



Solicitors Act 1974

1974 CHAPTER 47

PART II

PROFESSIONAL PRACTICE, CONDUCT AND DISCIPLINE OF SOLICITORS AND CLERKS

Disciplinary proceedings before Supreme Court

50 Jurisdiction of [^{F1}Senior Courts] over solicitors.

- (1) Any person duly admitted as a solicitor shall be an officer of the [^{F2}Senior Courts] ;
^{F3} . . .
- (2) Subject to the provisions of this Act, the High Court, the Crown Court and the Court of Appeal respectively, or any division or judge of those courts, may exercise the same jurisdiction in respect of solicitors as any one of the superior courts of law or equity from which the [^{F4}Senior Courts were] constituted might have exercised immediately before the passing of the ^{M1}Supreme Court of Judicature Act 1873 in respect of any solicitor, attorney or proctor admitted to practise there.
- [^{F5}(3) An appeal shall lie to the Court of Appeal from any order made against a solicitor by the High Court or the Crown Court in the exercise of its jurisdiction in respect of solicitors under subsection (2).]

Textual Amendments

- F1** S. 50 side-note: words substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59, 148, **Sch. 11 para. 21(5)(a)**; S.I. 2009/1604, **art. 2(b)(d)**
- F2** Words in s. 50(1) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59, 148, **Sch. 11 para. 21(5)(a)**; S.I. 2009/1604, **art. 2(b)(d)**
- F3** Words repealed by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), **Sch. 7**
- F4** Words in s. 50(2) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59, 148, **Sch. 11 para. 21(5)(b)**; S.I. 2009/1604, **art. 2(b)(d)**
- F5** S. 50(3) inserted by Supreme Court Act 1981 (c. 54, SIF 37), s. 147

Status: Point in time view as at 01/10/2010.

*Changes to legislation: There are currently no known outstanding effects for the Solicitors Act 1974,
 Cross Heading: Disciplinary proceedings before Supreme Court. (See end of Document for details)*

Modifications etc. (not altering text)

C1 S. 50(2)(3) extended (22.5.2000) by S.I. 2000/1119, regs. 1, 37(3), Sch. 4 para. 10 (as amended (1.7.2009) by The Legal Services Act 2007 (Registered European Lawyers) Order 2009 (S.I. 2009/1587), art. 3(10))

Marginal Citations

M1 1873 c. 66.

51 Procedure upon certain applications to High Court.

- (1) Where an application to strike the name of a solicitor off the roll or to require a solicitor to answer allegations contained in an affidavit is made to the High Court, then, subject to section 54, the following provisions of this section shall have effect in relation to that application.
- (2) The court shall not entertain the application except on production of an affidavit proving that the applicant has served on the Society fourteen clear days' notice of his intention to make the application, together with copies of all affidavits intended to be used in support of the application.
- (3) The Society may appear by counsel on the hearing of the application and any other proceedings arising out of or in reference to the application, and may apply to the court—
 - (a) to make absolute any order nisi which the court may have made on the application;
 - (b) to make an order that the name of the solicitor be struck off the roll; or
 - (c) to make such other order as the court may think fit.
- (4) The court may order the costs of the Society of or relating to any of the matters mentioned in subsections (2) and (3) to be paid by the solicitor against whom, or by the person by whom, the application was made, or was intended to be made, or partly by one and partly by the other of them.

Modifications etc. (not altering text)

C2 S. 51 extended (22.5.2000) by S.I. 2000/1119, regs. 1, 37(3), Sch. 4 para. 10 (as amended (1.7.2009) by The Legal Services Act 2007 (Registered European Lawyers) Order 2009 (S.I. 2009/1587), art. 3(10))

52 Power of Society to draw up order of court.

Where an order, whether nisi or absolute, is made by the High Court or the Court of Appeal on a motion to strike the name of a solicitor off the roll, or to require a solicitor to answer allegations contained in an affidavit, and that order is not drawn up by the applicant within one week of its being made, the Society may cause the order to be drawn up, and all future proceedings on the order shall be taken as if the motion had been made by the Society.

Status: Point in time view as at 01/10/2010.

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Modifications etc. (not altering text)

- C3** S. 52 extended (22.5.2000) by S.I. 2000/1119, regs. 1, 37(3), Sch. 4 para. 10 (as amended (1.7.2009) by The Legal Services Act 2007 (Registered European Lawyers) Order 2009 (S.I. 2009/1587), **art. 3(10)**)

53 Production of order of court to Society.

Where an order is made by the High Court or the Court of Appeal that the name of a solicitor be struck off the roll, or that a solicitor be suspended from practice, the proper officer of the court shall forthwith send a copy of the order to the Society, and the Society shall enter a note of the order on the roll against the name of the solicitor and, where the order so directs, shall strike that name off the roll.

Modifications etc. (not altering text)

- C4** S. 53 extended (22.5.2000) by S.I. 2000/1119, regs. 1, 37(3), Sch. 4 para. 10 (as amended (1.7.2009) by The Legal Services Act 2007 (Registered European Lawyers) Order 2009 (S.I. 2009/1587), **art. 3(10)**)

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