
STATUTORY INSTRUMENTS

2009 No. 1589

The Registered Foreign Lawyers Order 2009

Solicitors Act 1974

5. The following provisions of the 1974 Act have effect with respect to registered foreign lawyers as follows—

- (a) section 34(10) (accountants' reports: no contravention of duty when making a report to the Society) with the modification that the reference to subsection (9) is to be read as including a reference to that subsection as it has effect by virtue of article 3;
- (b) section 41 (employment by solicitor of person struck off or suspended)—
 - (i) with the modification that in subsection (1) reference to a person who is disqualified from practising as a solicitor by reason of a fact mentioned in section 41(1)(a) to (c) of the 1974 Act is to be read as including a reference to a foreign lawyer whose name has been struck off the register of foreign lawyers or whose registration in that register is suspended;
 - (ii) with the modification that in subsection (1A)(1) reference to a person in relation to whom there is a direction in force under section 47(2)(g) is to be read as including a reference to a foreign lawyer who is subject to an order under paragraph 15(4) of Schedule 14 to the 1990 Act prohibiting that lawyer's restoration to the register of foreign lawyers except by further order of the Tribunal;
- (c) section 42 (failure to disclose fact of having been struck off or suspended)—
 - (i) with the modification that in subsection (1) reference to a person who is disqualified from practising as a solicitor by reason of a fact mentioned in section 42(1)(a) to (c) of the 1974 Act is to be read as including a reference to a foreign lawyer whose name has been struck off the register of foreign lawyers or whose registration in that register is suspended;
 - (ii) with the modification that in subsection (1A)(2) reference to a person in relation to whom there is a direction in force under section 47(2)(g) is to be read as including a reference to a foreign lawyer who is subject to an order under paragraph 15(4) of Schedule 14 to the 1990 Act prohibiting that lawyer's restoration to the register of foreign lawyers except by further order of the Tribunal;
- (d) section 44BA (power to require explanation of document or information) with the modification that reference to section 44B is to be read as including a reference to that section as it has effect by virtue of article 3; and
- (e) section 44BC (information offences)—
 - (i) with the modification that reference to section 44B is to be read as including a reference to that section as it has effect by virtue of article 3;

(1) Subsection 1A was inserted by section 125(3) of, and paragraph 14 of Schedule 18 to, the [Courts and Legal Services Act 1990 \(c. 41\)](#).

(2) Subsection 1A was inserted by section 125(3) of, and paragraph 15 of Schedule 18 to, the [Courts and Legal Services Act 1990 \(c. 41\)](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (ii) with the modification that reference to section 44BA is to be read as including a reference to that section as it has effect by virtue of paragraph (d).