

*Changes to legislation: Solicitors (Scotland) Act 1980, Cross Heading: Constitution and Proceedings is up to date with all changes known to be in force on or before 30 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) View outstanding changes*

## SCHEDULES

### SCHEDULE 1 **S**

#### THE LAW SOCIETY OF SCOTLAND

##### *Constitution and Proceedings*

- 1 The Society shall be a body corporate with a common seal and may sue and be sued in its own name.
- 2 The Council shall prepare a scheme providing for—
  - (a) the constitution<sup>F1</sup>... and proceedings of the Council;
  - [<sup>F2</sup>(aa) election, co-option and appointment to the Council;]
  - (b) the meetings of the Society;
  - (c) the appointment of a chairman, vice-chairman, secretary and other officers and employees of the Society;
  - (d) the appointment and constitution of committees [<sup>F3</sup>and sub-committees].

#### Textual Amendments

- F1** Word in Sch. 1 para. 2(a) repealed (30.6.2011) by [Legal Services \(Scotland\) Act 2010 \(asp 16\), ss. 132\(2\)\(a\)\(i\), 150\(2\)](#); S.S.I. 2011/180, art. 6
- F2** Sch. 1 para. 2(aa) inserted (30.6.2011) by [Legal Services \(Scotland\) Act 2010 \(asp 16\), ss. 132\(2\)\(a\)\(ii\), 150\(2\)](#); S.S.I. 2011/180, art. 6
- F3** Words in Sch. 1 para. 2(d) inserted (1.6.2003) by [Council of the Law Society of Scotland Act 2003 \(asp 14\), ss. 2\(2\), 3\(2\)](#)

- 3 The scheme prepared under paragraph 2—
  - (a) may make provision enabling the Council to admit as honorary members of the Society persons who have ceased to be practising solicitors, no such honorary member being entitled to vote at meetings of the Society or liable to pay an annual subscription;
  - (b) shall make provision for the admission on application made in that behalf and on payment of the annual subscription as a member of the Society of any solicitor who by virtue of the provisions of section 24 is exempted from taking out a practising certificate;
  - [<sup>F4</sup>(bza) shall make provision for—
    - (i) the election or co-option of solicitor members to the Council,
    - (ii) the appointment of non-solicitor members to the Council;]
    - [<sup>F5</sup>(ba) may make provision for persons other than solicitors to be members of a committee or sub-committee of the Council (including provision for such persons to constitute a majority of the members of the committee or sub-committee);]

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- (c) may contain such other provisions with respect to the administration, management and proceedings of the Society as are considered necessary or proper and are consistent with the provisions of this Act.

**Textual Amendments**

- F4** Sch. 1 para. 3(bza) inserted (30.6.2011) by [Legal Services \(Scotland\) Act 2010 \(asp 16\)](#), **ss. 132(2)(b)**, 150(2); S.S.I. 2011/180, art. 6
- F5** Sch. 1 para. 3(ba) inserted (1.6.2003) by [Council of the Law Society of Scotland Act 2003 \(asp 14\)](#), **ss. 2(3)**, 3(2)

[<sup>F6</sup>3A (1) This paragraph applies for the purpose of paragraph 3(bza).

- (2) Persons are electable, or eligible to be co-opted, as solicitor members if they are members of the Society.
- (3) Persons are appointable as non-solicitor members if they appear to the Council—
- (a) to be qualified to represent the interests of the public in relation to the provision of legal services in Scotland, or
  - (b) having regard to the Society's functions, to be suitable in other respects.]

**Textual Amendments**

- F6** Sch. 1 para. 3A inserted (30.6.2011) by [Legal Services \(Scotland\) Act 2010 \(asp 16\)](#), **ss. 132(2)(c)**, 150(2); S.S.I. 2011/180, art. 6

4 A scheme prepared under paragraph 2 shall have effect on being approved by a resolution passed by a majority of the members present in person or by proxy at a general meeting of the Society, or at an adjournment of such meeting.

5 The Society may by a resolution passed by a majority consisting of not less than two-thirds of the members of the Society present in person or by proxy at a meeting of the Society of which due notice specifying the intention to propose the resolution has been given, or at any adjournment of such meeting, rescind, add to or amend any of the provisions of the scheme so approved.

**Changes to legislation:**

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[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 12A(2)(ba) inserted by [2010 asp 16 s. 118\(3\)](#)
- s. 32(1)(d) and word inserted by [2010 asp 16 s. 118\(2\)\(a\)\(i\)](#)
- s. 32(2D) inserted by [2010 asp 16 s. 118\(2\)\(a\)\(iv\)](#)
- Sch. 4 para. 1A(b)(ia) inserted by [2010 asp 16 s. 118\(2\)\(b\)](#)