

These notes relate to the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (asp 4) which received Royal Assent on 11 March 2003

PUBLIC APPOINTMENTS AND PUBLIC BODIES ETC. (SCOTLAND) ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Law Society functions etc. as to certain legal services

Section 13 – Scottish Solicitors’ Discipline Tribunal and certain practitioners

50. The Scottish Conveyancing and Executory Services Board has to date handled all complaints against conveyancing and executry practitioners. By virtue of amendments in schedule 4 to section 20 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990, complaints against practitioners will now be handled on the same basis as complaints against solicitors, so that the Law Society of Scotland will deal with complaints against practitioners, and the Scottish Solicitors’ Discipline Tribunal will deal with more serious complaints. This section accordingly:

- extends the existing locus of the Tribunal in relation to complaints against solicitors to include complaints against conveyancing and executry practitioners;
- provides that the Council of the Law Society of Scotland may make a complaint to the Tribunal against conveyancing and executry practitioners; and
- extends the rule-making powers of the Tribunal to apply to the regulating, hearing and determining of inquiries into complaints against conveyancing and executry practitioners and appeals under section 20(11)(b) of the 1990 Act.