



Solicitors Act 1974

1974 CHAPTER 47

PART I

RIGHT TO PRACTISE AS SOLICITOR

Unqualified persons acting as solicitors

[^{F1}20 **Unqualified person not to act as solicitor.**

- (1) No unqualified person is to act as a solicitor.
- (2) Any person who contravenes subsection (1) is guilty of an offence and liable on conviction on indictment to imprisonment for not more than 2 years or to a fine, or to both.]

Textual Amendments

- F1** S. 20 substituted (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 177, 211, [Sch. 16 para. 25](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2\(f\)\(ii\)](#) (with art. 9)

Modifications etc. (not altering text)

- C1** S. 20 modified (22.5.2000) by S.I. 2000/1119, regs. 1, 37(1), [Sch. 3 Pt. 2](#) (which amendment was omitted (1.1.2010) by virtue of [The Legal Services Act 2007 \(Registered European Lawyers\) Order 2009 \(S.I. 2009/1587\)](#), [art. 2\(6\)\(a\)](#))
- C2** S. 20 excluded by [Administration of Justice Act 1985 \(c. 61\)](#), s. 9(3) (as substituted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 177, 211, [Sch. 16 para. 81\(6\)](#) (with ss. 29, 192, 193)); S.I. 2009/503, [art. 2\(b\)\(ii\)](#) (subject to art. 5)

21 **Unqualified person not to pretend to be a solicitor.**

Any unqualified person who wilfully pretends to be, or takes or uses any name, title, addition or description implying that he is, qualified or recognised by law as qualified

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Changes to legislation: There are currently no known outstanding effects for the Solicitors Act 1974, Cross Heading: Unqualified persons acting as solicitors. (See end of Document for details)

to act as a solicitor shall be guilty of an offence and liable on summary conviction to [F²a fine not exceeding the fourth level on the standard scale]

Textual Amendments

- F2** Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [ss. 38, 46](#) and [Administration of Justice Act 1985 \(c. 61, SIF 34\)](#), [ss. 8, 69\(5\)](#), [Sch. 1 para. 6](#), [Sch. 9 para. 17](#)

Modifications etc. (not altering text)

- C3** [S. 21](#) amended by [Copyright, Designs and Patents Act 1988 \(c. 48, SIF 67A\)](#), [s. 278\(2\)\(3\)](#)

22 Unqualified person not to prepare certain instruments.

F³

Textual Amendments

- F3** [S. 22](#) repealed (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), [ss. 177, 210, 211](#), [Sch. 16 para. 26\(a\)](#), [Sch. 23](#) (with [ss. 29, 192, 193](#))

22A Powers of entry etc. of local weights and measures authorities.

F⁴

Textual Amendments

- F4** [S. 22A](#) repealed (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), [ss. 177, 210, 211](#), [Sch. para. 16\(26\)\(a\)](#), [Sch. 23](#) (with [ss. 29, 192, 193](#)); [S.I. 2009/3250](#), [art. 2\(i\)\(ii\)\(dd\)](#) (with [art. 9](#))

23 Unqualified person not to prepare papers for probate etc.

F⁵

Textual Amendments

- F5** [S. 23](#) repealed (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), [ss. 177, 210, 211](#), [Sch. 16 para. 26\(b\)](#), [Sch. 23](#) (with [ss. 29, 192, 193](#)); [S.I. 2009/3250](#), [art. 2\(i\)\(ii\)\(dd\)](#) (with [art. 9](#))

24 Application of penal provisions to body corporate.

(1) If any act is done by a body corporate, or by any director, officer or servant of a body corporate, and is of such a nature or is done in such a manner as to be calculated to imply that the body corporate is qualified or recognised by law as qualified to act as a solicitor—

- (a) the body corporate shall be guilty of an offence and liable on summary conviction to [F⁶a fine not exceeding the fourth level on the standard scale, and]

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- (b) in the case of an act done by a director, officer or servant of the body corporate, he also shall be guilty of an offence and liable on summary conviction to [^{F7}a fine not exceeding the fourth level on the standard scale.]
- (2) For the avoidance of doubt it is hereby declared that in [^{F8}section 20 the reference to an unqualified person and the reference to a person both include a reference to a body corporate.]

