

SCHEDULES

SCHEDULE 16

THE LAW SOCIETY, SOLICITORS, RECOGNISED BODIES AND FOREIGN LAWYERS

PART 1

THE SOLICITORS ACT 1974 (C. 47)

- 9 For sections 9 and 10 (applications for and issue of practising certificates) substitute—

“9 Applications for practising certificates

- (1) A person whose name is on the roll may apply to the Society to be issued with a practising certificate.
- (2) An application under this section may include an application for a sole solicitor endorsement.
- (3) An application under this section must be—
 - (a) made in accordance with regulations under section 28, and
 - (b) accompanied by the appropriate fee.
- (4) “The appropriate fee”, in relation to an application, means—
 - (a) any fee payable under subsection (1) of section 11 in respect of the practising certificate applied for, and
 - (b) any additional fee payable under subsection (4) of that section in respect of the application.

10 The issue of practising certificates

- (1) Subject to the following provisions of this section, where an application is made in accordance with section 9, the Society must issue a practising certificate to the applicant if it is satisfied that the applicant—
 - (a) is not suspended from practice, and
 - (b) is complying with any prescribed requirements imposed on the applicant.
- (2) A practising certificate issued to an applicant of a prescribed description must be issued subject to any conditions prescribed in relation to applicants of that description.
- (3) In such circumstances as may be prescribed, the Society must, if it considers it is in the public interest to do so—
 - (a) refuse to issue a practising certificate under this section, or

Status: This is the original version (as it was originally enacted).

- (b) where it decides to issue a practising certificate, issue it subject to one or more conditions.
- (4) The conditions which may be imposed include—
- (a) conditions requiring the person to whom the certificate is issued to take specified steps that will, in the opinion of the Society, be conducive to the carrying on by that person of an efficient practice as a solicitor (including, if the certificate has a sole solicitor endorsement, an efficient practice as a sole solicitor);
 - (b) conditions which prohibit that person from taking any specified steps, except with the approval of the Society.
- (5) In this section —
- “prescribed” means prescribed by regulations under section 28;
 - “specified”, in relation to a condition imposed on a practising certificate, means specified in the condition.”