

Status: Point in time view as at 05/11/2012. This version of this cross heading contains provisions that are prospective.

Changes to legislation: Courts and Legal Services Act 1990, Cross Heading: The Solicitors Act 1974 (c. 47) is up to date with all changes known to be in force on or before 12 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)

SCHEDULES

SCHEDULE 18

CONSEQUENTIAL AMENDMENTS

The Solicitors Act 1974 (c. 47)

7 In section 7 of the Solicitors Act 1974 (entry of names in the roll and restoration of names struck off), the following shall be inserted at the end of paragraph (b)—

“ or

(c) of an order under section 47(2)(h) for the restoration of a person’s name to the roll,”.

8 In section 8 of that Act (removal or restoration of name at solicitor’s request), the following subsection shall be inserted after subsection (2)—

“(2A) Subsection (2) does not apply to a former solicitor with respect to whom a direction has been given under section 47(2)(g).”

9 F1

Textual Amendments

F1 Sch. 18 paras. 9-12 repealed (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 210, 211, Sch. 23 (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(i)(viii)(ss) (with art. 9)

10 F2

Textual Amendments

F2 Sch. 18 paras. 9-12 repealed (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 210, 211, Sch. 23 (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(i)(viii)(ss) (with art. 9)

PROSPECTIVE

11 F3

Textual Amendments

F3 Sch. 18 paras. 9-12 repealed (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 210, 211, Sch. 23 (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(i)(viii)(ss) (with art. 9)

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PROSPECTIVE

12 F4

Textual Amendments

F4 Sch. 18 paras. 9-12 repealed (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 210, 211, Sch. 23 (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(i)(viii)(ss) (with art. 9)

13 In section 32 of that Act (accounts rules and trust account rules), the following subsection shall be inserted after subsection (5)—

“(6) For the purposes of this section and section 33 references to clients’ money and money of a kind mentioned in subsection (1)(b) of this section or (1)(a) of section 33 include references to money held by a solicitor as a stakeholder (whether or not paid by a client of his).”

Commencement Information

II Sch. 18 para. 13 wholly in force at 1.6.1992 see s. 124 and S.I. 1992/1221, art. 2, Sch.

14 In section 41 of that Act (employment by solicitor of person struck off or suspended), the following subsection shall be inserted after subsection (1)—

“(1A) No solicitor shall, except in accordance with a written permission granted under this section, employ or remunerate in connection with his practice as a solicitor any person if, to his knowledge, there is a direction in force under section 47(2)(g) in relation to that person.”

15 In section 42 of that Act (failure to disclose certain facts to solicitor employer), the following subsection shall be inserted after subsection (1)—

“(1A) Any person—
 (a) with respect to whom a direction is in force under section 47(2)(g);
 and
 (b) who seeks or accepts employment by a solicitor in connection with that solicitor’s practice without previously informing him of the direction,
 shall be guilty of an offence and liable on summary conviction to a fine not exceeding level three on the standard scale.”

16 (1) Section 80 of that Act (powers to act on behalf of Society) shall be amended as follows.

(2) In subsection (1) for the words “to committees conferred on the Council” there shall be substituted “conferred”.

(3) In subsection (3)—

- (a) after the word “Council”, in the second place where it occurs, there shall be inserted “or sub-committee”;
- (b) for the words “or the committee” there shall be substituted “, committee or sub-committee”.

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- 17 In section 87(1) of that Act (interpretation) after the definition of “practising certificate” there shall be inserted— ““replacement date”, in relation to a practising certificate, means the date prescribed under section 14(2)(a) or specified by the Society under any regulation made by virtue of section 14(4)(b);”.

Commencement Information

I2 Sch. 18 para. 17 wholly in force at 1.7.1991 see s. 124(3) and S.I. 1991/1364, art. 2, Sch.

- 18 ^{F5}

Textual Amendments

F5 Sch. 18 para. 18 repealed (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 210, 211, Sch. 23 (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(i)(viii)(ss) (with art. 9)

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