



# Solicitors (Scotland) Act 1980

## 1980 CHAPTER 46

### PART II **S**

#### RIGHT TO PRACTISE AS A SOLICITOR

##### *The Roll*

#### 7 Keeping the roll. **S**

- (1) The Council shall continue to be the registrar of solicitors and shall keep at the office of their secretary a roll of solicitors (in this Act referred to as “the roll”).
- (2) The roll shall consist of the names in alphabetical order of all solicitors entered on it in accordance with section 8.

[<sup>F1</sup>(2A) The roll is also to record against the name of each enrolled solicitor the address of the place of business of that solicitor (as given under subsection (2) of that section).]

- (3) Any person may inspect the roll during office hours without payment.

[<sup>F2</sup>(4) Schedule 2 (powers of Council in relation to roll of solicitors) shall have effect.]

#### Textual Amendments

- F1** S. 7(2A) inserted (1.5.2011) by [Legal Services \(Scotland\) Act 2010](#) (asp 16), **ss. 134(1)**, 150(2); S.S.I. 2011/180, art. 4(a)
- F2** S. 7(4) added by [Solicitors \(Scotland\) Act 1988](#) (c. 42, SIF 76:2), s. 6(1), **Sch. 1 para. 2**

#### 8 Entry in the roll. **S**

- (1) On production to the Council of an order under section 6 admitting a person as a solicitor and directing that his name be entered on the roll the Council shall enter the name of that person on the roll.

**Changes to legislation:** *Solicitors (Scotland) Act 1980, Cross Heading: The Roll is up to date with all changes known to be in force on or before 18 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (2) Any solicitor whose name is entered on the roll (in this Act referred to as “an enrolled solicitor”) shall, on such enrolment, inform the Council in writing of the address of his place of business, and shall on any change of that address, inform them in writing of his new address.
- (3) The Council shall issue a certificate of enrolment to any enrolled solicitor who applies for it.

## 9 Removal of name from roll on request. **S**

[<sup>F3</sup>(1) An enrolled solicitor who wishes his name [<sup>F4</sup>, or any annotation made against his name under section 25A(3),] to be removed from the roll of solicitors may make an application to the Council in that behalf, and the Council shall <sup>F5</sup>... remove the name of that solicitor [<sup>F6</sup>or, as the case may be, the annotation against his name,] from the roll.]

[<sup>F7</sup>(2) But the Council are required to remove the name or annotation only if they are satisfied that—

- (a) the solicitor has made adequate arrangements with respect to the business which the solicitor then has in hand, and
- (b) it is otherwise appropriate to do so.]

### Textual Amendments

- F3** S. 9 renumbered as s. 9(1) (1.5.2011) by [Legal Services \(Scotland\) Act 2010 \(asp 16\)](#), **ss. 135(1)(a)**, 150(2); S.S.I. 2011/180, art. 4(a)
- F4** Words in s. 9 inserted (3.6.1991) by [Law Reform \(Miscellaneous Provisions\) \(Scotland\) Act 1990 \(c. 40, SIF 76:2\)](#), s. 74, **Sch. 8 Pt. II para. 29(2)(a)**; S.I. 1991/1252, art. 3, **Sch. 1**
- F5** Words in s. 9(1) repealed (1.5.2011) by [Legal Services \(Scotland\) Act 2010 \(asp 16\)](#), **ss. 135(1)(b)**, 150(2); S.S.I. 2011/180, art. 4(a)
- F6** Words in s. 9 inserted (3.6.1991) by [Law Reform \(Miscellaneous Provisions\) \(Scotland\) Act 1990 \(c. 40, SIF 76:2\)](#), s. 74, **Sch. 8 Pt. II para. 29(2)(b)**; S.I. 1991/1252, art. 3, **Sch. 1**.
- F7** S. 9(2) inserted (1.5.2011) by [Legal Services \(Scotland\) Act 2010 \(asp 16\)](#), **ss. 135(1)(c)**, 150(2); S.S.I. 2011/180, art. 4(a)

## 10 Restoration of name to roll on request. **S**

(1) A solicitor. . . <sup>F8</sup> whose name has been struck off the roll other than by order of the Court, shall only be entitled to have his name restored to the roll, if on an application in that behalf made by him to the Tribunal and after such inquiry as the Tribunal thinks proper, the Tribunal so orders.

