



# Solicitors (Scotland) Act 1980

## 1980 CHAPTER 46

### PART II

#### RIGHT TO PRACTISE AS A SOLICITOR

##### *Admission*

#### 6 Admission as solicitor.

- (1) Subject to the provisions of this section, no person shall be admitted as a solicitor in Scotland unless—
- (a) he is aged 21 years or over; and
  - (b) he has satisfied the Council. . . <sup>F1</sup>
    - (i) that he has complied with the provisions of any regulations made under section 5 that apply to him, and
    - (ii) that he is a fit and proper person to be a solicitor, and has obtained from the Council a certificate to that effect; and
  - (c) he has paid such sum in respect of his admission as has been fixed by the Council with the approval of the Lord President.

[<sup>F2</sup>(2) Where—

- (a) a person has complied with the requirements of subsection (1); but
- (b) the Council have not lodged a petition for his admission as a solicitor within one month of his having so complied,

he may apply by petition to the court for admission as a solicitor; and if he produces the certificate mentioned in paragraph (b) of subsection (1) the court shall make an order admitting him as a solicitor.]

- (3) If any person has not obtained from the Council a certificate to the effect mentioned in paragraph (b) of subsection (1) but has otherwise satisfied the requirements of that subsection the Court, on such an application being made by him and on being satisfied after such inquiry as it thinks fit, that—

*Status: Point in time view as at 20/07/1992. This version of this provision has been superseded.*

*Changes to legislation: Solicitors (Scotland) Act 1980, Section 6 is up to date with all changes known to be in force on or before 11 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)*

- (a) he is a fit and proper person to be admitted as a solicitor, and
  - (b) he is competent to be a solicitor,
- may make an order admitting him as a solicitor.

[<sup>F3</sup>(3A) The Council may petition the court for the admission as a solicitor of an applicant who has complied with the requirements of subsection (1) above; and, where it does so it shall lodge the petition not later than one month after the applicant has first so complied.

(3B) The Court shall, on a petition being made to it under subsection (3A) above, make an order admitting the applicant as a solicitor.]

(4) Any order admitting a person as a solicitor under this section shall include a direction to the Council to enter the name of that person in the roll.

(5) Nothing in this section affects the operation of the <sup>M1</sup>Colonial Solicitors Act 1900 or any Order in Council made under that Act (admission as solicitors in Scotland of solicitors of certain overseas territories)

(6) Every person who has been enrolled as a law agent shall be deemed to be admitted as a solicitor.

#### Textual Amendments

- F1** Words repealed by Law Reform (Miscellaneous Provisions)(Scotland) Act 1985 (c. 73, SIF 76:2, 36:1), s. 56, Sch. 1 Pt. II para. 2(a), Sch. 4
- F2** S. 6(2) substituted (20.7.1992) by Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40, SIF 76:2), s. 37(1); S.I. 1992/1599, art.4, Sch. 2
- F3** S. 6(3A)(3B) inserted by Law Reform (Miscellaneous Provisions)(Scotland) Act 1985 (c. 73, SIF 76:2), s. 56, Sch. 1 Pt. II para. 2(b)

#### Marginal Citations

- M1** 1900 c. 14 (63 and 64 Vict).

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