



Solicitors (Scotland) Act 1980

1980 CHAPTER 46

PART VI

MISCELLANEOUS AND GENERAL

Miscellaneous

[^{F1}62A Council's power to recover expenses incurred under section^{F2} . . . 45 or 46.

- (1) Without prejudice to the Society's entitlement under section 46(4) to recover expenses, the Council shall be entitled to recover from a solicitor or incorporated practice in respect of whom it has taken action under section ^{F3} . . . 45, or 46, any expenditure reasonably incurred by it in so doing.
- (2) Expenditure incurred in taking action under section ^{F3} . . . [^{F4}45 or 46] is recoverable under subsection (1) above only where notice has been served under paragraph 5(2) of Schedule 3 in connection with that action and—
 - (a) no application has been made in consequence under paragraph 5(4) of that Schedule; or
 - (b) the Court, on such an application, has made a direction under paragraph 5(5) of that Schedule.]

Textual Amendments

- F1** S. 62A inserted by Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73, SIF 76:2), s. 56, **Sch. 1 Pt. II para. 6**
- F2** S. 62A: words in sidenote repealed (1.10.2008) by Legal Services Act 2007 (c. 29), ss. 195, 211, Sch. 20 para. 1(20); **Sch. 24** (with ss. 29, 192, 193); S.I. 2008/1436, **art. 3**
- F3** Words in s. 62A(1)(2) repealed (1.10.2008) by Legal Services Act 2007 (c. 29), ss. 195, 210, 211, Sch. 20 para. 1(16), **Sch. 23** (with ss. 29, 192, 193); S.I. 2008/1436, **art. 3**
- F4** Words in s. 62A(2) inserted (1.10.2008) by Legal Profession and Legal Aid (Scotland) Act 2007 (asp 5), ss. 81, 82, **Sch. 5 para. 1(22)** (with s. 77); S.S.I. 2008/311, **art. 2**

Changes to legislation: *Solicitors (Scotland) Act 1980, Section 62A is up to date with all changes known to be in force on or before 25 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*

Modifications etc. (not altering text)

- C1 [S. 62A](#) applied in part (with modifications) (1.10.2004) by The Solicitors (Scotland) Act 1980 (Foreign Lawyers and Multi-national Practices) Regulations ([S.S.I. 2004/383](#)), {reg. 13}

Changes to legislation:

Solicitors (Scotland) Act 1980, Section 62A is up to date with all changes known to be in force on or before 25 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.

[View outstanding changes](#)

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\(2\)\(b\)](#)