

SCHEDULE 1

AMENDMENTS TO PRIMARY LEGISLATION

PART 2

18.—(1) Section 9 (incorporated practices) is amended as follows.

(2) For the heading (“Incorporated practices”) substitute “Recognition of legal services bodies and of sole solicitors’ practices”.

(3) In subsection (1)—

(a) for paragraph (b) substitute —

“(b) prescribing the circumstances in which—

(i) legal services bodies may be recognised by the Society as being suitable bodies to undertake the provision of any solicitor services or other relevant legal services; and

(ii) sole solicitors’ practices may be recognised by the Society as being suitable to undertake the provision of any such services;”;

(b) in paragraph (c), after “bodies” insert “and sole solicitors’ practices”; and

(c) in paragraph (d), after “bodies” insert “and sole solicitors’ practices”.

(4) In subsection (1A), after “recognised bodies” insert “and recognised sole solicitors’ practices”.

(5) In subsection (1B)(b), after “a recognised body,” insert “or are employees in a recognised sole solicitor’s practice,”.

(6) In subsection (2)—

(a) in paragraph (ab), for “or descriptions of recognised body” substitute “recognised sole solicitors’ practices, or descriptions of such bodies or practices”;

(b) in paragraph (b), after “recognised bodies” insert “or recognised sole solicitors’ practices”;

(c) in paragraph (e), after “another body” insert “, or a sole solicitor’s practice,”;

(d) before paragraph (ea), insert—

“(eza) about the effect on the recognition of a sole solicitor’s practice where the sole solicitor ceases to practise as a sole principal and—

(i) another sole solicitor succeeds that sole solicitor as sole principal in the practice; or

(ii) a body or another sole solicitor succeeds to the whole or substantially the whole of the practice’s business;”;

(e) in paragraph (ea)—

(i) after “bodies” insert “and sole solicitors’ practices”; and

(ii) for “those bodies” substitute “them”;

(f) in paragraph (f), after “recognised bodies” insert “or recognised sole solicitors’ practices”;

(g) in paragraphs (fa) and (fb), after “recognised bodies” (in each place) insert “or employees in recognised sole solicitors’ practices”;

(h) after paragraph (fc), insert—

Status: This is the original version (as it was originally made).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

- “(fd) requiring the sole solicitor in a recognised sole solicitor’s practice to appoint a person or persons to monitor compliance, by the sole solicitor and the employees in the practice, with requirements imposed on them by or by virtue of this Act, the 1974 Act or any rules applicable to them by virtue of this section or the 1974 Act;”;
- (i) in paragraph (h)—
 - (i) after “recognised bodies” insert “, or on sole solicitors in relation to recognised sole solicitors’ practices;”;
 - (ii) omit “on such bodies”.
- (7) After subsection (2), insert—

“(2ZA) Rules under subsection (2)(fd) may provide that the person appointed under that paragraph may be the sole solicitor.”.
- (8) In subsection (2B)(a), after “body” insert “or sole solicitor’s practice”.
- (9) In subsection (2F), after “a body” insert “or a sole solicitor’s practice”.
- (10) In subsection (2G)—
 - (a) after “a body” insert “or a sole solicitor’s practice;”;
 - (b) in paragraphs (a) and (b), omit “body’s” (in each place).
- (11) In subsection (2H)—
 - (a) in paragraph (a)—
 - (i) after “conditions requiring the body” insert “, or the sole solicitor;”;
 - (ii) omit “by the body”; and
 - (b) in paragraph (b), after “the body” insert “, or the sole solicitor.”.
- (12) In subsection (5)—
 - (a) after “any body” insert “or sole solicitor’s practice;”;
 - (b) for “a recognised body” substitute “recognised under this section”.
- (13) In subsection (6)—
 - (a) for “recognised bodies and” substitute “recognised bodies;”;
 - (b) after “such bodies” insert “, and with respect to matters relating to recognised sole solicitors’ practices”.
- (14) In subsection (8)—
 - (a) after the definition of “authorised person” insert—

“references to employment in a recognised sole solicitor’s practice are references to employment by a sole solicitor for the purposes of a practice recognised under this section;”
 - (b) after the definition of “recognised body” insert —

““recognised sole solicitor’s practice” means a sole solicitor’s practice for the time being recognised under this section;”;
 - (c) after the definition of “registered European lawyer” insert —

““sole solicitor” has the meaning given by section 87(1) of the 1974 Act;”.