



Solicitors (Scotland) Act 1980

1980 CHAPTER 46

PART II

RIGHT TO PRACTISE AS A SOLICITOR

Unqualified persons acting as solicitors

33 Unqualified persons not entitled to fees, etc.

[^{F1}(1) [^{F2}Subject to the provisions of regulations 12 and 13 of the European Communities (Lawyer's Practice) (Scotland) Regulations 2000,]no fee, reward, outlay or expenses on account of or in relation to any act or proceeding done or taken by any person who—

(a) acts as a solicitor or as a notary public without being duly qualified so to act; or

(b) not being so qualified,. . . ^{F3} frames or draws any writs to which section 32 applies,

shall be recoverable by any person in any action or matter.]

[^{F4}(2) [^{F5}This section does not apply to an incorporated practice][^{F6}or a licensed legal services provider][^{F7}or in relation to writs framed or drawn by a person who is, by virtue of an act of sederunt made under section 32 of the Sheriff Courts (Scotland) Act 1971, permitted to represent a party to a summary cause.]]

Textual Amendments

- F1** Words in s. 33 renumbered as s. 33(1) (2.7.2012) by [Legal Services \(Scotland\) Act 2010 \(asp 16\)](#), **ss. 123(5)(a), 150(2)**; S.S.I. 2012/152, art. 2, sch.
- F2** Words in s. 33 inserted (22.5.2000) by S.S.I. 2000/121, regs. 1(1), 37(1), **Sch. 1 para. 1(10)**
- F3** Words repealed by [Solicitors \(Scotland\) Act 1988 \(c. 42, SIF 76:2\)](#), s. 6(1)(2), Sch. 1 para. 8, **Sch. 2**
- F4** Words in s. 33 renumbered as s. 33(2) (2.7.2012) by [Legal Services \(Scotland\) Act 2010 \(asp 16\)](#), **ss. 123(5)(a), 150(2)**; S.S.I. 2012/152, art. 2, sch.
- F5** Words inserted by [Law Reform \(Miscellaneous Provisions\) \(Scotland\) Act 1985 \(c. 73, SIF 76:2\)](#), s. 56, **Sch. 1 Pt. I para. 10**

Status: Point in time view as at 02/07/2012. This version of this provision has been superseded.

Changes to legislation: *Solicitors (Scotland) Act 1980, Section 33 is up to date with all changes known to be in force on or before 28 July 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)*

- F6** Words in s. 33(2) inserted (2.7.2012) by Legal Services (Scotland) Act 2010 (asp 16), **ss. 123(5)(b), 150(2)**; S.S.I. 2012/152, art. 2, sch.
- F7** Words inserted by Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40, SIF 76:2), s. 74, **Sch. 8 Pt. II para. 29(7)**

Modifications etc. (not altering text)

- C1** S. 33 excluded (17.5.2004) by S.I. 1978/1910, **art. 18(3)** (as amended by The European Communities (Services of Lawyers) Amendment (Scotland) Order (S.S.I. 2004/186), {art. 6(b)})

Status:

Point in time view as at 02/07/2012. This version of this provision has been superseded.

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