

SCHEDULES

SCHEDULE 16

THE LAW SOCIETY, SOLICITORS, RECOGNISED BODIES AND FOREIGN LAWYERS

PART 3

THE COURTS AND LEGAL SERVICES ACT 1990 (C. 41)

- 131 In paragraph 5 (intervention in practices)—
- (a) in sub-paragraph (3)(a) and (b)—
 - (i) for “Council have” substitute “Society has”, and
 - (ii) omit “by virtue of his being a member of that partnership”,
 - (b) after sub-paragraph (3)(b) insert—
 - “(ba) the Society has reason to suspect dishonesty on the part of the registered foreign lawyer (“L”) in connection with—
 - (i) the business of any person of whom L is or was an employee, or of any body of which L is or was a manager, or
 - (ii) any business which is or was carried on by L as a sole trader;”,
 - (c) in sub-paragraph (3)(c) for “Council are” substitute “Society is”,
 - (d) after sub-paragraph (3)(e) insert—
 - “(ea) the Society is satisfied that he has abandoned his practice;”,
 - (e) in sub-paragraph (3)(i)—
 - (i) for “Council are” substitute “Society is”, and
 - (ii) for “an officer” (in both places) substitute “a manager”,
 - (f) after that sub-paragraph insert—
 - “(j) the Society is satisfied that it is necessary to exercise the intervention powers (or any of them) in relation to the registered foreign lawyer to protect—
 - (i) the interests of clients (or former or potential clients) of the registered foreign lawyer or the multi-national partnership, or
 - (ii) the interests of the beneficiaries of any trust of which the registered foreign lawyer is or was a trustee.”,
 - (g) omit sub-paragraph (4),
 - (h) in sub-paragraph (5)(a) for “a complaint is made to the Society” substitute “the Society is satisfied”,
 - (i) in sub-paragraph (5)(a)(ii) for “controlled trust” substitute “trust”,

Status: This is the original version (as it was originally enacted).

- (j) in sub-paragraph (5)(c) for “Council regard” substitute “Society regards”,
and
- (k) after sub-paragraph (9) insert—
 - “(10) In this paragraph “manager”, in relation to a recognised body,
has the same meaning as in the Legal Services Act 2007 (see
section 207 of that Act).”