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 STATUTORY INSTRUMENTS
 

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1966 No. 1168

## SOLICITORS

## The Solicitors (Disciplinary Proceedings) Rules 1966

*Made* - - - - - 2nd August 1966*Coming into Operation* 1st October 1966

## ARRANGEMENT OF RULES

PART I	Applications against Solicitors and Solicitors' Clerks ... ..	Rules 1 to 13
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The Disciplinary Committee constituted under the Solicitors Act 1957(a) with the concurrence of the Master of the Rolls, in exercise of the powers conferred on them by section 46 of the said Act and of all other powers then enabling hereby make the following Rules:—

## PART I

## APPLICATIONS AGAINST SOLICITORS AND SOLICITORS' CLERKS

1. An application to the Committee to strike the name of a solicitor off the Roll of Solicitors, to require a solicitor to answer allegations contained in an affidavit or to make an Order directing that no solicitor shall in connection with his practice as a solicitor take into or retain in his employment or remunerate the solicitor's clerk named in the application without the written permission of the Society, shall be in writing under the hand of the applicant in such one of the forms set out in the Schedule hereto and numbered 1 and 2, as shall be appropriate and shall be sent to the Clerk to the Committee together with an affidavit by the applicant in the form set out in the Schedule hereto and numbered 3 or as near thereto as the circumstances may permit, stating the matters of fact on which he relies in support of his application. Provided that where the application is made by the Society the application may be signed and the affidavit sworn on behalf of the Society by the Secretary or by such other person as may from time to time be prescribed by the Council.

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 (a) 5 & 6 Eliz. 2 c. 27.

2. Before fixing a day for the hearing the Committee may require the applicant to supply such further information and documents relating to the application as they think fit.

3. In the case of an application against a solicitor where, in the opinion of the Committee no *prima facie* case is shown in favour of the application, the Committee may dismiss the application without requiring the solicitor to answer the allegations, and without hearing the applicant. If required so to do either by the applicant or the solicitor, the Committee shall make a formal order dismissing such application.

4. In the case of an application in respect of a solicitor's clerk the parties to the proceedings shall be—

- (i) the applicant,
- (ii) the solicitor's clerk, and
- (iii) if the Committee so direct, every solicitor by whom the solicitor's clerk was employed either at the time of the commission of any such offence as is mentioned in section 38(1) of the Solicitors Act 1957 of which it is alleged by the applicant that the solicitor's clerk has been convicted, or at the time of any such act or default as is mentioned in section 38(1)(b) of the said Act to which it is alleged that the solicitor's clerk has been party.

5. In the case of an application against a solicitor in which, in the opinion of the Committee, a *prima facie* case is shown in favour of the application, and in the case of every application in respect of a solicitor's clerk, the Committee shall fix a day for the hearing, and the Clerk to the Committee shall serve notice thereof on each party to the proceedings and shall serve on each party, other than the applicant, a copy of the application and affidavit. There shall be at least 21 days between the service of any such notice and the day fixed therein for the hearing.

6. The notice shall be in such one of the forms set out in the Schedule hereto and numbered 4, 5, 6 and 7, as shall be appropriate and shall require the party to whom it is addressed to furnish to the Clerk and to every other party at least 14 days before the day fixed for the hearing, unless the Committee direct otherwise, a list of all documents on which he intends to rely.

7. Any party may inspect the documents included in the list furnished by any other party. A copy of any document mentioned in the list furnished by any party shall, on application and on payment of the proper charges therefor, by the party requiring it, be furnished to that party by the other within three days after the receipt of such application.

8. If any party fails to appear at the hearing the Committee may, upon proof of service on such party of the notice of hearing, proceed to hear and determine the application in his absence.

9. Any party who has failed to appear at the hearing may, within one calendar month from the pronouncement of the Findings and Order of the Committee, and upon giving notice to every other party and to the Clerk, apply to the Committee for a re-hearing. The Committee, if satisfied that it is just that the case should be re-heard, may grant the application upon such terms as to costs or otherwise as they think fit. Upon such re-hearing the Committee may amend, vary, add to, or reverse their Findings, or Order, pronounced upon such previous hearing.

