
STATUTORY INSTRUMENTS

2019 No. 1185

The Solicitors (Disciplinary Proceedings) Rules 2019

PART 3

Applications

CHAPTER 2

Applications by solicitors, etc.

Applications for restoration and termination of indefinite suspension

17.—(1) This Rule applies to applications made to the Tribunal under section 47 of [F1the 1974 Act] by—

- (a) a former solicitor seeking restoration to the Roll of Solicitors kept by the Society under section 6 the 1974 Act⁽¹⁾;
- (b) a person seeking restoration to the register of European lawyers or the register of foreign lawyers if his name has been withdrawn or removed from either register by the Tribunal;
- (c) a solicitor, registered European lawyer or registered foreign lawyer seeking the termination of an indefinite period of suspension from practice imposed by the Tribunal.

(2) An application to which this Rule applies must be sent to the Tribunal and must be made using the prescribed form.

(3) The application must be supported by a Statement setting out the facts and matters supporting the application and exhibiting any documents relied upon by the applicant.

(4) The Society must be a respondent to any application to which this Rule applies.

(5) The applicant must serve on the Society—

- (a) a copy of the application; and
- (b) a Statement in support of the application.

(6) Every application to which this Rule applies must be advertised by the applicant in the Law Society's Gazette and in a newspaper circulating in the area of the applicant's former practice (if available) and must also be advertised by the Tribunal on its website.

(7) Any person may, no later than 21 days before the hearing date of an application to which this Rule applies, serve on the Tribunal and the parties to the application notice of that person's intention to oppose the allowing of the application and the Tribunal may allow the person to appear before it at the hearing of the application, call evidence and make representations upon which the Tribunal may allow the person to be cross-examined.

(1) Section 6 was amended by the Constitutional Reform Act 2005 (c. 4), Schedule 11(4), paragraph 21(2) and the Legal Services Act 2007 (c. 29), Schedule 23, paragraph 1.

Textual Amendments

F1 Words in [rule 17\(1\)](#) substituted (25.5.2020) by [The Solicitors \(Disciplinary Proceedings\) \(Amendment\) Rules 2020 \(S.I. 2020/462\)](#), rules 1(2), [10](#)

Commencement Information

I1 [Rule 17](#) in force at 25.11.2019, see [rule 1](#)

Application to vary or remove conditions on practice

18.—(1) This Rule applies to applications made to the Tribunal to vary or remove conditions on practice imposed by the Tribunal.

(2) An application to which this Rule applies must be sent to the Tribunal and must be made using the prescribed form.

(3) The application must be supported by a Statement setting out the facts and matters supporting the application and exhibiting any documents relied upon by the applicant.

(4) The Society must be a respondent to any application to which this Rule applies.

Commencement Information

I2 [Rule 18](#) in force at 25.11.2019, see [rule 1](#)

Application for review of order relating to solicitors' employees and consultants

19.—(1) An application for a review of an order made under section 43(3)(a) of the 1974 Act must be sent to the Tribunal and must be made using the prescribed form.

(2) The application must be supported by a Statement setting out the facts and matters supporting the application and exhibiting any documents relied upon by the applicant.

(3) An application under section 43(3)(a) of the 1974 Act must be served on the Society and the Society must, within 28 days of the service of the application, send a Statement to the Tribunal setting out the facts and matters on which it relied in making the order under section 43(2) of the 1974 Act.

Commencement Information

I3 [Rule 19](#) 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, CHAPTER 2.