

*Status: Point in time view as at 14/10/1991.*

*Changes to legislation: Courts and Legal Services Act 1990, Cross Heading: Jurisdiction and powers of Disciplinary Tribunal 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)*

## SCHEDULES

### SCHEDULE 14

#### FOREIGN LAWYERS: PARTNERSHIPS AND RECOGNISED BODIES

#### PART II

#### REGISTERED FOREIGN LAWYERS: SUPPLEMENTARY PROVISIONS

##### *Jurisdiction and powers of Disciplinary Tribunal*

- 15 (1) Subject to paragraph 16, section 46 of the Act of 1974 (Solicitors Disciplinary Tribunal) shall apply, with the necessary modifications, in relation to applications and complaints made by virtue of any provision of this Schedule as it applies in relation to applications and complaints made by virtue of any provision of that Act.
- (2) Any application—
- (a) to strike the name of a foreign lawyer off the register;
  - (b) to require a registered foreign lawyer to answer allegations in an affidavit;
  - (c) to suspend the registration of a foreign lawyer for a specified or indefinite period;
  - (d) by a foreign lawyer whose name has been struck off the register by order of the Tribunal to have his name restored to the register;
  - (e) by a foreign lawyer whose registration has been suspended for an indefinite period by order of the Tribunal for the termination of that suspension,
- shall be made to the Tribunal.
- (3) Any person who alleges that a registered foreign lawyer has failed to comply with any rule made under section 31, 32, 34, or 37 of the Act of 1974 may make a complaint to the Tribunal.
- (4) On the hearing of any application or complaint made to the Tribunal with respect to a foreign lawyer, the Tribunal shall have power to make such order as it may think fit, and any such order may in particular include provision for any of the following matters—
- (a) the striking off the register of the name of the foreign lawyer to whom the application or complaint relates;
  - (b) the suspension of that foreign lawyer's registration indefinitely or for a specified period;
  - (c) the payment by that foreign lawyer of a penalty not exceeding £5,000, which shall be forfeit to Her Majesty;
  - (d) the termination of that foreign lawyer's unspecified period of suspension from registration;

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- (e) the restoration to the register of the name of a foreign lawyer which has been struck off the register;
  - (f) the payment by any party of costs or a contribution towards costs of such amount as the Tribunal may consider reasonable.
- (5) Any order made under subsection (4) of section 47 of the Act of 1974 varying the maximum amount of the penalty which may be imposed under subsection (2)(c) of that section may make the same variation in the corresponding amount mentioned in sub-paragraph (4)(c).

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**Commencement Information**

**II** Sch. 14 para. 15 wholly in force at 14.10.1991 see s. 124(3) and S.I. 1991/1883, art. 3, Sch.

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