



# Legal Services (Scotland) Act 2010

## 2010 asp 16

### PART 2

#### REGULATION OF LICENSED LEGAL SERVICES

### CHAPTER 2

#### LICENSED LEGAL SERVICES PROVIDERS

##### *Appointment to position etc.*

#### **57 Effect of disqualification**

- (1) A disqualification under section 56—
  - (a) may be—
    - (i) without limit of time, or
    - (ii) for a fixed period,
  - (b) extends so as to apply in relation to every licensed provider (including a licensed provider that is subject to the regulation of a different approved regulator).
- (2) Where a disqualification under section 56 is from being a designated person, the disqualification may be framed so as to be limited by reference to—
  - (a) particular activities, or
  - (b) activities carried out without appropriate supervision (for example, that of a senior solicitor).
- (3) Before disqualifying P under section 56, the approved regulator must give the licensed provider and P 28 days (or such longer period as it may allow) to—
  - (a) make representations to it,
  - (b) take such steps as the licensed provider or P may consider expedient.
- (4) Licensing rules must provide that the licensed provider's licence may be revoked or suspended if the licensed provider wilfully disregards a disqualification imposed under section 56.

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**Changes to legislation:** There are currently no known outstanding effects for the  
Legal Services (Scotland) Act 2010, Section 57. (See end of Document for details)

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- (5) Practice rules must—
- (a) set procedure (which the approved regulator is to follow) for imposing a disqualification under section 56,
  - (b) allow for review (and lifting) by the approved regulator of a disqualification imposed by it under that section.
- (6) A person who is disqualified under section 56 may appeal against the disqualification—
- (a) to the sheriff,
  - (b) within the period of 3 months beginning with the date on which the disqualification is imposed.

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**Commencement Information**

- I1** S. 57 in force at 1.4.2011 for specified purposes by S.S.I. 2011/180, art. 3, Sch.
- I2** S. 57 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 57.