Textual Amendments

- F6** S. 24(1)(a): words substituted by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38, 46** and Administration of Justice Act 1985 (c. 61, SIF 34), ss. 8, 69(5), **Sch. 1 para. 7(a)**, Sch. 9 para. 17
- F7** S. 24(1)(b): words substituted by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38, 46** and Administration of Justice Act 1985 (c. 61, SIF 34), ss. 8, 69(5), **Sch. 1 para. 7(b)**, Sch. 9 para. 17
- F8** Words in s. 24(2) substituted (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 177, 211, **Sch. 16 para. 27** (with ss. 29, 192, 193); S.I. 2009/3250, **art. 2(f)(ii)** (with art. 9 and subject to art. 5)

Modifications etc. (not altering text)

- C4** S. 24(1) excluded (1.1.1992) by Administration of Justice Act 1985 (c. 61, SIF 34), s. 9(3); S.I. 1991/2683, **art. 2** (which excluding provision was substituted (31.3.2009) by Legal Services Act 2007 (c. 29), ss. 177, 211, **Sch. 16 para. 81(6)** (with ss. 29, 192, 193); S.I. 2009/503, **art. 2(b)(ii)** (subject to art. 4))
- C5** S. 24(2) excluded by Administration of Justice Act 1985 (c. 61, SIF 34), **s. 32(4)**
- C6** S. 24(2) excluded by (1.1.1992) by Administration of Justice Act 1985 (c. 61, SIF 34), s. 9(3); S.I. 1991/2683, **art. 2** (which excluding provision was substituted (31.3.2009) by Legal Services Act 2007 (c. 29), ss. 177, 211, **Sch. 16 para. 81(6)** (with ss. 29, 192, 193); S.I. 2009/503, **art. 2(b)(ii)** (subject to art. 4))

25 Costs where unqualified person acts as solicitor.

- (1) No costs in respect of anything done by any unqualified person acting as a solicitor shall be recoverable by him, or by any other person, in any action, suit or matter.
- (2) Nothing in subsection (1) shall prevent the recovery of money paid or to be paid by a solicitor on behalf of a client in respect of anything done by the solicitor while acting for the client without holding a practising certificate in force if that money would have been recoverable if he had held such a certificate when so acting.

Modifications etc. (not altering text)

- C7** S. 25 excluded by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), **ss. 27(10), 28(6), 59(1)**
- C8** S. 25(1) modified (22.5.2000) by S.I. 2000/1119, reg. 37(2), Sch. 3 Pt. 3 (which amendment was omitted (1.1.2010) by virtue of The Legal Services Act 2007 (Registered European Lawyers) Order 2009 (S.I. 2009/1587), **art. 2(6)(b)**)
- C9** S. 25(1) excluded by S.I. 1978/1910, art. 18(2), **Sch. Pt. III** (as amended by The European Communities (Services of Lawyers) (Amendment) Order 2004 (S.I. 2004/1117), {art. 5(3)})

26 Time limit for commencement of certain proceedings.

Notwithstanding anything in the [^{F9M1}Magistrates' Courts Act 1980], proceedings in respect of any offence under section 21 [^{F10}. . . may be brought at any time before the

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expiration of two years from the commission of the offence or six months from its first discovery by the prosecutor, whichever period expires first.

Textual Amendments

- F9** Words substituted by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), s. 154, [Sch. 7 para. 132](#)
- F10** Words in [s. 26](#) repealed (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 177, 210, 211, [Sch. 16 para. 28](#), [Sch. 23](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2\(f\)\(ii\)\(i\)\(ii\)\(ee\)](#) (with [art. 9](#) and subject to [art. 5](#))
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Marginal Citations

- M1** [1980 c. 43](#).

27 Saving for persons authorised to conduct legal proceedings.

F11

Textual Amendments

- F11** [S. 27](#) repealed (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 177, 210, 211, [Sch. 16 para. 29](#), [Sch. 23](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2\(f\)\(ii\)\(i\)\(ii\)\(ff\)](#) (with [art. 9](#))

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