



# Legal Services (Scotland) Act 2010

## 2010 asp 16

### PART 2

#### REGULATION OF LICENSED LEGAL SERVICES

### CHAPTER 2

#### LICENSED LEGAL SERVICES PROVIDERS

##### *Key duties and positions*

#### **52 Head of Practice**

- (1) It is for a licensed provider to make such administrative arrangements as it considers appropriate in respect of its Head of Practice.
- (2) A person is eligible for appointment (and to act) as its Head of Practice only if the person—
  - (a) has such qualifications, expertise and experience as are reasonably required, and
  - (b) in other respects, is fit and proper for the position.
- (3) A Head of Practice has the function of securing the licensed provider's—
  - (a) compliance with section 50(1)(c),
  - (b) fulfilment of its other duties under this Part.
- (4) A Head of Practice is to manage the designated and other persons within the licensed provider with a view to ensuring that they—
  - (a) have regard to the Head's functions under this Part,
  - (b) meet any professional obligations to which they are subject.
- (5) A Head of Practice is to take such reasonable steps as may be required for the purposes of subsection (3).
- (6) If it appears to a Head of Practice that—

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**Changes to legislation:** There are currently no known outstanding effects for the Legal Services (Scotland) Act 2010, Section 52. (See end of Document for details)

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- (a) the licensed provider is failing (or has failed) to fulfil any of its duties under this Part or another enactment,
  - (b) an investor in the licensed provider is—
    - (i) failing (or has failed) to fulfil any of the investor's duties under this Part or another enactment, or
    - (ii) contravening (or has contravened) section 66(1) or (2),
- the Head is to report that fact to the licensed provider's approved regulator.
- (7) The Scottish Ministers may by regulations make further provision about—
- (a) Heads of Practice,
  - (b) the functions of such Heads (in their capacity as such).
- (8) Before making regulations under subsection (7), the Scottish Ministers must consult the Lord President.

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**Commencement Information**

- I1** S. 52 in force at 1.4.2011 for specified purposes by S.S.I. 2011/180, art. 3, Sch.
- I2** S. 52 in force at 2.7.2012 in so far as not already in force 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 52.