

SCHEDULE 2

APPLICATION, EXTENSION AND MODIFICATION OF ENACTMENTS TO REGISTERED EUROPEAN LAWYERS

PART I

SOLICITORS (SCOTLAND) ACT 1980

1.—(1) The provisions of the Solicitors (Scotland) Act 1980 shall have effect in relation to registered European lawyers as modified or extended by the provisions mentioned in these subparagraphs.

(2) Subsections (1) and (3) of section 2 shall apply to registered European lawyers as they apply to solicitors and any reference to a solicitor's practising certificate shall include reference to a registered European lawyer's registration certificate.

(3) The power to make regulations under section 5 shall also be exercisable in relation to registered European lawyers.

(4) The power to make rules under the following provisions:—

- (a) section 34 (rules as to professional practice, conduct and discipline);
- (b) section 35 (accounts rules);
- (c) section 36 (interest on client's money);
- (d) section 37 (accountant's certificates);
- (e) section 44 (professional indemnity);
- (f) section 52(2) (procedure on complaints to Tribunal) ;
- (g) paragraph 4(1) and (4) of Part I of Schedule 3;

shall also be exercisable in relation to registered European lawyers and a reference in any of these provisions to a solicitor shall include a reference to a registered European lawyer and any references to a solicitor's practising certificate shall include references to a registered European lawyer's registration certificate.

(5) Any of the powers referred to in subparagraph (4) may be exercised so as to make different provision with respect to different categories of registered European lawyers and in different circumstances.

(6) Sections 20, 21, 30, 33A, 38 to 42, 42B, 42C, 51, 52(1), 53A to 54, 56, 56A, 60A to 64, Schedule 1 and paragraph 5 of Part II of Schedule 3 shall apply to registered European lawyers as they apply to solicitors and any references to a solicitor's practising certificate shall include references to a registered European lawyer's registration certificate.

(7) Sections 42A, 45, 46, 47 and 55 shall apply to registered European lawyers as they apply to solicitors and references in those sections to—

- (a) the roll shall for this purpose include references to the register of European lawyers; and
- (b) being struck off the roll shall for this purpose include references to being removed from the register of European lawyers.

(8) Section 43 shall apply to registered European lawyers as it applies to solicitors and references to a practising certificate shall include references to a registered European lawyer's registration certificate and references to the roll shall include references to the register of European lawyers and references to being struck off the roll shall include being removed from that register.

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

(9) Sections 53 and 55 and Schedule 4 shall apply to registered European lawyers as they apply to solicitors and any references in those sections and that Schedule to—

- (a) solicitors shall include registered European lawyers;
- (b) a solicitor's practising certificate shall include reference to a registered European lawyer's registration certificate;
- (c) the roll shall include the register of European lawyers;
- (d) enrolment shall include registration on the register of European lawyers; and
- (e) being struck off the roll shall include being removed from that register.