
STATUTORY INSTRUMENTS

1991 No. 2831

LEGAL PROFESSION

The Registered Foreign Lawyers Order 1991

Made - - - - 14th December 1991

Coming into force - - 1st January 1992

Whereas a draft of this instrument was laid before Parliament and approved by resolution of each House of Parliament :

Now therefore, the Lord Chancellor, in exercise of the powers conferred on him by section 89(5) of the Courts and Legal Services Act 1990(1), hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Registered Foreign Lawyers Order 1991 and shall come into force on 1st January 1992.

Solicitors Act 1974

2. Section 85 of the Solicitors Act 1974(2) shall have effect as if the references in that section to a solicitor included references to a person who is a registered foreign lawyer practising as a member of a multi-national partnership.

Banking Act 1987 (Exempt Transactions) Regulations 1988

3. Regulation 8 of the Banking Act 1987 (Exempt Transactions) Regulations 1988(3) shall have effect as if the reference in paragraph (1) of that regulation to a practising solicitor included, so far as it relates to a solicitor who is qualified to act as such under section 1 of the Solicitors Act 1974, a reference to a registered foreign lawyer in the course of providing professional services as a member of a multi-national partnership.

Dated 14th December 1991

Mackay of Clashfern, C.

(1) 1990 c. 41.

(2) 1974 c. 47.

(3) S.I.1988/646, to which there are amendments not relevant to this Order.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 89 of the Courts and Legal Services Act 1990 provides for the maintenance of a register of foreign lawyers and empowers the Council of the Law Society to make Rules to regulate matters such as professional practice, the keeping of accounts, the delivery of accountants' reports and the maintenance of professional indemnity cover by registered foreign lawyers who are members, with solicitors, of multi-national partnerships. Section 89(5) of the 1990 Act empowers the Lord Chancellor by Order to provide that certain enactments or instruments shall have effect with respect to registered foreign lawyers as they have effect with respect to solicitors. This Order, made under section 89(5) of the 1990 Act, provides for certain provisions in the Solicitors Act 1974 and in the Banking Act 1987 (Exempt Transactions) Regulations 1988 (relating respectively to solicitors' bank and building society accounts and to the acceptance by solicitors of deposits) to apply to registered foreign lawyers as they apply to solicitors. The terms "registered foreign lawyer" and "multi-national partnership" are defined in section 89(9) of the 1990 Act.