



# 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;”.