

## SCHEDULE 1

### AMENDMENTS TO PRIMARY LEGISLATION

#### PART 1

1. The 1974 Act is amended in accordance with this Part.
2. Omit section 1B (restriction on practice as sole solicitor).
3. In section 9 (applications for practising certificates)(1), omit subsection (2).
4. In section 10 (the issue of practising certificates)(2), in subsection (4)(a) omit the words from “(including” to the end.
5. In section 10A (register of holders of practising certificates)(3), omit subsection (2)(b) (but not the “and” after it).
6. In section 13 (appeals etc in connection with the issue of practising certificates)(4)—
  - (a) omit subsection (1)(b) (but not the “or” after it); and
  - (b) in subsection (4)—
    - (i) omit paragraph (b); and
    - (ii) omit paragraph (f) (but not the “or” after it).
7. Omit sections 13ZA (application to practise as sole practitioner while practising certificate in force) and 13ZB (fee payable on making of sole solicitor endorsement)(5).
8. In section 13A (imposition of conditions while practising certificates are in force)(6), omit subsection (2)(a) (and the “or” after it).
9. In section 13B (suspension of practising certificates where solicitors convicted of fraud or serious crime)(7)—
  - (a) in subsection (1) omit “or sole solicitor endorsement”;
  - (b) in subsection (6) omit “or from practice as a sole solicitor”; and
  - (c) in subsection (8)(b) for “or sole solicitor endorsement shall not be suspended, but that the appellant’s certificate” substitute “shall not be suspended but”.
10. Omit sections 17A (suspension of sole solicitor endorsement) and 17B (duration and publicity of suspension of sole solicitor endorsement)(8).
11. In section 28 (regulations)(9)—
  - (a) omit subsection (1)(ca); and
  - (b) in subsection (3B)—

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(1) Section 9 was substituted by paragraphs 1 and 9 of Schedule 16 to the Legal Services Act 2007.

(2) Section 10 was substituted by paragraphs 1 and 9 of Schedule 16 to the Legal Services Act 2007.

(3) Section 10A was substituted by paragraphs 1 and 10 of Schedule 16 to the Legal Services Act 2007.

(4) Section 13 was substituted by paragraphs 1 and 14 of Schedule 16 to the Legal Services Act 2007.

(5) Sections 13ZA and 13ZB were substituted by paragraphs 1 and 15 of Schedule 16 to the Legal Services Act 2007.

(6) Section 13A was inserted by section 5 of the Administration of Justice Act 1985 and amended by paragraphs 1 and 16 of Schedule 16 to the Legal Services Act 2007.

(7) Section 13B was inserted by section 94(3) of the Courts and Legal Services Act 1990 (c. 41) and amended by paragraph 42(1) and (3) of Schedule 7 to the Serious Organised Crime and Police Act 2005 (c. 15) and paragraphs 1 and 17 of Schedule 16 to the Legal Services Act 2007.

(8) Sections 17A and 17B were inserted by paragraphs 1 and 22 of Schedule 16 to the Legal Services Act 2007.

(9) Section 28 was amended, in so far as relevant, by paragraphs 1 and 30 of Schedule 16 to the Legal Services Act 2007.

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

- (i) omit “or sole solicitor endorsements” (in each place); and
  - (ii) omit paragraph (f).
- 12.** In section 31 (rules as to professional practice), after subsection (1A)(**10**) insert—
- “(1B) Rules under this section must provide that a solicitor may not practise as a sole solicitor unless there is in force in relation to that solicitor’s practice a recognition under section 9 of the Administration of Justice Act 1985.
- (1C) Rules under this section may provide that, for the purposes of the rules, this Act and the Administration of Justice Act 1985, a solicitor is not to be regarded as practising as a sole solicitor in such circumstances as may be prescribed by the rules.”.
- 13.** In section 47 (jurisdiction and powers of tribunal)(**11**) omit—
- (a) subsection (1)(ea); and
  - (b) subsection (2)(ba), (bb) and (ea).
- 14.** In section 87 (interpretation)(**12**)—
- (a) at the end of the definition of “sole solicitor” insert “(other than an incorporated practice)”; and
  - (b) omit the definition of “sole solicitor endorsement”.
- 15.** In Schedule 1 (intervention in solicitor’s practice) omit paragraph 1(1)(i)(**13**).

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(**10**) Section 31(1A) was inserted by paragraphs 1 and 31(1) and (3) of Schedule 16 to the Legal Services Act 2007.

(**11**) Subsections (1) and (2) of section 47 were substituted by section 92(2) of the Courts and Legal Services Act 1990 and amended, in so far as relevant, by paragraphs 1 and 49(a) to (c) and (e) of Schedule 16 to the Legal Services Act 2007.

(**12**) Section 87 was amended, in so far as relevant, by paragraphs 1 and 75(b) of Schedule 16 to the Legal Services Act 2007.

(**13**) Paragraph 1(1)(i) of Schedule 1 was inserted by section 91(1) of the Courts and Legal Services Act 1990 and amended by paragraphs 1 and 77(1) and (2)(f)(i) of Schedule 16 to the Legal Services Act 2007.