



# Legal Services (Scotland) Act 2010

## 2010 asp 16

### PART 4

#### THE LEGAL PROFESSION

### CHAPTER 3

#### SOLICITORS AND OTHER REPRESENTATIVES

#### *Removal of practising restrictions*

#### **124 Practice rules for licensed providers**

(1) After section 33B of the 1980 Act insert—

#### **“33C Licensed legal services providers**

- (1) Subsection (2) applies to any rule made under section 34 which prohibits or unduly restricts the—
  - (a) involvement of solicitors in or with, or employment of solicitors by, licensed legal services providers,
  - (b) provision of services by licensed providers, or
  - (c) operation of licensed providers in other respects.
- (2) The rule is of no effect in so far as it does so (and for this purpose it is immaterial when the rule was made).
- (3) The reference in subsection (1)(a) to solicitors does not include a solicitor who is disqualified from practice by reason of having been—
  - (a) struck off (or removed from) the roll, or
  - (b) suspended from practice.”.

(2) In addition—

- (a) in section 34 (rules as to professional practice, conduct and discipline) of the 1980 Act—

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*Changes to legislation: There are currently no known outstanding effects for the Legal Services (Scotland) Act 2010, Section 124. (See end of Document for details)*

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- (i) in subsection (1A)(f), for “, or incorporated practices which, are partners in or directors of multi-disciplinary practices” substitute “have an interest in or are employed by (or otherwise within) licensed legal services providers”,
  - (ii) subsection (3A) is repealed,
  - (b) in section 64A(1) of that Act, paragraph (b) and the word “; or” immediately preceding it are repealed,
  - (c) in section 64B of that Act, the words “or such as is mentioned in section 34(3A)” are repealed,
  - (d) in section 64D(6) of that Act, for “sections 25A(9) or (10) and 34(3A)” substitute “ section 25A(9) or (10) ”,
  - (e) in section 65(1) of that Act—
    - (i) the definition of “multi-disciplinary practice” is repealed,
    - (ii) in the definition of “unqualified person”, the words “, other than a multi-disciplinary practice,” are repealed,
  - (f) in section 17(23) of the 1990 Act—
    - (i) paragraph (c) is repealed,
    - (ii) the subsequent words “, multi-disciplinary practice” are repealed,
  - (g) in paragraph 29(15) of Schedule 8 to that Act—
    - (i) in head (c), the insertion (into section 65(1) of the 1980 Act) of the definition of “multi-disciplinary practice” is repealed,
    - (ii) head (f) and the word “and” immediately preceding it are repealed.
- (3) Subject to section 33C of the 1980 Act, nothing in Part 2 affects the operation of any rule which regulates in respect of any matter the professional practice, conduct or discipline of solicitors.

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**Commencement Information**

**II** S. 124 in force at 2.7.2012 by [S.S.I. 2012/152](#), art. 2, [Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Legal Services (Scotland) Act 2010, Section 124.