



Solicitors (Scotland) Act 1980

1980 CHAPTER 46

PART II

RIGHT TO PRACTISE AS A SOLICITOR

The Roll

10 Restoration of name to roll on request.

- (1) A solicitor . . . ^{F1} whose name has been struck off the roll other than by order of the Court, shall only be entitled to have his name restored to the roll, if on an application in that behalf made by him to the Tribunal and after such inquiry as the Tribunal thinks proper, the Tribunal so orders.
- [^{F2}(1ZA) Where the restoration of a solicitor's name to the roll has been prohibited under section 53(2)(aa), the solicitor is entitled to have the solicitor's name restored to the roll if (but only if) the Tribunal so orders—
- (a) on an application made to it by the solicitor, and
 - (b) after such enquiry as it thinks proper.]
- [^{F3}(1A) On an application to the Council from a solicitor whose name [^{F4}, or any annotation against whose name,] has been removed from the roll under section 9 [^{F5}(except where subsection (1ZA) applies)] the Council may, after such inquiry as they think proper, restore the name of that solicitor [^{F6}or, as the case may be, the annotation,] to the roll.]
- (2) Rules made by the Tribunal under section 52 may—
- (a) regulate the making, hearing and determining of applications under subsection (1) [^{F7}or (1ZA)] ;
 - (b) provide for payment by the applicant to the Council of such fee in respect of restoration to the roll as the rules may specify.

Textual Amendments

F1 Words repealed by [Solicitors \(Scotland\) Act 1988 \(c. 42, SIF 76:2\)](#), s. 6(1)(2), Sch. 1 para. 4(a), [Sch. 2](#)

Changes to legislation: *Solicitors (Scotland) Act 1980, Section 10 is up to date with all changes known to be in force on or before 27 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- F2** S. 10(1ZA) inserted (1.5.2011) by Legal Services (Scotland) Act 2010 (asp 16), **ss. 136(1)(a)**, 150(2); S.S.I. 2011/180, art. 4(a)
- F3** S. 10(1A) inserted by Solicitors (Scotland) Act 1988 (c. 42, SIF 76:2), s. 6(1), **Sch. 1 para. 4(b)**
- F4** Words in s. 10(1A) inserted (3.6.1991) by Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40, SIF 76:2), s. 74, **Sch. 8 Pt. II para. 29(3)(a)**; S.I. 1991/1252, art. 3, **Sch.1**
- F5** Words in s. 10(1A) inserted (1.5.2011) by Legal Services (Scotland) Act 2010 (asp 16), **ss. 136(1)(b)**, 150(2); S.S.I. 2011/180, art. 4(a)
- F6** Words in s. 10(1A) inserted (3.6.1991) by Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40, SIF 76:2), s. 74, **Sch. 8 Pt. II para. 29(3)(b)**; S.I. 1991/1252, art. 3, **Sch.1**
- F7** Words in s. 10(2) inserted (1.5.2011) by Legal Services (Scotland) Act 2010 (asp 16), **ss. 136(1)(c)**, 150(2); S.S.I. 2011/180, art. 4(a)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 12A(2)(ba) inserted by [2010 asp 16 s. 118\(3\)](#)
- s. 32(1)(d) and word inserted by [2010 asp 16 s. 118\(2\)\(a\)\(i\)](#)
- s. 32(2D) inserted by [2010 asp 16 s. 118\(2\)\(a\)\(iv\)](#)
- Sch. 4 para. 1A(b)(iia) inserted by [2010 asp 16 s. 118\(2\)\(b\)](#)