10. The Committee may, in their discretion, either as to the whole case or as to any particular fact or facts, proceed and act upon evidence given by affidavit. Provided that any party to the proceedings may require the attendance upon subpoena of any deponent to any such affidavit for the purpose of giving oral evidence, unless the Committee are satisfied that the affidavit is purely formal and that the requirement of the attendance of the deponent is made with the sole object of causing delay.

11. The Clerk shall give notice to the parties of the date when the Findings and Order will be pronounced.

12. The Clerk shall on the day of pronouncement file the Findings and Order, in the case of an application against a solicitor, with the Society, and in the case of an application in respect of a solicitor's clerk, with the Secretary.

13. Within four days of the date when the Findings and Order shall have been pronounced, the Clerk shall send a copy thereof to each party to the application.

## PART II

### APPLICATIONS AT THE INSTANCE OF A SOLICITOR OR A FORMER SOLICITOR HIMSELF

14. (i) An application by a solicitor to procure his name to be removed from the Roll shall be made by way of affidavit in the form set out in the Schedule hereto and numbered 8.

(ii) An application by a former solicitor whose name has been removed from the Roll to have his name restored to the Roll shall be made by way of affidavit in the form set out in the Schedule hereto and numbered 9.

(iii) An application by a former solicitor whose name has been struck off the Roll to have his name restored to the Roll shall be made by way of affidavit in the form set out in the Schedule hereto and numbered 10.

15. Each affidavit made pursuant to Rule 14 shall be sent to the Clerk and a copy thereof to the Society. Unless the Committee direct otherwise an affidavit made pursuant to Rule 14 (i) shall be supported by letters from two practising solicitors to whom the applicant is known.

16. The Committee may grant an application made pursuant to Rule 14 without requiring the attendance of the applicant. In any other case the Committee shall fix a day for the hearing and the Clerk shall serve notice thereof on the applicant and the Society at least 56 days before the day fixed for the hearing.

17. The notice shall be in such one of the forms set out in the Schedule hereto and numbered 11 and 12 as shall be appropriate.

18. The Committee may if they think fit require the applicant or the Society to give notice of the application and of the day fixed for the hearing by advertisement or otherwise as they may direct.

19. If any person desires to object to the application, he shall give notice in writing to the applicant, the Society and the Clerk at least seven days before the day fixed for the hearing, specifying the grounds of his objection.

20. If the objector appears on the day fixed for the hearing and if the Committee are of opinion, after hearing the parties or either of them (if

they think fit so to do), that the notice discloses a *prima facie* case for inquiry of which they do not dispose on that day, they shall adjourn the hearing and shall give directions relating to the adjourned hearing, including directions as to the party on whom the burden of proof shall lie.

21. The Rules contained in Parts I and IV of these Rules shall apply *mutatis mutandis* to the hearing of any application under this Part of these Rules.

22. In respect of any application by a solicitor to procure his name to be removed from or restored to the Roll the Committee shall order either that the name of the solicitor be removed from the Roll, or restored thereto (as the case may be) or that the application be refused, and may make such Order as to the costs as they think fit.

### PART III

#### APPLICATIONS IN RESPECT OF A FORMER SOLICITOR'S CLERK

23. An application that an Order made by the Committee under section 38(2) of the Solicitors Act 1957 shall be revoked, shall be made by way of affidavit in the form set out in the Schedule hereto and numbered 13.

24. The parties to the proceedings shall be—

(i) The person with respect to whom the Order under section 38(2) of the Solicitors Act 1957 was made which it is sought to revoke; and

(ii) The Society;

and the affidavit shall be sent to the Clerk and a copy thereof to the other party to the proceedings.

25. The Committee may grant the application without requiring the attendance of the parties. In any other case the Committee shall fix a day for the hearing and the Clerk shall serve notice thereof on the parties to the proceedings at least 56 days before the day fixed for the hearing. The notice shall be in such one of the forms set out in the Schedule hereto and numbered 14 and 15, as shall be appropriate.

26. The Rules contained in Parts I and IV of these Rules shall apply *mutatis mutandis* to the hearing of any application under this Part of these Rules.

27. In respect of any application made under this Part of these Rules the Committee shall order either that their previous Order be revoked or that the application be refused, and they may make such Order as to the costs as they think fit.

