Solicitors Act 1974

1974 CHAPTER 47

PART IV

MISCELLANEOUS AND GENERAL

The Society

76 Non–practising solicitors eligible for membership of Society.

(1) Notwithstanding anything in the Charter, the Council may appoint and elect to be a member of the Society any person whose name is for the time being on the roll, whether or not he has held a practising certificate.

(2) Where a person is appointed and elected under subsection (1), he shall, on payment of the annual subscription payable by him under section 77,—

(a) become a member of the Society;

(b) be subject to any byelaw or regulation for the time being affecting members of the Society; and

(c) while he remains a member of the Society, be eligible for election as a member of the Council.

77 Annual subscription to Society.

(1) The amount of the annual subscription payable by members of the Society shall be fixed from time to time by the Council.

(2) In fixing the amount of the annual subscription, the Council shall be at liberty—

(a) to divide members into classes;

(b) to provide that different amounts shall be paid by different classes and shall extend over different periods; and

(c) generally to regulate, and from time to time vary, as they think fit, the amounts payable by members or by different classes of members.

Status: *Point in time view as at 01/04/1991. This version of this part contains provisions that are not valid for this point in time.*
Changes to legislation: *There are currently no known outstanding effects for the Solicitors Act 1974, Part IV. (See end of Document for details)*

78 Cessation and suspension of membership of Society.

(1) If the name of a solicitor who is a member of the Society is removed from or struck off the roll that solicitor shall thereupon cease to be a member of the Society.

(2) A member of the Society who is suspended from practising as a solicitor shall not be entitled during the period of his suspension to any of the rights or privileges of membership of the Society.

(3) Subject to subsection (4), the Council may suspend any member of the Society—
- (a) from using the hall and library and any of the rooms belonging to the Society; and
- (b) from exercising all other rights and privileges of a member,

during such period as they may think fit for any cause which, in their opinion, renders such suspension necessary or expedient but is not of a nature to justify the making of a complaint to the Tribunal by or on behalf of the Society.

(4) A member shall not be suspended under subsection (3) unless—
- (a) at least sixteen members of the Council are present at the meeting at which it is resolved to suspend him; and
- (b) at least twelve of those members consent to his suspension.

(5) Any member of the Society who has been suspended under subsection (3) may, on giving the notice required by any byelaw or regulation of the Society, appeal against the suspension to the next available general meeting of members of the Society, and that meeting may confirm, rescind or vary the period of the suspension in any manner they think fit.

Modifications etc. (not altering text)
C1 S. 78(1)(2) extended (22.5.2000) by S.I. 2000/1119, regs. 1, 37(3), **Sch. 4 para. 10**

[F1 79 Committees and Sub–Committees of the Council.

(1) Subject to any provision to the contrary made by or under any enactment, the Council may arrange for any of its functions (other than reserved functions) to be discharged by—
- (a) a committee of the Council;
- (b) a sub–committee of such a committee; or
- (c) an individual (whether or not a member of the Society's staff).

(2) Where, by virtue of subsection (1)(a), any of the Council's functions may be discharged by a committee, the committee may arrange for the discharge of any of those functions by—
- (a) a sub–committee of that committee; or
- (b) an individual (whether or not a member of the Society's staff).

(3) Where, by virtue of subsection (1) or (2), any of the Council's functions may be discharged by a sub–committee, the sub–committee may arrange for the discharge of any of those functions by a member of the Society's staff.

(4) Subsections (2) and (3) shall have effect subject to any contrary direction given by the Council.

(5) Subject to any direction given by the Council under subsection (4), subsection (3) shall have effect subject to any contrary direction given by the committee concerned.

(6) Any power given by subsection (1), (2) or (3) may be exercised so as to impose restrictions or conditions on the body or individual by whom the functions concerned are to be discharged.

