



# Solicitors Act 1974

## 1974 CHAPTER 47

### PART II

#### PROFESSIONAL PRACTICE, CONDUCT AND DISCIPLINE OF SOLICITORS AND CLERKS

##### *Restrictions on practice as solicitor*

#### **38 Solicitor who is justice of the peace not to act in certain proceedings**

- (1) Subject to the provisions of this section, it shall not be lawful for any solicitor who is one of the justices of the peace for any area, or for any partner of his, to act in connection with proceedings before any of those justices as solicitor or agent for the solicitor of any person concerned in those proceedings.
- (2) Where the area for which a solicitor is a justice of the peace is divided into petty sessional divisions, his being a justice for the area shall not subject him or any partner of his to any disqualification under this section in relation to proceedings before justices acting for a petty sessional division for which he does not ordinarily act.
- (3) Where a solicitor is a justice of the peace for any area, that shall not subject him or any partner of his to any disqualification under this section if his name is entered in the supplemental list kept under section 1 of the Administration of Justice Act 1973.
- (4) Where a solicitor is, as being Lord Mayor or alderman, a justice of the peace for the City of London, that shall not subject him or any partner of his to any disqualification under this section, if he is in accordance with section 1(6) of the Administration of Justice Act 1973 excluded from the exercise of his functions as a justice for the City.