### PART IV

#### GENERAL

28. The Committee shall hear all applications in private, but shall pronounce their Findings and Orders in public.

29. The Committee may at any stage of proceedings against a solicitor refer the case to the Council and may adjourn the application pending the consideration thereof by the Council in case the Council should see fit either to lodge a further application against the solicitor or to undertake on behalf of the original applicant the prosecution of his application.

30. Unless the Committee direct otherwise no application shall be withdrawn after it has been sent to the Clerk.

31. The Committee may of their own motion, or upon the application of any party, adjourn the hearing upon such terms as to costs, or otherwise, as the Committee shall think fit.

32. In the case of an application in respect of a solicitor's clerk the Committee may on the application of any party or on their own motion order that any such application shall be heard prior to, in the course of, concurrently with, or subsequent to the hearing of an application to strike the name of a solicitor by whom the clerk is or was employed, off the Roll of Solicitors, or to require such solicitor to answer allegations contained in an affidavit.

33. If upon the hearing it shall appear to the Committee that the allegations in the affidavit require to be amended, or added to, the Committee may permit such amendment, or addition, or if in the opinion of the Committee such amendment or addition is not within the scope of the affidavit, may require the same to be embodied in a further affidavit, provided that if such amendment, or addition, shall be such as to take any party by surprise, or prejudice the conduct of his case, the Committee shall grant an adjournment of the hearing, upon such terms as to costs, or otherwise, as the Committee shall think fit.

34. Upon the hearing, or determination, of any application the Committee may, in the case of an application against a solicitor, without finding any misconduct proved against the solicitor, or, in the case of an application in respect of a solicitor's clerk, without making any Order under section 38 (2) of the Solicitors Act 1957 nevertheless order any party to pay the costs of the proceedings if, having regard to his conduct and to all the circumstances of the case, the Committee shall think fit.

35. (i) The Committee shall have power, upon the application of a party against or with respect to whom they have made an Order, to suspend the filing thereof with the Society or the Secretary, as the case may require.

(ii) Where the filing of an Order is suspended under this Rule, the Order shall not take effect until it is filed with the Society or the Secretary, as the case may be, and if the order is an order that a solicitor be suspended from practice, the period of suspension shall be deemed to commence on the date of the filing of the Order with the Society.

36. Shorthand notes of proceedings may be taken by a person appointed by the Committee; and any party who appeared at the proceedings shall be entitled to inspect the transcript thereof. The shorthand writer shall, if required, supply to the Committee and to any person entitled to be heard upon an appeal against an Order of the Committee, and to the Society, but to no other person, a copy of the transcript of such notes on payment of his charges. If no shorthand notes be taken the Chairman of the Committee shall take a note of the proceedings, and the provisions of this Rule as to inspection and taking of copies shall apply to such note accordingly.

37. Service of any notice or document may be effected under these Rules by registered "A.R." letter or by Recorded Delivery letter addressed,

in the case of a solicitor, to his place of business appearing in the Register (commonly known as the Practising Roll) kept by the Society and to his place of abode (if known) and, in every other case, to the last known place of business or abode of the person to be served and such service shall be deemed to be effected at the time when the letter would be delivered in the ordinary course of post.

38. The Committee may dispense with any requirements of these Rules, respecting notices, affidavits, documents, service or time, in any case where it appears to the Committee to be just so to do.

39. The Committee may extend the time for doing anything under these Rules.

40. All affidavits shall be filed and kept by the Clerk. The Committee may order that any books, papers, or other exhibits, produced or used at a hearing, shall be retained by the Clerk until the time within which an appeal may be entered has expired, and, if notice of appeal is given, until the appeal is heard or otherwise disposed of.

41. The Evidence Act 1938(a) and the Evidence and Powers of Attorney Act 1940(b) shall apply in relation to proceedings before the Committee in the same manner as they apply in relation to civil and criminal proceedings.

42. (i) Any party may by notice in writing at any time not later than nine days before the day fixed for the hearing call upon any other to admit any document saving all just exceptions and if such other party desires to challenge the authenticity of the document he shall within six days after service of such notice give notice that he does not admit the document and requires it to be proved at the hearing.

