

SCHEDULES

SCHEDULE 16

THE LAW SOCIETY, SOLICITORS, RECOGNISED BODIES AND FOREIGN LAWYERS

PART 1

THE SOLICITORS ACT 1974 (C. 47)

- 30 (1) Section 28 (regulations) is amended as follows.
- (2) In subsection (1)—
 - (a) for “Master of the Rolls” substitute “ Society ”,
 - (b) omit “, with the concurrence of the Secretary of State and the Lord Chief Justice,”,
 - (c) in paragraph (c) omit “and applications for them”,
 - ^{F1}(d)
 - (e) in paragraph (d) for “section 9” substitute “ section 10A ”.
- (3) Omit subsections (2) and (3).
- (4) In subsection (3A)—
 - (a) for “may—” insert “may (among other things)—
 - (za) make provision about the form in which the roll is to be kept and the manner in which entries are to be made, altered and removed;”,
 - (b) omit “and” at the end of paragraph (b), and
 - (c) after paragraph (d) insert—
 - “(e) require the information on the roll to be made available to the public;
 - (f) specify the manner in which information is to be made so available and require it to be made so available during office hours and without charge.”
- (5) After that subsection insert—
 - “(3B) Regulations about practising certificates or sole solicitor endorsements may (among other things)—
 - (a) prescribe the form and manner in which applications for, or relating to, practising certificates or sole solicitor endorsements are to be made;
 - (b) prescribe information which must be included in or accompany such applications;
 - (c) make provision about time limits for dealing with such applications, and confer on a person power to extend or bring forward such a time limit in prescribed circumstances;

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- (d) prescribe the requirements which applicants for practising certificates must satisfy before they may be issued with a practising certificate;
 - (e) prescribe descriptions of applicants, and conditions in relation to them, for the purposes of section 10(2) (circumstances in which practising certificates must be issued subject to prescribed conditions);
 - (f) prescribe descriptions of applicants, and conditions in relation to them, for the purposes of section 13ZA(5) (circumstances in which a practising certificate endorsed with a sole solicitor endorsement after it was issued must be made subject to prescribed conditions);
 - (g) prescribe circumstances for the purposes of section 10(3) (circumstances in which application may be refused etc in the public interest);
 - (h) make provision about when conditions imposed on practising certificates take effect (including provision conferring power on the Society to direct that a condition is not to have effect until the conclusion of any appeal in relation to it);
 - (i) make provision for the commencement, duration, replacement, withdrawal and expiry of practising certificates or sole solicitor endorsements;
 - (j) prescribe circumstances for the purposes of section 13A(2) (circumstances in which conditions can be imposed during period of practising certificate);
 - (k) require solicitors who hold practising certificates to notify the Society of such matters as may be prescribed, at such times, or in such circumstances as may be prescribed.
- (3C) Regulations about the keeping of the register under section 10A may (among other things)—
- (a) make provision about the form in which the register is to be kept and the manner in which entries are to be made, altered and removed;
 - (b) require information of a specified kind to be included in entries in the register;
 - (c) require information (or information of a specified description) on the register to be made available to the public;
 - (d) specify the manner in which it is to be made so available and require it to be made so available during office hours and without charge.
- (3D) Regulations under this section may make provision for appeals to the High Court against decisions made by the Society under the regulations.
- (3E) In relation to an appeal under regulations made by virtue of subsection (3D), the High Court may make such order as it thinks fit as to payment of costs.
- (3F) The decision of the High Court on such an appeal shall be final.
- (3G) Regulations under this section may—
- (a) provide for a person to exercise a discretion in dealing with any matter;
 - (b) include incidental, supplementary and consequential provision;
 - (c) make transitory or transitional provision and savings;

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(d) make provision generally or only in relation to specified cases or subject to specified exceptions;

(e) make different provision for different cases.”

(6) Omit subsections (4) and (5).

Textual Amendments

F1 Sch. 16 para. 30(2)(d) repealed (1.11.2015) by [The Legal Services Act 2007 \(The Law Society\) \(Modification of Functions\) Order 2015 \(S.I. 2015/401\)](#), arts. 1(3), **3(3)**

Commencement Information

II Sch. 16 para. 30 wholly in force at 1.7.2009 see s. 211 and [S.I. 2009/1365](#), **art. 2(a)(iv)** (subject to [arts. 3, 4](#))

Changes to legislation:

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