



Solicitors (Scotland) Act 1980

CHAPTER 46

SOLICITORS (SCOTLAND) ACT 1980

PART I

ORGANISATION

The Law Society of Scotland

- 1 Establishment and objects of Law Society of Scotland.
- 2 Membership of Society.

The Council of the Law Society

- 3 Establishment and functions of Council of Law Society.
- 3A Discharge of functions of Council of the Law Society

PART II

RIGHT TO PRACTISE AS A SOLICITOR

Qualifications and Training

- 4 Qualifications for practising as a solicitor.
- 5 Training regulations.

Admission

- 6 Admission as solicitor.

The Roll

- 7 Keeping the roll.
- 8 Entry in the roll.
- 9 Removal of name from roll on request.

Status: Point in time view as at 01/10/2009.

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- 10 Restoration of name to roll on request.
- 11 Directions by Lord President.
- 12

Register of European lawyers

- 12A Keeping the register
- 12B Information to be provided by registered European lawyers
- 12C Removal of name from register on request
- 12D Restoration of name to register on request

Practising Certificates

- 13 Applications for practising certificates.
- 14 Issue of practising certificate.
- 15 Discretion of Council in special cases.
- 16 Appeals from decisions of Council.
- 17 Date and expiry of practising certificates.
- 18 Suspension of practising certificates.
- 19 Further provisions relating to suspension of practising certificates.
- 20 Council's duty to supply lists of solicitors holding practising certificates.
- 21 Consultants to hold practising certificates.
- 22 Evidence as to holding of practising certificates.
- 23 Offence to practise without practising certificate.
- 23A Professional misconduct for registered European lawyer to practise without a registration certificate
- 23B Failure on the part of a registered foreign lawyer in...
- 24 Saving of public officials.

Registration certificates for registered European Lawyers

- 24A Applications for registration certificates
- 24B Issue of registration certificates
- 24C Discretion of Council in special cases
- 24D Appeals from decisions of Council
- 24E Date and expiry of registration certificate
- 24F Suspension of registration certificate
- 24G Further provisions relating to suspension of registration certificate

Rights of Solicitors

- 25 Rights of practising.
- 25A Rights of audience in the Court of Session, the Supreme Court, the Judicial Committee of the Privy Council and the High Court of Justiciary.

Restriction on rights of practising

- 26 Offence for solicitors to act as agents for unqualified persons.
- 27 Offence for solicitors to share fees with unqualified persons.
- 28 Offence for solicitors who are disqualified to seek employment without informing employer.
- 29 Restriction on borrowing processes.
- 30 Liability for fees of other solicitor.

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Unqualified persons acting as solicitors

- 31 Offence for unqualified persons to pretend to be solicitor or notary public.
- 32 Offence for unqualified persons to prepare certain documents.
- 33 Unqualified persons not entitled to fees, etc.
- 33A Rules as to professional practice, conduct and discipline.
- 33B (1) Any communication made to or by a registered foreign...

PART III

PROFESSIONAL PRACTICE, CONDUCT AND DISCIPLINE OF SOLICITORS

Practice Rules

- 34 Rules as to professional practice, conduct and discipline.

Accounts rules

- 35 Accounts rules.
- 36 Interest on client's money.
- 37 Accountant's certificates.

Powers of Council to intervene

- 38 Powers where dishonesty alleged.
- 39 Powers where delay alleged.
- 39A Powers where excessive fees etc charged.
- 40 Powers where failure to comply with accounts rules etc.
- 41 Appointment of judicial factor.
- 42 Distribution of sums in client bank account.
- 42ZA Unsatisfactory professional conduct: Council's powers
- 42ZB Unsatisfactory professional conduct: Council's powers to monitor compliance with direction under section 42ZA(4)
- 42ZC Report by Commission to Council under section 10(2)(e) of the 2007 Act: Council's powers
- 42ZD Direction under section 42ZC(2): appeal by practitioner
- 42A Powers where inadequate professional services alleged.
- 42B Inadequate professional services: Council's powers to monitor compliance with directions.
- 42C Powers to examine documents and demand explanations in connection with complaints.

Protection of clients

- 43 Guarantee Fund
- 44 Professional indemnity.
- 45 Safeguarding interests of clients of solicitor struck off or suspended.
- 46 Safeguarding interests of clients in certain other cases.
- 47 Restriction on employing solicitor struck off or suspended.
- 48

PART IV

COMPLAINTS AND DISCIPLINARY PROCEEDINGS

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Lay Observer

- 49 Investigation by lay observer of Society's treatment of complaints.

