

Status: Point in time view as at 14/10/1991.

Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1985, SCHEDULE 1. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 8.

MINOR AMENDMENTS OF SOLICITORS ACT 1974

- 1 In section 3 (admission as solicitor), in subsection (3), for “High Court” substitute “Supreme Court”.
- 2 In section 7 (entry of name and restoration of name struck off), omit “not exceeding £15”.
- 3 In section 8 (removal or restoration of name at solicitor’s request), in subsection (2), omit “not exceeding £15”.
- 4 F1

Textual Amendments

F1 Sch. 1 paras. 4, 11 repealed by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), s. 125(7), Sch. 20

- 5 In section 13 (appeals in connection with issue of practising certificates), in subsection (2), for “issues”, in both places where it occurs, substitute “decides to issue”.
- 6 In section 21 (unqualified person not to pretend to be a solicitor), for the words from “a fine” onwards substitute “a fine not exceeding the fourth level on the standard scale.”
- 7 In section 24 (application of penal provisions to body corporate)—
 - (a) in subsection (1)(a), for the words from “a fine” onwards substitute “a fine not exceeding the fourth level on the standard scale, and”; and
 - (b) in subsection (1)(b), for the words from “a fine” onwards substitute “a fine not exceeding the fourth level on the standard scale.”
- 8 (1) Section 28 (regulations) shall be amended as follows.
(2) After subsection (3) insert—

“(3A) Regulations about the keeping of the roll may—

 - (a) provide for the Society, at such intervals as may be specified in the regulations, to enquire of solicitors of any class so specified whether they wish to have their names retained on the roll;
 - (b) require solicitors of any such class, at such intervals as aforesaid, to pay to the Society a fee in respect of the retention of their names on the roll of such amount as may be prescribed by the regulations; and
 - (c) authorise the Society to remove from the roll the name of any solicitor who—

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- (i) fails to reply to any enquiry made in pursuance of paragraph (a) or to pay any fee payable by virtue of paragraph (b), or
- (ii) replies to any such enquiry by indicating that he does not wish to have his name retained on the roll;
- (d) authorise the Society to remove from the roll the name of any solicitor who has died.”.
- (3) In subsection (4), for “The regulations may” substitute “Regulations about the keeping of the roll may also”.
- 9 In section 34 (accountants’ reports)—
- (a) in subsection (2), for “specified in” substitute “for the purposes of”; and
- (b) after subsection (5) insert—
- “(5A) Without prejudice to the generality of subsection (5)(b), rules under this section may make provision requiring a solicitor in advance of delivering an accountant’s report to notify the Society of the period which is to be the accounting period for the purposes of that report in accordance with the preceding provisions of this section.”.
- 10 In section 43 (control of employment of certain clerks)—
- (a) in subsection (1)(b), for the words from “in respect of” onwards substitute “which involved conduct on his part of such a nature that in the opinion of the Society it would be undesirable for him to be employed by a solicitor in connection with his practice,”; and
- (b) omit subsection (6).
- 11 F2

Textual Amendments

F2 Sch. 1 paras. 4, 11 repealed by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\)](#), s. 125(7), **Sch. 20**

- 12 In section 87 (interpretation)—
- (a) in subsection (1)—
- (i) in the definition of “contentious business”, for “section 175(1) of the ^{M1}Supreme Court of Judicature (Consolidation) Act 1925” substitute “section 128 of the Supreme Court Act 1981”;
- (ii) after the definition of “solicitor in Scotland” insert—
- ““the standard scale” has the meaning given by section 37 of the Criminal Justice Act 1982;”;
- and
- (b) in subsection (2)—
- (i) at the end of paragraph (a) insert “or in pursuance of regulations under section 28(3A);”
- (ii) in paragraph (b), for “otherwise than at his own request” substitute “as a disciplinary sanction”.

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Marginal Citations

M1 1925 c. 49.

- 13 (1) Schedule 1 (intervention in solicitor’s practice) shall be amended as follows.
- (2) In paragraph 1(1), after paragraph (e), insert—
- “(ee) the Council are satisfied that a sole solicitor is incapacitated by illness or accident to such an extent as to be unable to attend to his practice;”.
- (3) In paragraph 5(2), after “bank” insert “or other financial institution”.
- (4) In paragraph 6(4), for “14” substitute “8”.
- (5) In paragraph 7—
- (a) in sub-paragraph (1), for “and any such person” substitute “or into a client account of a solicitor nominated on behalf of the Society, and any such person or solicitor”; and
- (b) in sub-paragraph (2), after “bank” insert “or other financial institution”.
- 14 In Schedule 2 (the Compensation Fund), in paragraph 2(1)(b), omit “not exceeding £50”.

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