(ii) If such other party refuses or neglects to give notice of non-admission within the time prescribed in the last preceding paragraph, he shall be deemed to have admitted the document unless otherwise ordered by the Committee.

(iii) Where a party gives notice of non-admission within the time prescribed by the first paragraph of this Rule and the document is proved at the hearing, the costs of proving the document shall be paid by the party who has challenged the document, whatever the Order of the Committee may be, unless in their Findings the Committee shall find that there were reasonable grounds for not admitting the authenticity of the document.

(iv) Where a party proves a document without having given notice to admit under the first paragraph of this Rule no costs of proving the document shall be allowed on taxation, unless otherwise directed by the Committee, except where the omission to give notice to admit is in the opinion of the Taxing Master a saving of expense.

43. A subpoena issued under section 46(6) of the Solicitors Act 1957 shall be in such one of the forms set out in the Schedule hereto and numbered 15 and 16, as shall be appropriate.

44. (i) In these Rules "solicitor's clerk" means a person who is or was a clerk to a solicitor, and "the Clerk" means the Clerk to the Committee

(a) 1 & 2 Geo. 6 c. 28.

(b) 3 & 4 Geo. 6 c. 28.

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or any deputy or person appointed by the Committee temporarily to perform the duties of that office.

(ii) Other expressions in these Rules have the meanings assigned to them in the Solicitors Act 1957.

(iii) The Interpretation Act 1889(a) applies to these Rules in the same manner as it applies to an Act of Parliament.

**45.** These Rules may be cited as the Solicitors (Disciplinary Proceedings) Rules 1966, and shall come into force on the 1st day of October 1966, whereupon the Solicitors (Disciplinary Proceedings) Rules 1957(b) shall cease to have effect.

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(a) 52 & 53 Vict. c. 63.

(b) S.I. 1957/2240 (1957 II, p. 2292).





## FORM 3

## FORM OF AFFIDAVIT BY APPLICANT

In the Matter of C.D., a Solicitor,

and

In the Matter of the Solicitors Acts 1957 to 1965.

I, \*A.B., of  
make oath and say as follows:—

1. †C.D., of  
solicitor of the Supreme Court of Judicature in England, *has been employed by me  
in a professional capacity for the last ten years (or as the case may be).*

2. [*Here state the facts concisely in numbered paragraphs, and show deponent's  
means of knowledge.*]

Sworn, etc.

\* Insert full name, address and description.

† Insert full name and last known place of business.

## FORM 4

FORM OF NOTICE TO APPLICANT BY THE CLERK TO  
THE DISCIPLINARY COMMITTEE

In the Matter of C.D., a Solicitor, [or] a Solicitor's clerk,

and

In the Matter of the Solicitors Acts 1957 to 1965.

To A.B., of

The day of , is the day fixed by the Disciplinary Committee constituted under the Solicitors Act 1957, for the hearing of your application in the matter of C.D., a solicitor [or] a person who is or was a clerk to a solicitor.

The Committee will sit at the Court Room, No. 60 Carey Street, Chancery Lane, London, W.C. 2, at o'clock in the noon.

\*[The parties to the application are as follows:—

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\* To be deleted when the application is against a solicitor.

You are required by the Solicitors (Disciplinary Proceedings) Rules 1966 to furnish to every other party to the application and to the Clerk to the Disciplinary Committee at the Court Room, No. 60 Carey Street, Chancery Lane, London, W.C. 2, at least fourteen days before the said      day of      , a list of all the documents on which you propose to rely.

Any party may inspect the documents included in the list furnished by any other, and a copy of any document mentioned in the list of any party must, on application and on payment by the party requiring it of the proper charges, be furnished to that party by the other within three days after receipt of such application.

If any party shall fail to appear and the Committee decide to proceed in his absence, any party appearing must be prepared to prove service, in accordance with the Solicitors (Disciplinary Proceedings) Rules 1966 of the list of documents and any other notice or correspondence since the lodging of the application.

You are requested to acknowledge the receipt of this notice without delay.

Dated this      day of      , 19      .

.....  
*Clerk to the Committee.*

[N.B.—A print of the Solicitors (Disciplinary Proceedings) Rules 1966 is sent herewith for your information and guidance.]