(7) A committee of the Council, and any sub–committee of such a committee, discharging functions delegated under this section may include persons other than—
  (a) members of the Council;
  (b) members of the Society;
  (c) solicitors.

(8) The majority of the members of any such committee or sub–committee may be persons who may be included by virtue of subsection (7).

(9) The number and term of office of the members of such a committee and the number of those members necessary to form a quorum, shall be fixed by the Council.

(10) Subject to any restriction or condition imposed by the Council, the number and term of office of the members of such a sub–committee and the number of those members necessary to form a quorum, shall be fixed by the committee concerned.

(11) The validity of any proceedings of such a committee or sub–committee shall not be affected by any casual vacancy among its members.

(12) In this section "reserved functions" means—
  (a) the function of making rules or regulations under section 2, 31, 32, 34, 36, or 37 or under section 9 of the [M1]Administration of Justice Act 1985 (incorporated practices);
  (b) the function of setting fees or financial contributions under paragraph 2(1) of Schedule 2 or section 8(2) or under paragraph 6 of Schedule 2 to the Administration of Justice Act 1985.**]**

Textual Amendments
F1 S. 79 substituted by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), **s. 97**

Marginal Citations
M1 1985 c.61 (**76:1**).

80 Powers to act on behalf of Society.

(1) Anything authorised or required to be done by the Society under or in pursuance of this Act or of any instrument made under it may be done on behalf of the Society by the Council; and the power to delegate functions **[**[F2]conferred**]** by section 79 shall include power to delegate functions exercisable by the Council by virtue of this subsection.

(2) Any document issued by the Society or the Council for any purpose whatsoever may be signed on behalf of the Society or the Council, as the case may be, by the Secretary of the Society or by such other officer of the Society, or by the person holding such office in the Society, as may from time to time be prescribed either generally or specially by resolution of the Council.

(3) In any proceedings a document purporting to be certified by the Secretary of the Society as a copy of a resolution passed by the Council or a committee of the Council **[**[F3]or sub–committee**]** on a specified date shall be evidence that that resolution was duly passed by the Council **[**[F4], committee or sub–committee**]** on that date.

Textual Amendments

F2 Word substituted by Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 125(3), **Sch. 18 para. 16(2)**

F3 Words inserted by Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 125(3), **Sch. 18 para. 16(3)(a)**

F4 Words substituted by Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 125(3), **Sch. 18 para. 16(3)(b)**

Miscellaneous

81 Administration of oaths and taking of affidavits.

(1) Subject to the provisions of this section, every solicitor who holds a practising certificate which is in force shall have the powers conferred on a commissioner for oaths by the [M2]Commissioners for Oaths Acts 1889 and [M3]1891 and section 24 of the [M4]Stamp Duties Management Act 1891; and any reference to such a commissioner in an enactment or instrument (including an enactment passed or instrument made after the commencement of this Act) shall include a reference to such a solicitor unless the context otherwise requires.

(2) A solicitor shall not exercise the powers conferred by this section in a proceeding in which he is solicitor to any of the parties, or in which he is interested.

(3) A solicitor before whom any oath or affidavit is taken or made shall state in the jurat or attestation at which place and on what date the oath or affidavit is taken or made.

(4) A document containing such a statement and purporting to be sealed or signed by a solicitor shall be admitted in evidence without proof of the seal or signature, and without proof that he is a solicitor or that he holds a practising certificate which is in force.

[F5](5) . . . . . .

Textual Amendments

F5 S. 81(5) repealed (*1. 4. 1991*) by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), s. 125(7), **Sch. 20** ; S.I. 1991/608, art. 2, **Sch.**

Modifications etc. (not altering text)

C2 S. 81 extended (22.5.2000) by S.I. 2000/1119, regs. 1, 37(3), Sch. 4 para. 7(2) (as amended (1.7.2009) by The Legal Services Act 2007 (Registered European Lawyers) Order 2009 (S.I. 2009/1587), **art. 3(7)(c)**)

Marginal Citations

M2 1889 c. 10

M3 1891 c. 50

M4 1891 c. 38

[F6 81A Fees for administering oaths and taking affidavits.

