Legal Profession and Legal Aid (Scotland) Act 2007

2007 asp 5

PART 4

LEGAL AID

66   Criminal Legal Assistance Register: removal of name following failure to comply with code

(1) Section 25D (removal of name from Register following failure to comply with code) of the 1986 Act is amended as follows.

(2) In subsection (1), after "be" insert ", or may not have been,".

(3) After subsection (4), insert—

> "(4A) Where, after carrying out the procedures mentioned in subsection (1) above and, where a time limit has been set under subsection (3) above, after the expiry of that time limit, the Board is satisfied that, regardless of whether or not there is current compliance with the code—
>
> > (a)   the firm have not complied with the code in a material regard, it may remove the names of the firm and, subject to subsection (5) below, of any registered solicitors connected with the firm from the Register;
> >
> > (b)   the solicitor has not complied with the code in a material regard, it may remove his name from the Register.".

(4) In subsection (5), after "(4)(a)" insert "or (4A)(a)".

(5) In subsection (8), after "(4)" insert "or (4A)".