



Solicitors Act 1974

1974 CHAPTER 47

PART IV

MISCELLANEOUS AND GENERAL

The Society

[^{F1}79] Discharge of the Council's functions

- (1) The Council may arrange for any function of the Council (including any function exercisable by the Council by virtue of section 80) to be exercised by—
 - (a) a committee of the Council,
 - (b) a sub-committee of such a committee,
 - (c) a body corporate which is established for the purpose of providing services to the Council (or any committee of the Council) and is a wholly-owned subsidiary of the Society, or
 - (d) an individual (whether or not a member of the Society's staff).
- (2) Where by virtue of subsection (1) any function may be discharged by a committee, the committee may arrange for the discharge of the function by—
 - (a) a sub-committee of that committee,
 - (b) a body corporate which is established for the purpose of providing services to the Council (or any committee of the Council) and is a wholly-owned subsidiary of the Society, or
 - (c) an individual (whether or not a member of the Society's staff).
- (3) Where, by virtue of subsection (1) or (2), any function may be discharged by a sub-committee, that sub-committee may arrange for the discharge of the function by an individual (whether or not a member of the Society's staff).
- (4) Arrangements made under this section in respect of a function may provide that the function is to be exercised in accordance with the arrangements only (and not by the delegating body).

Status: Point in time view as at 01/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Solicitors Act 1974, Section 79. (See end of Document for details)

- (5) In subsection (4) “the delegating body” means—
- (a) in the case of arrangements under subsection (1), the Council;
 - (b) in the case of arrangements under subsection (2), the committee;
 - (c) in the case of arrangements under subsection (3), the sub-committee.
- (6) Subsections (2) and (3) have effect subject to any contrary direction given by the Council.
- (7) Where arrangements under subsection (3) relate to a function delegated by a committee under subsection (2), subsection (3) also has effect subject to any contrary direction given by that committee.
- (8) Any power given by subsection (1), (2) or (3) may be exercised so as to impose restrictions or conditions on the body or individual by whom the function is to be discharged.
- (9) A committee or sub-committee may include or consist of individuals other than—
- (a) members of the Council;
 - (b) members of the Society;
 - (c) solicitors.
- (10) A sub-committee of a committee may also include or consist of individuals other than members of the committee.
- (11) The Council may make arrangements for the appointment and removal of members of any committee to be made other than by the Council.
- (12) A committee or sub-committee may regulate its own procedure, including quorum.
- (13) The validity of any proceedings of a committee or sub-committee is not affected by any vacancy among its members.
- (14) In this section “wholly-owned subsidiary” has the meaning given by section 1159 of the Companies Act 2006.
- (15) This section is subject to any provision to the contrary made by or under any enactment.]

Textual Amendments

- F1** S. 79 substituted (7.3.2008) by Legal Services Act 2007 (c. 29), ss. 177, 211, **Sch. 16 para. 71** (with ss. 29, 192, 193); S.I. 2008/222, **art. 2(j)(i)** (subject to art. 7(2))
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Modifications etc. (not altering text)

- C1** S. 79 modified (temp) (7.3.2008) by The Legal Services Act 2007 (Commencement No.1 and Transitory Provisions) Order 2008 (S.I. 2008/222), **art. 7(2)**

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