



Legal Services (Scotland) Act 2010

2010 asp 16

PART 2

REGULATION OF LICENSED LEGAL SERVICES

CHAPTER 2

LICENSED LEGAL SERVICES PROVIDERS

Appointment to position etc.

57 Effect of disqualification

- (1) A disqualification under section 56—
 - (a) may be—
 - (i) without limit of time, or
 - (ii) for a fixed period,
 - (b) extends so as to apply in relation to every licensed provider (including a licensed provider that is subject to the regulation of a different approved regulator).
- (2) Where a disqualification under section 56 is from being a designated person, the disqualification may be framed so as to be limited by reference to—
 - (a) particular activities, or
 - (b) activities carried out without appropriate supervision (for example, that of a senior solicitor).
- (3) Before disqualifying P under section 56, the approved regulator must give the licensed provider and P 28 days (or such longer period as it may allow) to—
 - (a) make representations to it,
 - (b) take such steps as the licensed provider or P may consider expedient.
- (4) Licensing rules must provide that the licensed provider's licence may be revoked or suspended if the licensed provider wilfully disregards a disqualification imposed under section 56.

Status: This is the original version (as it was originally enacted).

- (5) Practice rules must—
- (a) set procedure (which the approved regulator is to follow) for imposing a disqualification under section 56,
 - (b) allow for review (and lifting) by the approved regulator of a disqualification imposed by it under that section.
- (6) A person who is disqualified under section 56 may appeal against the disqualification—
- (a) to the sheriff,
 - (b) within the period of 3 months beginning with the date on which the disqualification is imposed.