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FORM 5

FORM OF NOTICE TO SOLICITOR BY THE CLERK  
TO THE DISCIPLINARY COMMITTEE

In the Matter of C.D., a Solicitor,

and

In the Matter of the Solicitors Acts 1957 to 1965.

To C.D., of      , Solicitor.

Application has been made by A.B., of      to the Disciplinary Committee constituted under the Solicitors Act 1957 that you may be required to answer the allegations contained in the affidavit whereof a copy accompanies this notice, and that your name may be struck off the Roll of Solicitors, or that such order may be made as the Committee shall think right.

The        day of        , is the day fixed by the Committee for the hearing of the application. The Committee will sit in the Court Room, No. 60 Carey Street, Chancery Lane, London, W.C. 2, at        o'clock in the        noon. If you fail to appear, the Committee may, in accordance with the Solicitors (Disciplinary Proceedings) Rules 1966 proceed in your absence.

You are required by the said Rules to furnish to every other party to the application and to the Clerk to the Disciplinary Committee at the Court Room, No. 60 Carey Street, Chancery Lane, London, W.C. 2, at least fourteen days before the said        day of        , a list of all the documents on which you propose to rely.

Any party may inspect the documents included in the list furnished by any other, and a copy of any document mentioned in the list of any party must, on application and on payment by the party requiring it of the proper charges, be furnished to that party by the other within three days after receipt of such application.

In order to reduce the costs of the hearing you are invited to inform the applicant and the Clerk to the Disciplinary Committee not less than seven days before the said        day of        of any facts set out in the affidavit which are not in dispute.

You are requested to acknowledge the receipt of this notice without delay.

Dated this        day of        , 19        .

.....  
*Clerk to the Committee.*

[N.B.—A print of the Solicitors (Disciplinary Proceedings) Rules 1966 is sent herewith for your information and guidance.]

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**FORM 6**

**FORM OF NOTICE TO SOLICITOR'S CLERK BY THE  
CLERK TO THE DISCIPLINARY COMMITTEE**

In the Matter of E.F., a Solicitor's clerk  
and

In the Matter of the Solicitors Acts 1957 to 1965.

To E.F., of

Application has been made by A.B., of  
on behalf of The Law Society to the Disciplinary Committee constituted under the Solicitors Act 1957 supported by an affidavit, a copy of which accompanies this notice, that an order may be made directing that as from a date to be

specified in such order no solicitor shall in connection with his practice as a solicitor take or retain you into or in his employment or remunerate you without the written permission of The Law Society or that such order may be made as the Committee shall think right.

The parties to the application are as follows:—

The day of \_\_\_\_\_, 19\_\_\_\_, is the day fixed by the Committee for the hearing of the application. The Committee will sit at the Court Room No. 60 Carey Street, Chancery Lane, London, W.C. 2, at \_\_\_\_\_ o'clock in the noon. If you fail to appear, the Committee may, in accordance with the Solicitors (Disciplinary Proceedings) Rules 1966 proceed in your absence.

You are required by the said Rules to furnish to every other party to the application and to the Clerk to the Disciplinary Committee at the Court Room, No. 60 Carey Street, Chancery Lane, London, W.C. 2, at least fourteen days before the said day of \_\_\_\_\_ a list of all the documents on which you propose to rely.

Any party may inspect the documents included in the list furnished by any other party, and a copy of any document mentioned in the list of any party must, on application and on payment by the party requiring it of the proper charges, be furnished to that party by the other within three days after receipt of such application.

In order to reduce the costs of the hearing you are invited to inform the applicant and the Clerk to the Disciplinary Committee not less than seven days before the said day of \_\_\_\_\_ of any facts set out in the affidavit which are not in dispute.

You are requested to acknowledge the receipt of this notice without delay.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

.....  
*Clerk to the Committee.*

[N.B.—A print of the Solicitors (Disciplinary Proceedings) Rules 1966, is sent herewith for your information and guidance.]

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### FORM 7

FORM OF NOTICE BY THE CLERK TO THE DISCIPLINARY COMMITTEE TO A  
SOLICITOR MADE PARTY TO AN APPLICATION IN RESPECT OF A  
SOLICITOR'S CLERK

In the Matter of E.F., a Solicitor's clerk,

and

In the Matter of the Solicitors Acts 1957 to 1965.