(1) The Lord Chancellor may, with the concurrence of the Lord Chief Justice and the Master of the Rolls, by order prescribe the fees to be charged by—

(a) commissioners for oaths; and

(b) solicitors exercising the powers of commissioners for oaths by virtue of section 81,

in respect of the administration of an oath or the taking of an affidavit.

(2) Any order under this section shall be made by statutory instrument, which shall be laid before Parliament after being made.

(3) In this section "affidavit" has the same meaning as in the Commissioners for Oaths Act 1889.**]**

Textual Amendments

F6 S. 81A inserted by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(1), **Sch. 5**

Modifications etc. (not altering text)

C3 S. 81A extended (22.5.2000) by S.I. 2000/1119, regs. 1, 37(3), Sch. 4 para. 7(2) (as amended by The Legal Services Act 2007 (Registered European Lawyers) Order 2009 (S.I. 2009/1587), **art. 3(7)(c)**)

F7 82 . . . . . .

Textual Amendments

F7 S. 82 repealed by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), s. 125(7), **Sch. 20**

83 Power of Society to inspect file of proceedings in bankruptcy of solicitor.

Where proceedings in bankruptcy have been taken against any solicitor, the Society shall be entitled—

(a) to inspect the file of those proceedings without payment of any fee; and

(b) to be supplied with office copies of those proceedings on payment of the usual charge.

Modifications etc. (not altering text)

C4 S. 83 extended (*prosp.*) by Administration of Justice Act 1985 (c. 61, SIF 34), ss. 9, 69(2), **Sch. 2 para. 30**

84 Service of documents at solicitor's place of business.

(1) For the purpose of facilitating the service of notices and other documents, every solicitor who has in force, or has applied for, a practising certificate shall give notice

to the Society of any change in his place or places of business before the expiration of 14 days from the date on which the change takes effect.

(2) Any notice or other document required or authorised by or by virtue of this Act to be served on any person may be served on him by delivering it to him, by leaving it at his proper address or by sending it by post.

(3) Any such notice or document may be served on a practising solicitor, without prejudice to any other method of service, by sending it in a registered letter addressed to him at any place specified as his place of business, or one of his places of business, in his latest application for a practising certificate or in any subsequent notice under subsection (1).

Modifications etc. (not altering text)

C5 S. 84 extended (with modifications) (1.7.2009) by The Registered Foreign Lawyers Order 2009 (S.I. 2009/1589), **art. 3(2)(p)**, Sch.

C6 S. 84 extended (22.5.2000) by S.I. 2000/1119, regs. 1, 37(3), Sch. 4 para. 7(1) (as amended (1.7.2009) by The Legal Services Act 2007 (Registered European Lawyers) Order 2009 (S.I. 2009/1587), **art. 3(7)(a)**)

85 Bank accounts.

Where a solicitor keeps an account with a bank **[**[F8]or a building society**]**in pursuance of rules under section 32—

(a) the bank **[**[F9]or society**]**shall not incur any liability, or be under any obligation to make any inquiry, or be deemed to have any knowledge of any right of any person to any money paid or credited to the account, which it would not incur or be under or be deemed to have in the case of an account kept by a person entitled absolutely to all the money paid or credited to it; and

(b) the bank **[**[F9]or society**]**shall not have any recourse or right against money standing to the credit of the account, in respect of any liability of the solicitor to the bank, other than a liability in connection with the account.

Textual Amendments

F8 Words inserted by Building Societies Act 1986 (c. 53, SIF 16), **ss. 54(3)**(*a*)(5), 120, Sch. 18 Pt. I para. 11(4)(*a*)

F9 Words inserted by Building Societies Act 1986 (c. 53, SIF 16), **ss. 54(3)**(*a*)(5), 120, Sch. 18 Pt. I para. 11(4)(*b*)

Modifications etc. (not altering text)

C7 S. 85 extended (*prosp.*) by Administration of Justice Act 1985 (c. 61, SIF 34), ss. 9, 69(2), **Sch. 2 para. 31**

[X1]86 Bankers' books.