[<sup>F9</sup>(1ZA) Where the restoration of a solicitor's name to the roll has been prohibited under section 53(2)(aa), the solicitor is entitled to have the solicitor's name restored to the roll if (but only if) the Tribunal so orders—

- (a) on an application made to it by the solicitor, and
- (b) after such enquiry as it thinks proper.]

[<sup>F10</sup>(1A) On an application to the Council from a solicitor whose name [<sup>F11</sup>, or any annotation against whose name,] has been removed from the roll under section 9 [<sup>F12</sup>(except where subsection (1ZA) applies)] the Council may, after such inquiry as they think proper, restore the name of that solicitor [<sup>F13</sup>or, as the case may be, the annotation,] to the roll.]

**Changes to legislation:** Solicitors (Scotland) Act 1980, Cross Heading: The Roll is up to date with all changes known to be in force on or before 18 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (2) Rules made by the Tribunal under section 52 may—
- (a) regulate the making, hearing and determining of applications under subsection (1) [<sup>F14</sup>or (1ZA)] ;
  - (b) provide for payment by the applicant to the Council of such fee in respect of restoration to the roll as the rules may specify.

**Textual Amendments**

- F8** Words repealed by Solicitors (Scotland) Act 1988 (c. 42, SIF 76:2), s. 6(1)(2), Sch. 1 para. 4(a), **Sch. 2**
- F9** S. 10(1ZA) inserted (1.5.2011) by Legal Services (Scotland) Act 2010 (asp 16), **ss. 136(1)(a)**, 150(2); S.S.I. 2011/180, art. 4(a)
- F10** S. 10(1A) inserted by Solicitors (Scotland) Act 1988 (c. 42, SIF 76:2), s. 6(1), **Sch. 1 para. 4(b)**
- F11** Words in s. 10(1A) inserted (3.6.1991) by Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40, SIF 76:2), s. 74, **Sch. 8 Pt. II para. 29(3)(a)**; S.I. 1991/1252, art. 3, **Sch.1**
- F12** Words in s. 10(1A) inserted (1.5.2011) by Legal Services (Scotland) Act 2010 (asp 16), **ss. 136(1)(b)**, 150(2); S.S.I. 2011/180, art. 4(a)
- F13** Words in s. 10(1A) inserted (3.6.1991) by Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40, SIF 76:2), s. 74, **Sch. 8 Pt. II para. 29(3)(b)**; S.I. 1991/1252, art. 3, **Sch.1**
- F14** Words in s. 10(2) inserted (1.5.2011) by Legal Services (Scotland) Act 2010 (asp 16), **ss. 136(1)(c)**, 150(2); S.S.I. 2011/180, art. 4(a)

**11 Directions by Lord President. S**

- (1) The Lord President may give directions to the Council in relation to the carrying out of their duties in connection with the keeping of the roll and they shall give effect to any such direction.

(2) ..... <sup>F15</sup>

**Textual Amendments**

- F15** Ss. 11(2), 12 repealed by Solicitors (Scotland) Act 1988 (c. 42, SIF 76:2), s. 6(2), **Sch. 2**

**12** ..... <sup>F16</sup> S

**Textual Amendments**

- F16** Ss. 11(2), 12 repealed by Solicitors (Scotland) Act 1988 (c. 42, SIF 76:2), s. 6(2), **Sch. 2**

**Changes to legislation:**

Solicitors (Scotland) Act 1980, Cross Heading: The Roll is up to date with all changes known to be in force on or before 18 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 12A(2)(ba) inserted by [2010 asp 16 s. 118\(3\)](#)
- s. 32(1)(d) and word inserted by [2010 asp 16 s. 118\(2\)\(a\)\(i\)](#)
- s. 32(2D) inserted by [2010 asp 16 s. 118\(2\)\(a\)\(iv\)](#)
- Sch. 4 para. 1A(b)(ia) inserted by [2010 asp 16 s. 118\(2\)\(b\)](#)