

Changes to legislation: Solicitors (Scotland) Act 1980, Paragraph 1B is up to date with all changes known to be in force on or before 06 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 3

PART 1

THE SCOTTISH SOLICITORS GUARANTEE FUND

F¹ Contributions by registered foreign lawyers

Textual Amendments

F1 Sch. 3 para. 1B and cross-heading inserted (1.10.2004) by The Solicitors (Scotland) Act 1980 (Foreign Lawyers and Multi-national Practices) Regulations (S.S.I. 2004/383), {reg. 12}

- 1B (1) Subject to the provisions of this paragraph, paragraph 1 above shall apply to registered foreign lawyers as it applies to solicitors and in that paragraph as so applied references to a practising certificate shall be construed as references to a registered foreign lawyer's registration certificate.
- (2) Where a registered foreign lawyer can prove that—
- (a) he is covered by a guarantee provided in accordance with the rules of the legal profession of which he is a member; and
 - (b) the guarantee is equivalent in terms of the conditions and the extent of its cover to the Guarantee Fund,
- then to the extent that there is such equivalence that lawyer shall be exempt from the requirements of paragraph 1.
- (3) Where the equivalence referred to in sub paragraph (2) is only partial, the Society may specify the guarantee obligations a registered foreign lawyer is required to meet to comply with paragraph 1.
- (4) The Council may, where it is satisfied that any acts or defaults on the part of a registered foreign lawyer would not result in a grant being made from the Guarantee Fund held under section 43, exempt that lawyer from the requirements of paragraph 1.
- (5) Sub paragraphs (2), (6) and (8) of paragraph 1 shall not apply to registered foreign lawyers.]

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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)(iia) inserted by [2010 asp 16 s. 118\(2\)\(b\)](#)