



# Solicitors Act 1974

## 1974 CHAPTER 47

### PART II

#### PROFESSIONAL PRACTICE, CONDUCT AND DISCIPLINE OF SOLICITORS AND CLERKS

##### *[<sup>F1</sup> Examination of files]*

##### **[<sup>F1</sup>44BA Power to require explanation of document or information**

- (1) The Society may, by notice, require a person to whom a notice is given under section 44B (or a representative of the person) to attend at a time and place specified in the notice to provide an explanation of any information provided or document produced pursuant to the notice.
- (2) The Society may pay to any person such reasonable costs as may be incurred by that person in connection with that person's compliance with a requirement imposed under subsection (1).
- (3) Paragraphs 9(3) and (4) and 13, 15 and 16 of Schedule 1 apply in relation to a notice under this section, except that for this purpose—
  - (a) paragraph 9 of that Schedule has effect as if—
    - (i) in sub-paragraph (3) for “having” to “sub-paragraph (1)” there were substituted “refuses, neglects or otherwise fails to comply with a requirement under section 44BA(1)”, and
    - (ii) in sub-paragraph (4) for “produce” (in the first place) to the end there were substituted “provide an explanation of any information provided or document produced pursuant to a notice under section 44B (or a representative of such a person) to attend at a time and place specified in the order to provide an explanation of any information so provided or document so produced.”, and
  - (b) the reference to the solicitor or his personal representative in paragraph 13 of that Schedule is to be construed as a reference to the person to whom the notice was given under this section.]

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*Changes to legislation: There are currently no known outstanding effects  
for the Solicitors Act 1974, Section 44BA. (See end of Document for details)*

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#### Textual Amendments

- F1** Ss. 44B-44BC substituted (31.3.2009) for s. 44B by [Legal Services Act 2007 \(c. 29\)](#), ss. 177, 211, **Sch. 16 para. 44** (with ss. 29, 192, 193); S.I. 2009/503, **art. 2(b)(i)** (subject to art. 4)

#### Modifications etc. (not altering text)

- C1** [S. 44BA](#) applied by 1985 c. 61, Sch. 2 para. 14ZA(6) (as inserted (1.11.2015) by [The Legal Services Act 2007 \(The Law Society\) \(Modification of Functions\) Order 2015 \(S.I. 2015/401\)](#), art. 1(3), **Sch. 1 para. 20(4)**)
- C2** [S. 44BA](#) extended (with modifications) (1.7.2009) by [The Registered Foreign Lawyers Order 2009 \(S.I. 2009/1589\)](#), **art. 5(d)**
- C3** [S. 44BA](#) applied by [Administration of Justice Act 1985 \(c. 61\)](#), Sch. 2 para. 14(6) (as substituted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 177, 211, **Sch. 16 para. 101** (with ss. 29, 192, 193); S.I. 2009/503, **art. 2(b)(iii)** (subject to art. 4))

**Changes to legislation:**

There are currently no known outstanding effects for the Solicitors Act 1974, Section 44BA.