In the [M5] Bankers' Books Evidence Act 1879 (which provides for copies of entries in bankers' books to be receivable in evidence in legal proceedings), in section 10 (interpretation), in the end of the definition of "legal proceeding" there shall be inserted the words "and an application to, or an inquiry or other proceeding before, the Solicitors Disciplinary Tribunal or any body exercising functions in relation to

solicitors in Scotland or Northern Ireland corresponding to the functions of that Tribunal".

Editorial Information

X1 The text of ss. 86, 89(1)(2), Sch. 3 paras. 4, 6, 8, and 9, and Sch. 4, is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as indicated, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M5 1879 c. 11.

Supplementary

VALID FROM 31/03/2009

[F10 86A Rules

(1) Rules made by the Society under this Act may —

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

(b) make different provision for different cases or circumstances or for different purposes.

(2) Without prejudice to the generality of subsection (1), any rules prescribing a fee may provide for that fee to be reduced or waived in such circumstances as may be specified in the rules.**]**

Textual Amendments

F10 S. 86A inserted (31.3.2009) by Legal Services Act 2007 (c. 29), ss. 177, 211, **Sch. 16 para. 74** (with ss. 29, 192, 193); S.I. 2009/503, **art. 2(b)(i)**

Modifications etc. (not altering text)

C8 S. 86A applied by Administration of Justice Act 1985 (c. 61), s. 9(2J) (as inserted (31.3.2009) by Legal Services Act 2007 (c. 29), ss. 177, 211, **Sch. 16 para. 81(5)** (with ss. 29, 192, 193); S.I. 2009/503, **art. 2(b)(ii)** (subject to art. 4)

87 Interpretation.

(1) In this Act, except where the context otherwise requires,—

"articles" means written articles of clerkship binding a person to serve a solicitor as an articled clerk;

"authorised insurers" means a person permitted under the [M6]Insurance Companies Act **[**[F11]1982**]** to carry on liability insurance business or pecuniary loss insurance business;

"bank" means—

(a) the Bank of England **[**[F12]the Post Office, in the exercise of its powers to provide banking services, or **[**[F13]an institution authorised under the Banking Act 1987**]]**; [F14]. . .

(b) [F15]. . . . . .

(c) [F16]. . . . . .

[[F17]"building society" means a building society within the meaning of the Building Societies Act 1986; and a reference to an account with a building society is a reference to a deposit account.

"the Charter" means the Royal Charter dated 26th February 1845, whereby the Society was incorporated, together with the Royal Charters supplemental to it dated respectively 26th November 1872, 4th June 1903, 2nd June 1909 and 10th March 1954;

"client" includes—

(a) in relation to contentious business, any person who as a principal or on behalf of another person retains or employs, or is about to retain or employ, a solicitor, and any person who is or may be liable to pay a solicitor's costs;

(b) in relation to non–contentious business, any person who, as a principal or on behalf of another, or as a trustee or executor, or in any other capacity, has power, express or implied, to retain or employ, and retains or employs or is about to retain or employ, a solicitor, and any person for the time being liable to pay to a solicitor for his services any costs;

"client account" means an account in the title of which the word "client" is required by rules under section 32;

"contentious business" means business done, whether as solicitor or advocate, in or for the purposes of proceedings begun before a court or before an arbitrator appointed under the [M7]Arbitration Act 1950, not being business which falls within the definition of non–contentious or common form probate business contained in **[**[F18]section 128 of the [M8] Supreme Court Act 1981**]**;

"contentious business agreement" means an agreement made in pursuance of section 59;

