body corporate with a common...
- 2 The Council shall prepare a scheme providing for—
- 3 The scheme prepared under paragraph 2— (a) may make provision...
- 4 A scheme prepared under paragraph 2 shall have effect on...
- 5 The Society may by a resolution passed by a majority...

*Revenue*

- 6 Subject to paragraph 7, every member of the Society shall...
- 7 The annual subscription payable by a solicitor in respect of...
- 8 Except as otherwise provided in this Act, the expenses of...
- 9 Paragraph 8 does not affect any trust constituted for a...

*Powers*

- 10 The Society may— (a) purchase or otherwise acquire land for...
- 11 The Council may— (a) act for and in the name...

*Attestation*

- 12 Any deed to which the Society are a party shall...

SCHEDULE 2 — The Roll : Directions by the Lord President and Ancillary Provisions

- 1 The Lord President may authorise the Council (as registrar of...
- 2 The Council may, on the application of a solicitor whose...
- 3 Any person aggrieved by a decision of the Council under...

SCHEDULE 3 —

PART I — THE SCOTTISH SOLICITORS GUARANTEE FUND

*Contributions by Solicitors*

- 1 (1) Subject to the provisions of this Act, there shall...

*Investment etc.*

- 2 (1) Monies not immediately required to meet sums payable out...

*Insurance*

- 3 (1) The Society may enter into a contract of insurance...

*Grants*

- 4 (1) Every application for a grant from the Guarantee Fund...

PART II

*Power of Council to investigate*

5 (1) If under section 38 any person (whether a solicitor...

SCHEDULE 4 — Constitution, Procedure and Powers of Tribunal  
PART I

*Constitution*

- 1 The Tribunal shall consist of— (a) not less than 5...
- 2 Each member of the Tribunal shall retire from office on...
- 3 The Lord President may from time to time terminate the...
- 4 The Tribunal may appoint one of their number to be...
- 5 The Tribunal shall be deemed to be properly constituted if—...
- 6 There shall be paid to the lay members of the...

PART II — PROCEDURE AND POWERS OF TRIBUNAL

*Complaints*

- 7 The making of a complaint to the Tribunal or the...
- 8 A complaint made to the Tribunal shall not be withdrawn...
- 9 Subject to Part IV, the Tribunal may dismiss a complaint...
- 10 The Tribunal shall give notice of the complaint to the...
- 11 For the purpose of enquiring into the complaint the Tribunal...
- 12 On a petition by the complainer or the respondent to...

*Decisions*

- 13 The Tribunal shall set out in their decision—
- 14 Every decision on the Tribunal shall be signed by the...
- 15 A copy of every decision by the Tribunal certified by...
- 16 In the case of a decision by the Tribunal—
- 17 The Council shall forthwith intimate any order striking a solicitor...
- 18 The file of orders under this Act striking solicitors off...

*Expenses*

- 19 Subject to the provisions of Part IV, the Tribunal may...
- 20 On the application of the person in whose favour an...
- 21 Such warrant shall have effect for execution and for all...
- 22 The expenses of the Tribunal so far as not otherwise...

SCHEDULE 5 — Lay Observer

- 1 The lay observer shall hold and vacate his office in...
- 2 The Secretary of State may give general directions to the...
- 3 The Society shall consider any report or recommendation which it...
- 4 The Secretary of State may appoint staff for the lay...
- 5 Remuneration for the lay observer and his staff and any...
- 6 In determining the terms of employment and remuneration of the...
- 7 The Society shall furnish the lay observer with such information...
- 8 The Secretary of State shall direct the submission to him...
- 9 The Secretary of State shall lay a copy of any...
- 10 In Part III of Schedule 1 to the House of...

SCHEDULE 6 — Transitional and Savings Provisions

*General*

- 1 (1) Insofar as— (a) any agreement, appointment, operation, authorisation, determination,...
- 2 Where any enactment passed before this Act or any instrument...
- 3 Where any period of time specified in an enactment repealed...

*Admission of enrolled law agent*

- 4 Notwithstanding the repeal by this Act of section 15 of...

*Restriction of grant under Guarantee Fund*

- 5 Notwithstanding the repeal by this Act of section 22(2)(b) of...

*Rights of banks*

- 6 Nothing in section 61(3) shall deprive a bank of any...

*Admission to societies*

- 7 Notwithstanding the repeal by this Act of sections 44 and...

*Powers of societies*

- 8 The repeal of Section 35 of the Solicitors (Scotland) Act...

*Saving for non-qualified person to conduct certain proceedings*

- 9 Nothing in this Act shall affect any enactment empowering any...

*Register of Law Agents*

- 10 Notwithstanding the repeal by this Act of section 18(1) of...

*Certificate of admission*

- 11 Notwithstanding the repeal by this Act of section 14 of...

## SCHEDULE 7 — Repeals