



Legal Services (Scotland) Act 2010

2010 asp 16

PART 4

THE LEGAL PROFESSION

CHAPTER 3

SOLICITORS AND OTHER REPRESENTATIVES

The 1980 Act: further modification

137 Suspension from practice

- (1) In section 18 (suspension of practising certificates) of the 1980 Act—
- (a) after subsection (1) insert—

“(1ZA) The Council may suspend from practice a solicitor who—

 - (a) has been convicted of an offence involving dishonesty, or
 - (b) in respect of an offence, has been—
 - (i) fined an amount equivalent to level 4 on the standard scale or more (whether on summary or solemn conviction), or
 - (ii) sentenced to imprisonment for a term of 12 months or more.”
 - (b) in subsection (2), after “subsection (1)” insert “or (1ZA)”.
- (2) In section 19 (further provisions relating to suspension of practising certificates) of the 1980 Act—
- (a) after subsection (5A) insert—

“(5B) A suspension from practice arising by virtue of section 18(1ZA) expires if the grounds for it no longer apply.

Status: This is the original version (as it was originally enacted).

- (5C) On the occurrence of any of the circumstances mentioned in subsections (4) to (5B), the solicitor concerned must notify the Council in writing (and without delay).”,
- (b) in subsection (6), after “section 18(1)” insert “or by virtue of section 18(1ZA)”.
- (3) In section 24F (suspension of registration certificate) of the 1980 Act—
- (a) after subsection (1) insert—
- “(1A) The Council may suspend from practice a registered European lawyer who—
- (a) has been convicted of an offence involving dishonesty, or
- (b) in respect of an offence, has been—
- (i) fined an amount equivalent to level 4 on the standard scale or more (whether on summary or solemn conviction), or
- (ii) sentenced to imprisonment for a term of 12 months or more.”,
- (b) in subsection (2), after “subsection (1)” insert “or (1A)”.
- (4) In section 24G (further provisions relating to suspension of registration certificate) of the 1980 Act—
- (a) after subsection (4) insert—
- “(4A) A suspension from practice arising by virtue of section 24F(1A) expires if the grounds for it no longer apply.
- (4B) On the occurrence of any of the circumstances mentioned in subsections (2) to (4A), the lawyer concerned must notify the Council in writing (and without delay).”,
- (b) in subsection (5), after “section 24F(1)” insert “or by virtue of section 24F(1A)”.