"controlled trust", in relation to a solicitor, means a trust of which he is a sole trustee or co–trustee only with one or more of his partners or employees;

"costs" includes fees, charges, disbursements, expenses and remuneration;

"the Council" means the Council of the Society elected in accordance with the provisions of the Charter and this Act;

"duly certificated notary public" means a notary public who either—

(a) has in force a practising certificate as a solicitor issued under this Act, and duly entered in the court of faculties of the Archbishop of Canterbury in accordance with rules made by the master of faculties; or

(b) has in force a practising certificate as a notary public issued by the s aid court of faculties in accordance with rules so made;

"employee" includes an articled clerk;

"indemnity conditions" has the meaning assigned to it by section 28(2)(b);

"indemnity rules" means rules under section 37;

[[F19]"liability insurance business" means insurance business within class 13 in Schedule 2 to the Insurance Companies Act **[**[F20]1982**]]**

"local law society" means a society which is for the time being recognised by the Council as representative of solicitors in some particular part of England and Wales;

"non–contentious business" means any business done as a solicitor which is not contentious business as defined by this subsection;

[[F21]"pecuniary loss insurance business" means insurance business within class 1, 2, 14, 15, 16 or 17 in Schedule 2 to the Insurance Companies Act **[**[F22]1982**]]**

"practising certificate" has the meaning assigned to it by section 1;

[[F23]"replacement date", in relation to a practising certificate, means the date prescribed under section 14(2)(a) or specified by the Society under any regulation made by virtue of section 14(4)(b);

"the roll" means the list of solicitors of the Supreme Court kept by the Society under section 6;

"Secretary" of the Society includes any deputy or person appointed temporarily to perform the duties of that office;

"the Society" means the Law Society, that is to say, the Society incorporated and regulated by the Charter;

"sole solicitor" means a solicitor who is the sole principal in a practice;

"solicitor" means solicitor of the Supreme Court;

"solicitor in Scotland" means a person enrolled or deemed to have been enrolled as a solicitor in pursuance of the [M9]Solicitors (Scotland) Act 1933;

[[F24]"the standard scale" has the meaning given by section 37 of the Criminal Justice Act 1982;**]**

"training conditions" has the meaning assigned to it by section 28(2)(a);

"training regulations" means regulations under section 2;

"the Tribunal" means the Solicitors Disciplinary Tribunal;

"trust" includes an implied or constructive trust and a trust where the trustee has a beneficial interest in the trust property, and also includes the duties incident to the office of a personal representative, and "trustee" shall be construed accordingly;

"unqualified person" means a person who is not qualified under section 1 to act as a solicitor.

(2) In this Act—

(a) references to the removal of a solicitor's name from the roll are references to its removal at his own request **[**[F25]or in pursuance of regulations under section 28(3A);**]**

(b) references to striking a solicitor's name off the roll are references to striking it off **[**[F26]as a disciplinary sanction**]**; and

(c) references to removal or striking off include references to deleting an entry made by means of a computer by whatever means are appropriate.

(3) In this Act, except where otherwise indicated—

(a) a reference to a numbered Part, section or Schedule is a reference to the Part or section of, or the Schedule to, this Act so numbered;

(b) a reference in a section to a numbered subsection is a reference to the subsection of that section so numbered;

(c) a reference in a section, subsection or Schedule to a numbered paragraph is a reference to the paragraph of that section, subsection or Schedule so numbered; and

(d) a reference in a paragraph to a numbered sub–paragraph is a reference to the sub–paragraph of that paragraph so numbered.

