

Status: Point in time view as at 01/10/2001. This version of this part contains provisions that are not valid for this point in time.

Changes to legislation: Courts and Legal Services Act 1990, Part I is up to date with all changes known to be in force on or before 09 September 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)

SCHEDULES

SCHEDULE 14

FOREIGN LAWYERS: PARTNERSHIPS AND RECOGNISED BODIES

PART I

REGISTRATION

General

1 In this Schedule—

“the Act of 1974” means the Solicitors Act 1974;

“controlled trust” means, in relation to a registered foreign lawyer who is a member of a multi-national partnership, a trust of which he is a sole trustee or co-trustee only with one or more of the employees or other partners of that partnership and of which he is a trustee by virtue of his being a member of that partnership;

“the Council” means the Council of the Law Society;

“the register” means the register maintained by the Society under section 89;

“registration” means registration in that register;

“the Society” means the Law Society; and

“the Tribunal” means the Solicitors Disciplinary Tribunal.

Commencement Information

II Sch. 14 para. 1 wholly in force at 14.10.1991 see s. 124(3) and S.I. 1991/1883, art. 3, Sch.

Application for registration

- 2 (1) An application for registration or for renewal of registration—
- shall be made to the Society in such form as the Council may prescribe; and
 - shall be accompanied by such fee as the Council may, with the concurrence of the Master of the Rolls, prescribe.
- (2) Where such an application is duly made by a foreign lawyer, the Law Society may register the applicant if it is satisfied that the legal profession of which the applicant is a member is one which is so regulated as to make it appropriate—
- for solicitors to enter into multi-national partnerships with members of that profession; and

Status: Point in time view as at 01/10/2001. This version of this part contains provisions that are not valid for this point in time.

Changes to legislation: Courts and Legal Services Act 1990, Part I is up to date with all changes known to be in force on or before 09 September 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)

- (b) for members of that profession to be officers of recognised bodies.
- (3) Any registration may be made subject to such conditions as the Society sees fit to impose.
- (4) The Council may make regulations, with the concurrence of the Master of the Rolls, with respect to—
 - (a) the keeping of the register (including the manner in which entries are to be made, altered or removed); and
 - (b) applications for registration or renewal of registration.
- (5) The register may be kept by means of a computer.

Modifications etc. (not altering text)

- C1** Sch. 14 para. 2(1)(a) extended (22.5.2000) by S.I. 2000/1119 regs. 1(1), 37(3), Sch. 4 para. 5(2)
- C2** Sch. 14 para. 2(1)(b) extended (22.5.2000) by S.I. 2000/1119 regs. 1(1), 37(3), Sch. 4 para. 5(1)
- C3** Sch. 14 para. 2(3) extended (22.5.2000) by S.I. 2000/1119 regs. 1(1), 37(3), Sch. 4 para. 5(2)
- C4** Sch. 14 para. 2(4) extended (22.5.2000) by S.I. 2000/1119, regs. 1(1), 37(3), **Sch. 4 para. 1(4)**
- C5** Sch. 14 para. 2(5) extended (22.5.2000) by S.I. 2000/1119 regs. 1(1), 37(3), Sch. 4 para. 5(2)

Commencement Information

- I2** Sch. 14 para. 2 wholly in force at 14.10.1991 see s. 124(3) and S.I. 1991/1883, art. 3, **Sch.**

VALID FROM 01/07/2009

- [^{F1}2A (1) The Society may direct that a foreign lawyer's registration is to have effect subject to such conditions as the Society thinks fit to impose.
- (2) A direction under sub-paragraph (1) may be given in respect of a foreign lawyer
- (a) at the time he is first registered, or
 - (b) at any time when the registration has effect.]

Textual Amendments

- F1** Sch. 14 para. 2A inserted (1.7.2009) by Legal Services Act 2007 (c. 29), ss. 177, 211, **Sch. 16 para. 129** (with ss. 29, 192, 193); S.I. 2009/1365, **art. 2(b)(i)**

Duration of registration

- 3 (1) Every registration shall have effect from the beginning of the day on which it is entered in the register.
- (2) The Council may make regulations—
 - (a) prescribing the date (“the renewal date”) by which each registered foreign lawyer must apply for his registration to be renewed; and
 - (b) requiring every entry in the register to specify the renewal date applicable to that registration.

Status: Point in time view as at 01/10/2001. This version of this part contains provisions that are not valid for this point in time.

Changes to legislation: Courts and Legal Services Act 1990, Part I is up to date with all changes known to be in force on or before 09 September 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)

- (3) Any such regulations may—
- (a) provide different renewal dates for different categories of registered foreign lawyer or different circumstances;
 - (b) provide for the Society to specify, in the case of individual registered foreign lawyers, different renewal dates to those prescribed by the regulations;
 - (c) make such transitional, incidental and supplemental provision in connection with any provision for different renewal dates as the Council considers expedient.
- (4) Where a foreign lawyer is registered, the Society may cancel his registration if—
- (a) the renewal date for his registration has passed but he has not applied for it to be renewed; or
 - (b) he has applied to the Society for it to be cancelled.

Modifications etc. (not altering text)

- C6** Sch. 14 para. 3(2) extended (22.5.2000) by S.I. 2000/1119, regs. 1(1), 37(3), Sch. 4 para. 1(4) (as amended (1.7.2009) by S.I. 2009/1587, art. 3(5); S.I. 2009/1365, art. 2(a)(i))
- C7** Sch. 14 para. 3(4) extended (22.5.2000) by S.I. 2000/1119, regs. 1(1), 37(3), Sch. 4 para. 5(2) (as amended (1.7.2009) by S.I. 2009/1587, art. 3(6); S.I. 2009/1365, art. 2(a)(i))

Commencement Information

- I3** Sch. 14 para. 3 wholly in force at 14.10.1991 see s. 124(3) and S.I. 1991/1883, art. 3, Sch.

Evidence as to registration

- 4 Any certificate purporting to be signed by an officer of the Society and stating that a particular foreign lawyer—
- (a) is, or is not, registered; or
 - (b) was registered during a period specified in the certificate,
- shall, unless the contrary is proved, be evidence of that fact and be taken to have been so signed.

Commencement Information

- I4** Sch. 14 para. 4 wholly in force at 14.10.1991 see s. 124(3) and S.I. 1991/1883, art. 3, Sch.

Status:

Point in time view as at 01/10/2001. This version of this part contains provisions that are not valid for this point in time.

Changes to legislation:

Courts and Legal Services Act 1990, Part I is up to date with all changes known to be in force on or before 09 September 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.