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STATUTORY INSTRUMENTS

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**2019 No. 1185**

**The Solicitors (Disciplinary Proceedings) Rules 2019**

**PART 2**

**Constitution**

**The Clerk to the Tribunal and other clerks and staff**

- 8.—**(1) The Tribunal must appoint a Clerk to the Tribunal.
- (2) The Tribunal may appoint other clerks to assist the Clerk to the Tribunal.
- (3) The Clerk to the Tribunal is responsible to the Tribunal for the administration of the Tribunal in an efficient manner, including the general supervision of the other clerks and other administrative staff; maintaining records and collecting statistics required by the Tribunal.
- (4) The Clerk to the Tribunal or any other clerk appointed by the Tribunal under this Rule must be a solicitor or barrister of not less than ten years' standing.
- (5) The office of the Clerk to the Tribunal must be vacated if—
- (a) in the Tribunal's opinion, with which the Master of the Rolls agrees, the Clerk to the Tribunal is physically or mentally incapable of performing his or her duties; or
  - (b) the Clerk to the Tribunal—
    - (i) resigns; or
    - (ii) retires; or
    - (iii) is removed from office by a resolution of the Tribunal approved by the Master of the Rolls.
- (6) The Tribunal may prescribe the duties for which the clerks are to be responsible and those duties must include arrangements for—
- (a) the submission of applications for certification as to whether or not there is a case to answer (see rule 13);
  - (b) making pre-listing arrangements;
  - (c) variation of directions;
  - (d) determining applications for adjournment of procedural or substantive hearings in accordance with rule 23(2);
  - (e) considering parties' non-compliance with directions and orders (see rule 20(3));
  - (f) securing a record of hearings (by electronic recording or other means) (see rule 39);
  - (g) advising the Tribunal on matters of law or procedure;
  - (h) preparing draft judgments for the consideration of the panel which heard an application (see rule 40);
  - (i) determining applications in respect of substituted service (see rule 46);
  - (j) drawing orders and findings and sending them to the Society.

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**Changes to legislation:** *There are currently no known outstanding effects for the The Solicitors (Disciplinary Proceedings) Rules 2019, Section 8. (See end of Document for details)*

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**Commencement Information**

**II** [Rule 8](#) in force at 25.11.2019, see [rule 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Solicitors (Disciplinary Proceedings) Rules 2019, Section 8.