(4) Except where the context otherwise requires, references in this Act to any enactment shall be construed as references to that enactment as amended or applied by or under any other enactment, including this Act.**]]**

Textual Amendments

F11 Year substituted by Insurance Companies Act 1982 (c. 50, SIF 67), s. 99(2), **Sch. 5 para. 15**(*a*)

F12 Words inserted by Banking Act 1979 (c. 37, SIF 10), s. 52(3)(4), **Sch. 6 para. 9**

F13 Words substituted by Banking Act 1987 (c. 22, SIF 10), s. 108(1), **Sch. 6 para. 5**

F14 Word repealed by Banking Act 1987 (c. 22, SIF 10), s. 108(1)(2), Sch. 6 para. 5, **Sch. 7 Pt. I**

F15 In the definition of "bank", para. (*b*) repealed by Banking Act 1987 (c. 22, SIF 10), s. 108(1)(2), Sch. 6 para. 5, **Sch. 7 Pt. I**

F16 In the definition of "bank" para. (*c*) and the word "and" immediately preceding it repealed by Trustee Savings Banks Act 1985 (c. 58, SIF 110), ss. 4(3), 7(3), **Sch. 4**

F17 Definition of "building society" inserted by Building Societies Act 1986 (c. 53, SIF 16), **ss. 54(3)**(*a*)(5), 120, Sch. 18, para. 11(5)

F18 Words substituted by Administration of Justice Act 1985 (c. 61, SIF 34), s. 8, **Sch. 1 para. 12**(*a*)(i)

F19 Definition of "liability insurance business" substituted by Insurance Companies Act 1981 (c. 31, SIF 67), s. 36, **Sch. 4 Pt. II para. 23**(*a*)

F20 Word substituted by virtue of Insurance Companies Act 1982 (c. 50, SIF 67), s. 99(2), **Sch. 5 para. 15**(*b*)

F21 Definition of "pecuniary loss insurance business" substituted by Insurance Companies Act 1981 (c. 31, SIF 67), s. 36, **Sch. 4 Pt. II para. 23**(*b*)

F22 Word substituted by virtue of Insurance Companies Act 1982 (c. 50, SIF 67), s.99(2), **Sch. 5 para. 15**(*c*)

F23 Definition of "replacement date" inserted (*prosp.*) by Courts and Legal Services Act 1990 (c. 41, SIF 37), ss. 124(3), 125(3), **Sch. 18 para. 17**

F24 Definition of "the standard scale" inserted by Administration of Justice Act 1985 (c. 61, SIF 34), s. 8, **Sch. 1 para. 12**(*a*)(ii)

F25 Words inserted by Administration of Justice Act 1985 (c. 61, SIF 34), s. 8, **Sch. 1 para. 12**(*b*)(i)

F26 Words substituted by Administration of Justice Act 1985 (c. 61, SIF 34), s. 8, **Sch. 8 para. 12**(*b*)(ii)

Modifications etc. (not altering text)

C9 Definition of "replacement date" modified (*prosp.*) by Courts and Legal Services Act 1990 (c. 41, SIF 37, 76:1), ss. 124(3), 125(6), **Sch. 19 para. 12(3)**

Marginal Citations

M6 1982 c. 50.

M7 1950 c. 27.

M8 1981 c. 54. (**37**).

M9 1933 c. 21.

88 Saving for solicitors to public departments and City of London.

(1) Nothing in this Act shall prejudice or affect any rights or privileges of the solicitor to the Treasury, any other public department, the Church Commissioners or the Duchy

of Cornwall, or require any such officer or any clerk or officer appointed to act for him to be admitted or enrolled or to hold a practising certificate in any case where it would not have been necessary for him to be admitted or enrolled or to hold such a certificate if this Act had not been passed.

[[F27](1A) The exemption from the requirement to hold a practising certificate conferred by subsection (1) above shall not apply to solicitors who are Crown Prosecutors.**]**

(2) Sections 31 and 32(1) shall not apply to, and nothing in this Act shall prejudice or affect any rights or privileges which immediately before the commencement of this Act attached to the office of, the Solicitor of the City of London.

