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## SCHEDULES

### SCHEDULE 14

#### FOREIGN LAWYERS: PARTNERSHIPS AND RECOGNISED BODIES

##### PART I

##### REGISTRATION

##### *General*

1 In this Schedule—

“the Act of 1974” means the Solicitors Act 1974;

“controlled trust” means, in relation to a registered foreign lawyer who is a member of a multi-national partnership, a trust of which he is a sole trustee or co-trustee only with one or more of the employees or other partners of that partnership and of which he is a trustee by virtue of his being a member of that partnership;

“the Council” means the Council of the Law Society;

“the register” means the register maintained by the Society under section 89;

“registration” means registration in that register;

“the Society” means the Law Society; and

“the Tribunal” means the Solicitors Disciplinary Tribunal.

##### **Commencement Information**

**II** Sch. 14 para. 1 wholly in force at 14.10.1991 see s. 124(3) and S.I. 1991/1883, art. 3, Sch.

##### *Application for registration*

2 (1) An application for registration or for renewal of registration—

(a) shall be made to the Society in such form as the [F<sup>1</sup>Society] may prescribe; and

(b) shall be accompanied by such fee as the [F<sup>1</sup>Society] may, with the concurrence of the Master of the Rolls, prescribe.

(2) Where such an application is duly made by a foreign lawyer, the [F<sup>2</sup>Society] may register the applicant if it is satisfied that the legal profession of which the applicant

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is a member is one which is so regulated as to make it appropriate<sup>[F3]</sup> for members of that profession to be managers of recognised bodies.]

- (3) Any registration may be made subject to such conditions as the Society sees fit to impose.
- (4) The <sup>[F1]</sup>Society] may make regulations, with the concurrence of the Master of the Rolls, with respect to—
- (a) the keeping of the register (including the manner in which entries are to be made, altered or removed); and
  - (b) applications for registration or renewal of registration.
- (5) The register may be kept by means of a computer.

#### Textual Amendments

- F1** Words in Sch. 14 para. 2 substituted (7.3.2008) by Legal Services Act 2007 (c. 29), ss. 177, 211, **Sch. 16 para. 128(a)** (with ss. 29, 192, 193); S.I. 2008/222, **art. 2(f)(j)(iii)**
- F2** Word in Sch. 14 para. 2(2) substituted (7.3.2008) by Legal Services Act 2007 (c. 29), ss. 177, 211, **Sch. 16 para. 128(e)(i)** (with ss. 29, 192, 193); S.I. 2008/222, **art. 2(f)(j)(iii)**
- F3** Words in Sch. 14 para. 2(2) substituted (30.6.2008) for Sch. 14 para. 2(2)(a)(b) by Legal Services Act 2007 (c. 29), ss. 177, 211, **Sch. 16 para. 128(e)(ii)** (with ss. 29, 192, 193); S.I. 2008/1436, **art. 2(d)(iii)** (as amended by S.I. 2008/1591, art. 2)

#### Modifications etc. (not altering text)

- C1** Sch. 14 para. 2(1)(a) extended (22.5.2000) by S.I. 2000/1119 regs. 1(1), 37(3), Sch. 4 para. 5(2)
- C2** Sch. 14 para. 2(1)(b) extended (22.5.2000) by S.I. 2000/1119 regs. 1(1), 37(3), Sch. 4 para. 5(1)
- C3** Sch. 14 para. 2(3) extended (22.5.2000) by S.I. 2000/1119 regs. 1(1), 37(3), Sch. 4 para. 5(2)
- C4** Sch. 14 para. 2(4) extended (22.5.2000) by S.I. 2000/1119, regs. 1(1), 37(3), **Sch. 4 para. 1(4)**
- C5** Sch. 14 para. 2(5) extended (22.5.2000) by S.I. 2000/1119 regs. 1(1), 37(3), Sch. 4 para. 5(2)

#### Commencement Information

- I2** Sch. 14 para. 2 wholly in force at 14.10.1991 see s. 124(3) and S.I. 1991/1883, art. 3, **Sch.**

VALID FROM 01/07/2009

<sup>[F4]</sup>2A (1) The Society may direct that a foreign lawyer's registration is to have effect subject to such conditions as the Society thinks fit to impose.

- (2) A direction under sub-paragraph (1) may be given in respect of a foreign lawyer
- (a) at the time he is first registered, or
  - (b) at any time when the registration has effect.]

#### Textual Amendments

- F4** Sch. 14 para. 2A inserted (1.7.2009) by Legal Services Act 2007 (c. 29), ss. 177, 211, **Sch. 16 para. 129** (with ss. 29, 192, 193); S.I. 2009/1365, **art. 2(b)(i)**

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### *Duration of registration*

- 3 (1) Every registration shall have effect from the beginning of the day on which it is entered in the register.
- (2) The [<sup>F5</sup>Society] may make regulations—
- (a) prescribing the date (“the renewal date”) by which each registered foreign lawyer must apply for his registration to be renewed; and
  - (b) requiring every entry in the register to specify the renewal date applicable to that registration.
- (3) Any such regulations may—
- (a) provide different renewal dates for different categories of registered foreign lawyer or different circumstances;
  - (b) provide for the Society to specify, in the case of individual registered foreign lawyers, different renewal dates to those prescribed by the regulations;
  - (c) make such transitional, incidental and supplemental provision in connection with any provision for different renewal dates as the [<sup>F5</sup>Society] considers expedient.
- (4) Where a foreign lawyer is registered, the Society may cancel his registration if—
- (a) the renewal date for his registration has passed but he has not applied for it to be renewed; or
  - (b) he has applied to the Society for it to be cancelled.

#### **Textual Amendments**

**F5** Words in Sch. 14 para. 3(2)(3)(c) substituted (7.3.2008) by Legal Services Act 2007 (c. 29), ss. 177, 211, Sch. 16 para. 130 (with ss. 29, 192, 193); S.I. 2008/222, art. 2(f)(j)(iii)

#### **Modifications etc. (not altering text)**

**C6** Sch. 14 para. 3(2) extended (22.5.2000) by S.I. 2000/1119, regs. 1(1), 37(3), Sch. 4 para. 1(4) (as amended (1.7.2009) by S.I. 2009/1587, art. 3(5); S.I. 2009/1365, art. 2(a)(i))

**C7** Sch. 14 para. 3(4) extended (22.5.2000) by S.I. 2000/1119, regs. 1(1), 37(3), Sch. 4 para. 5(2) (as amended (1.7.2009) by S.I. 2009/1587, art. 3(6); S.I. 2009/1365, art. 2(a)(i))

#### **Commencement Information**

**I3** Sch. 14 para. 3 wholly in force at 14.10.1991 see s. 124(3) and S.I. 1991/1883, art. 3, Sch.

### *Evidence as to registration*

- 4 Any certificate purporting to be signed by an officer of the Society and stating that a particular foreign lawyer—
- (a) is, or is not, registered; or
  - (b) was registered during a period specified in the certificate,
- shall, unless the contrary is proved, be evidence of that fact and be taken to have been so signed.

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#### **Commencement Information**

**I4** Sch. 14 para. 4 wholly in force at 14.10.1991 see s. 124(3) and S.I. 1991/1883, art. 3, Sch.

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