



# Legal Services (Scotland) Act 2010

## 2010 asp 16

### PART 3

#### CONFIRMATION AND WILL WRITING SERVICES

#### CHAPTER 1

#### CONFIRMATION SERVICES

#### *Other regulatory matters*

#### **98 Surrender of certification**

- (1) An approving body may, with the prior agreement of the Scottish Ministers, surrender the certification given to it under section 92.
- (2) The approving body must—
  - (a) take all reasonable steps to mitigate such disruption to the clients of its confirmation agents as is likely to result from the surrender,
  - (b) in particular, take steps for ensuring that any relevant work is—
    - (i) completed, or
    - (ii) taken over by a suitably qualified person,before the date from which subsection (5) is operative.
- (3) The Scottish Ministers may direct the approving body to take specified action (or refrain from doing something) if they consider that to be necessary or expedient—
  - (a) for the purpose of subsection (2), or
  - (b) otherwise in connection with the surrender.
- (4) Before the Scottish Ministers may agree to the surrender, they must be satisfied that the approving body has complied (or will comply) with—
  - (a) subsection (2), and
  - (b) any directions given to it under subsection (3).

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**Status:** *This is the original version (as it was originally enacted).*

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- (5) The surrender of an approving body's certification under subsection (1) has, from the date on which the surrender becomes effective, the effect of extinguishing the right of each of its confirmation agents to provide confirmation services (so far as that right is conferred by the approving body in question).