## FORM 8

## FORM OF AFFIDAVIT BY APPLICANT, BEING A SOLICITOR

In the Matter of C.D., a Solicitor,

and

In the Matter of the Solicitors Acts 1957 to 1965.

I, C.D., of \_\_\_\_\_, make  
oath and say as follows:—

1. I was admitted a solicitor on the \_\_\_\_\_ day of \_\_\_\_\_.
2. I desire that my name may be removed from the Roll of Solicitors for the following reasons:—

*[Here state the reasons]*

3. I am not aware of, and do not know of any cause for, any application to the Court or to the Disciplinary Committee constituted under the Solicitors Act 1957, that my name may be struck off the Roll of Solicitors, or that I should answer the allegations contained in an affidavit. I do not make this application for the purpose of evading any adverse application, or of defeating or delaying any claim upon me as a solicitor.

Sworn, etc.

## FORM 9

FORM OF AFFIDAVIT BY AN APPLICANT BEING A FORMER SOLICITOR  
WHOSE NAME WAS REMOVED FROM ROLL OF SOLICITORS

In Matter of C.D.,

and

In the Matter of the Solicitors Acts 1957 to 1965.

I, C.D., of \_\_\_\_\_, make  
oath and say as follows:—

1. I was admitted a solicitor on the \_\_\_\_\_ day of \_\_\_\_\_.
2. On the \_\_\_\_\_ day of \_\_\_\_\_ my name was at my own request removed from the Roll of Solicitors.
3. I desire that my name be restored to the Roll for the following reasons:—

*[Here state the reasons]*

Sworn, etc.

## FORM 10

**FORM OF AFFIDAVIT BY AN APPLICANT BEING A FORMER SOLICITOR  
WHOSE NAME WAS STRUCK OFF THE ROLL OF SOLICITORS**

In the Matter of C.D.,

and

In the Matter of the Solicitors Acts 1957 to 1965.

I, C.D., of \_\_\_\_\_, make  
oath and say as follows:—

1. I was admitted a solicitor on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.
2. On the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_, the Disciplinary Committee ordered that my name be struck off the Roll of Solicitors.
3. I hereby apply that my name be restored to the Roll of Solicitors.
4. The grounds for my application are:—

Sworn, etc.

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FORM 11

**FORM OF NOTICE BY THE CLERK TO THE DISCIPLINARY COMMITTEE  
TO THE APPLICANT, A FORMER SOLICITOR**

In the Matter of C.D.,

and

In the Matter of the Solicitors Acts 1957 to 1965.

To C.D. \_\_\_\_\_ of \_\_\_\_\_

The \_\_\_\_\_ day of \_\_\_\_\_, is the day fixed by the Disciplinary Committee for the hearing of your application that your name be restored to the Roll of Solicitors.

The Committee will sit at the Court Room, No. 60 Carey Street, Chancery Lane, London, W.C. 2, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon.

You are required by the Solicitors (Disciplinary Proceedings) Rules 1966, to furnish to The Law Society and to the Clerk to the Disciplinary Committee at the Court Room, No. 60 Carey Street, Chancery Lane, London, W.C. 2, at least fourteen days before the said \_\_\_\_\_ day of \_\_\_\_\_, a list of all the documents on which you propose to rely.



fourteen days before the said day of , 19 , a list of all the documents on which you propose to rely.

Any party may inspect the documents included in the list furnished by any other, and a copy of any document mentioned in the list of any party must, on application and on payment by the party requiring it of the proper charges, be furnished to that party by the other within three days after receipt of such application.

If any party shall fail to appear and the Committee decide to proceed in his absence, any party appearing must be prepared to prove service, in accordance with the Solicitors (Disciplinary Proceedings) Rules 1966, of the list of documents and any other notice or correspondence since the lodging of the application.

You are requested to acknowledge the receipt of this notice without delay.

Dated this day of , 19 .

