



Legal Profession and Legal Aid (Scotland) Act 2007

2007 asp 5

PART 3

LEGAL PROFESSION: OTHER MATTERS

60 Safeguarding interests of clients

- (1) The 1980 Act is amended as follows.
- (2) In section 45 (safeguarding interests of clients of solicitors struck off or suspended)—
 - (a) after subsection (4), insert—

“(4A) Where—

- (a) a solicitor is restricted from acting as a principal; and
- (b) immediately before the restriction the solicitor was a sole solicitor,

the right to operate on, or otherwise deal with, any client account in the name of the solicitor or the solicitor's firm shall on the occurrence of those circumstances vest in the Society (notwithstanding any enactment or rule of law to the contrary) to the exclusion of any other person until such time as the Council have approved acceptable other arrangements in respect of the client account.”;

- (b) in subsection (5), after the definition of “material date”, insert—

““principal” means a solicitor who is a sole practitioner or is a partner in a firm of two or more solicitors or is a director of an incorporated practice which is a company or a solicitor who is a member of a multi-national practice having its principal place of business in Scotland;”.

Changes to legislation:

Legal Profession and Legal Aid (Scotland) Act 2007, Section 60 is up to date with all changes known to be in force on or before 26 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 1 para. 2(6)(ba) inserted by [2010 asp 16 s. 118\(4\)](#)