The Scottish Solicitors' Discipline Tribunal

- 50 The Tribunal.
 51 Complaints to Tribunal.
 52 Procedure on complaints and appeals to Tribunal.
 53 Powers of Tribunal.
 53ZA Remission of complaint by Tribunal to Council
 53ZB Powers of Tribunal on appeal: unsatisfactory professional conduct
 53ZC Enforcement of Council direction: unsatisfactory professional conduct
 53A Inadequate professional services: powers of Tribunal.
 53B Inadequate professional services: appeal to Tribunal against Council determination or direction.
 53C Inadequate professional services: enforcement by Tribunal of Council direction.
 53D Suspension etc. of investment business certificates: appeal to Tribunal.
 54 Appeals from decisions of Tribunal.
 54A Appeals from decisions of Tribunal: unsatisfactory professional conduct

The Court

- 55 Powers of Court
 55A Powers of Court: unsatisfactory professional conduct
 56 Saving for jurisdiction of courts.
 56A Further provision as to compensation awards.

PART V

NOTARIES PUBLIC

- 57 Admission and enrolment of solicitors as notaries public.
 58 Removal from and restoration to register of names of notaries public.
 59 Authority of notaries public to administer oaths, etc.
 59A Rules regarding notaries public
 60

PART VI

MISCELLANEOUS AND GENERAL

Miscellaneous

- 60A Multi-national practices.
 61 Protection of banks.
 61A Solicitors fees.
 62 Charge for expenses out of property recovered.
 62A Council's power to recover expenses incurred under section. . . 45 or 46.

General

- 63 Penalties and time limit for prosecution of offences
 64 Service of notices etc.
 64A Advisory and supervisory functions of the Director General of Fair Trading.

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- 64B Duty of Secretary of State.
- 64C Investigatory powers of the Director.
- 64CA Enforcement of notices under section 64C
- 64CB Altering, etc. documents required to be produced under section 64C
- 64D Review of rules approved by the Secretary of State.
- 65 Interpretation.
- 66 Transitional and savings provisions, and repeals.
- 67 Citation, extent and commencement.

SCHEDULES

SCHEDULE 1 — The Law Society of Scotland

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,...
- 6A The subscription payable under paragraph 6 by a practising member...
- 7 The . . . subscription payable by a solicitor in respect...
- 7A The Society shall have power, subject to paragraphs 7B to...
- 7B The Society may determine that an imposition under paragraph 7A...
- 7C An imposition under paragraph 7A or a determination under that...
- 7D No imposition may be made under paragraph 7A above unless...
- 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...

Exemption from liability for damages

- 11A Neither the Society nor any of its officers or servants...

Attestation

- 12

SCHEDULE 2 — The Roll: Powers of the Council and Ancillary Provisions

- 1
- 2 The Council may, on the application of a solicitor whose...
- 3 Any person aggrieved by a decision of the Council under...
- 4 Subject to section 7(3), the Council may charge such reasonable...

SCHEDULE 3 —

PART 1 — THE SCOTTISH SOLICITORS GUARANTEE FUND

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Contributions by Solicitors

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

Contributions by registered European lawyers

- 1A (1) Subject to the provisions of this paragraph, paragraph (1)...

Contributions by registered foreign lawyers

- 1B (1) Subject to the provisions of this paragraph, paragraph 1...

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 . . . 45 or 46...

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

Constitution

- 1 The Tribunal shall consist of not more than 28 members....
1A The Tribunal shall consist of equal numbers of—
1B The validity of any proceedings of the Tribunal is not...
1C The Scottish Ministers may by order made by statutory instrument...
1D A statutory instrument containing an order made under paragraph 1C...
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 non-lawyer 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...
8A Where a complaint is made to the Tribunal by a...
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...

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Decisions

- 13 The Tribunal shall set out in their decision—
- 14 Every decision on the Tribunal shall be signed by the...
- 14A In carrying out their duty under paragraph 14, the Tribunal...
- 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...
- 18A Without prejudice to paragraph 18, the Council shall ensure that...

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...

Appeals

- 23 The foregoing provisions of Part II of this Schedule shall...
- 24 Subject to Part IV, the Tribunal may dismiss an appeal...
- 25 The Tribunal shall give notice of the appeal to the...

SCHEDULE 5 —

- 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— any agreement, appointment, operation, authorisation, determination, scheme,...
- 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...

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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

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