



Courts and Legal Services Act 1990

1990 CHAPTER 41

PART IV

SOLICITORS

86 Commencement, expiry and replacement of practising certificates

The following section shall be substituted for section 14 of the Solicitors Act 1974 (date and expiry of practising certificates)—

“14 Commence-ment, expiry and replacement of practising certificates

- (1) Every practising certificate shall have effect from the beginning of the day (“the commencement date”) on which it is issued.
- (2) The Master of the Rolls may, with the concurrence of the Lord Chancellor and the Lord Chief Justice, make regulations—
 - (a) prescribing the date (“the replacement date”) by which each solicitor who has a practising certificate which is for the time being in force must apply for a new practising certificate if he wishes to continue to have one; and
 - (b) requiring every practising certificate to specify its replacement date.
- (3) The Society shall enter the commencement date and replacement date of each practising certificate in the register kept under section 9.
- (4) Without prejudice to section 28(1), any regulations under subsection (2) may—
 - (a) provide for different replacement dates for different categories of solicitor or in different circumstances;
 - (b) provide for the Society to specify different replacement dates to those prescribed by the regulations in respect of individual solicitors;
 - (c) make such transitional, incidental and supplemental provision, in connection with any provision for different replacement dates

Status: This is the original version (as it was originally enacted).

(including different dates specified by the Society), as the Master of the Rolls considers expedient.

- (5) Where a practising certificate is in force with respect to a solicitor, the Society may withdraw the certificate if—
- (a) the replacement date for that certificate has passed; but
 - (b) he has not applied for a new practising certificate.
- (6) A practising certificate shall expire —
- (a) where the solicitor’s name is removed from or struck off the roll, immediately upon the occurrence of that event;
 - (b) where it is withdrawn under subsection (5), immediately upon the occurrence of that event;
 - (c) where a new practising certificate is issued to the solicitor, on the commencement of the new certificate;
 - (d) where the Society refuses to issue the solicitor with a new practising certificate—
 - (i) immediately after the replacement date for the existing certificate has passed; or,
 - (ii) if that date has already passed, immediately upon the Society taking its decision not to issue him with a new certificate.
- (7) Where any practising certificate expires in the circumstances mentioned in subsection (6)(a), (b) or (d) the date of its expiry shall be entered in the register kept under section 9.”