Textual Amendments

F27 S. 88(1A) inserted by Prosecution of Offences Act 1985 (c. 23, SIF 39:1), **s. 4(4)**

89 Consequential amendments, repeals, savings, etc.

[X2](1) The enactments specified in Schedule 3 shall have effect subject to the amendments there specified, being amendments consequential upon the provisions of this Act.

[X2](2) The enactments specified in Schedule 4 are hereby repealed to the extent specified in the third column of that Schedule.

(3) In so far as any instrument or other document made, issued, served or kept or treated as having been or having effect as if made, issued, served or kept, or other thing done or treated as having been or having effect as if done, under or for the purposes of any of the enactments repealed by this Act (in this section referred to as "the repealed enactments") could have been made, issued, served, kept or done under or for the purposes of a corresponding provision of this Act, it shall not be invalidated by the repeal but shall have effect as if made, issued, served, kept or done under or for the purposes of that corresponding provision; and anything begun under any of the repealed enactments may be continued under any corresponding provision of this Act as if begun under that provision.

(4) Any enactment or other document referring to any of the repealed enactments shall, so far as may be necessary for preserving its effect, be construed as referring to this Act or to the corresponding provision of this Act.

(5) References in any enactment or instrument to the disciplinary committee constituted under section 46 of the [M10]Solicitors Act 1957 shall be construed as references to the Tribunal.

(6) References in any enactment to solicitors, attorneys or proctors, or to the registrar of attorneys and solicitors or the registrar of solicitors, shall be construed as references to solicitors and to the Society respectively.

(7) References in any enactment to a duly certificated notary public shall be construed as references to a duly certificated notary public within the meaning of this Act.

(8) Nothing in this Act shall be taken as prejudicing the operation of **[**[F28]sections 16(1) and 17(2)(a) of the [M11]Interpretation Act 1978**]** (which relates to the effect of repeals).

Editorial Information

X2 The text of ss. 86, 89(1)(2), Sch. 3 paras. 4, 6, 8, and 9, and Sch. 4, is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as indicated, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

F28 Words substituted by virtue of Interpretation Act 1978 (c. 30), **s. 25(2)**

Marginal Citations

M10 1957 c. 27.
M11 1978 c. 30.

90 Short title, commencement and extent.

(1) This Act may be cited as the Solicitors Act 1974.

(2) This Act shall come into force on such day as the Lord Chancellor may by order made by statutory instrument appoint, not being earlier than the first day on which all the provisions of the [M12]Solicitors (Amendment) Act 1974 are in force.

(3) If any order made under section 19(7) of the [M13]Solicitors (Amendment) Act 1974 makes any savings from the effect of any provision of that Act which it brings into force, the order under subsection (2) may make corresponding savings from the effect of the corresponding provision of this Act.

(4) The provisions of this Act extend to England and Wales only, with the exception of—

(a) section 4(4) and the repeal of section 5(3) of the [M14]Solicitors Act 1957, which extend to Scotland;

(b) section 29 and the repeal of section I of the [M15]Solicitors (Amendment) Act 1974, which extend to Northern Ireland;

(c) sections 5(3) and 86, [F29]. . . and the repeals of section 5(2) of the Solicitors Act 1957 and paragraphs 1 and 5 of Schedule 2 to the [M16]Solicitors (Amendment) Act 1974, all of which extend both to Scotland and to Northern Ireland.

Textual Amendments

F29 Words repealed by House of Commons Disqualification Act 1975 (c. 24), **Sch. 3**

Modifications etc. (not altering text)

C10 1.5.1975 appointed under s. 90(2) by S.I. 1975/534

Marginal Citations

M12 1974 c. 26.
M13 1974 c. 26.
M14 1957 c. 27 (5 & 6 Eliz. 2).
M15 1974 c. 26.
M16 1974 c. 26.

Status:
Point in time view as at 01/04/1991. This version of this part contains provisions that are not valid for this point in time.

Changes to legislation:
There are currently no known outstanding effects for the Solicitors Act 1974, Part IV.