.....  
*Clerk to the Committee.*

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FORM 13

FORM OF AFFIDAVIT BY APPLICANT IN RELATION TO AN ORDER MADE  
UNDER SECTION 38(2) OF THE SOLICITORS ACT 1957

I, the undersigned A.B.,

or E.F., of

hereby make application that the Order made by the Disciplinary Committee on the day of , 19 , under section 38(2) of the Solicitors Act 1957, in respect of E.F., be revoked.

The grounds for my application are

Sworn, etc.

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FORM 14

FORM OF NOTICE BY THE CLERK TO THE DISCIPLINARY COMMITTEE  
IN RELATION TO AN APPLICATION IN RESPECT OF A FORMER  
SOLICITOR'S CLERK

In the Matter of E.F.,

and

In the Matter of the Solicitors Acts 1957 to 1965.

To: The Law Society,  
Chancery Lane,  
London, W.C. 2.

and

To: E.F.  
of

Application has been made by  
of to the  
Disciplinary Committee that the Order made by the Committee on the day  
of , 19 , under section 38 (2) of the Solicitors Act 1957, in  
respect of E.F., be revoked.

The day of , 19 , is the day fixed by the Dis-  
ciplinary Committee for the hearing of this application.

The Committee will sit at the Court Room, No. 60 Carey Street, Chancery  
Lane, W.C. 2, at o'clock in the noon.

The parties to the application are as follows:—

- (i) The Law Society.
- (ii) E.F.

You are required by the Solicitors (Disciplinary Proceedings) Rules 1966, to  
furnish to every other party to the application and to the Clerk to the Dis-  
ciplinary Committee at the Court Room, No. 60 Carey Street, Chancery Lane,  
London, W.C. 2, at least fourteen days before the said day of ,  
a list of all the documents on which you propose to rely.

Any party may inspect the documents included in the list furnished by any  
other, and a copy of any document mentioned in the list of any party must,  
on application and on payment by the party requiring it of the proper charges, be  
furnished to that party by the other within three days after receipt of such  
application.

If any party shall fail to appear and the Committee decide to proceed in his  
absence, any party appearing must be prepared to prove service, in accordance  
with the Solicitors (Disciplinary Proceedings) Rules 1966, of the list of documents  
and any other notice or correspondence since the lodging of the application.

You are requested to acknowledge the receipt of this notice without delay.

Dated this day of , 19 .

.....  
*Clerk to the Committee.*

## FORM 15

FORM OF SUBPENA *Ad Testificandum*

In the Matter of C.D., a Solicitor, [or] a Solicitor's Clerk.

and

In the Matter of the Solicitors Acts 1957 to 1965.

ELIZABETH THE SECOND, by the Grace of God, etc.

To:

greeting.

We command you to attend before the Disciplinary Committee constituted under the Solicitors Act 1957 at

on day, the day of at the hour of in the noon, and so from day to day until the application in the above matter is heard, to give evidence on behalf of

WITNESS

Lord High Chancellor of Great Britain, the day of ,  
in the year of Our Lord

## FORM 16

FORM OF SUBPENA *Duces Tecum*

In the Matter of C.D., a Solicitor, [or] a Solicitor's Clerk,

and

In the Matter of the Solicitors Acts 1957 to 1965.

ELIZABETH THE SECOND, by the Grace of God, etc.

To:

greeting.

We command you to attend before the Disciplinary Committee constituted under the Solicitors Act 1957 at

on day, the day of at the hour of in the noon, and so from day to day until the application in the above matter is heard, to give evidence on behalf of

and also to bring with you and produce at the time and place aforesaid [*specify documents to be produced*].

WITNESS

Lord High Chancellor of Great Britain, the day of ,  
in the year of Our Lord

Dated this 2nd day of August 1966.

*J. F. Warren,*  
Clerk to the Committee.

Approved

*Denning,*  
M.R.

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EXPLANATORY NOTE

*(This Note is not part of the Rules.)*

These Rules regulate procedure for the making, hearing and determination of applications or complaints under the Solicitors Acts 1957 to 1965 to the Disciplinary Committee constituted under the Solicitors Act 1957.

The Rules revoke and re-enact with amendments relating to applications by former solicitors and former solicitors' clerks in accordance with the provisions of the Solicitors Act 1965, the Solicitors (Disciplinary Proceedings) Rules 1957.