

SCHEDULE

Consequential amendments and further transitional provision

PART 1

Primary legislation

Solicitors Act 1974

1.—(1) The provisions of the Solicitors Act 1974(1) mentioned in sub-paragraph (2) continue to have effect as applied by regulation 37(3) of, and Schedule 4 to, the 2000 Regulations as if the 2000 Regulations had not been revoked by regulation 3—

- (a) on or after exit day, in relation to an individual who—
 - (i) was a registered European lawyer (within the meaning of regulation 2(1) of the 2000 Regulations as it had effect immediately before exit day), registered with the Law Society, at a time before exit day, but
 - (ii) is not an individual in relation to whom regulation 5 applies; and
- (b) at or after the end of the transitional period, in relation to an individual who is on or after exit day an individual registered with the Law Society under regulation 17 of the 2000 Regulations (registration by professional body), as that regulation has effect by virtue of regulation 5 of these Regulations,

as those provisions had effect before exit day in relation to an individual who had ceased to be registered with the Law Society under regulation 17 of the 2000 Regulations.

(2) The provisions referred to in sub-paragraph (1) are—

- (a) section 36 (compensation grants);
- (b) section 37 (professional indemnity);
- (c) section 41 (employment by solicitor of person struck off or suspended);
- (d) section 42 (failure to disclose fact of having been struck off or suspended);
- (e) section 43 (control of solicitors' employees and consultants);
- (f) section 44D (disciplinary powers of the Law Society);
- (g) section 44E (appeals against disciplinary action under section 44D);
- (h) section 46(9)(b), (10)(a) and (b), (11) and (12) (Solicitors Disciplinary Tribunal), as it has effect by virtue of section 44E(2);
- (i) section 46(10)(c) (Solicitors Disciplinary Tribunal);

(1) 1974 c. 47, amended by section 154 of, and Schedule 7, paragraph 132 to, the Magistrates' Courts Act 1980 (c. 43), sections 147 and 152 of, and Schedule 7 to, the Senior Courts Act 1981 (c. 54), section 56(b) of the Administration of Justice Act 1982 (c. 53), sections 37, 38 and 46 of the Criminal Justice Act 1982 (c. 48), sections 8, 44, 67 and 69(5) of, and Schedule 1, paragraph 10, Schedule 7, paragraphs 5 and 6, Schedule 8, Part 3 and Schedule 9, paragraph 9 to, the Administration of Justice Act 1985 (c. 61), section 45 of, and Schedule 5, paragraph 19 to, the Legal Aid Act 1988 (c. 34), sections 92 and 125 of, and Schedule 18, paragraphs 14 and 15 and Schedule 20 to, the Courts and Legal Services Act 1990 (c. 41), sections 48 and 106 of, and Schedule 7, paragraphs 7 and 9 and Schedule 15, Part 1 to, the Access to Justice Act 1999 (c. 22), section 165 of, and Schedule 9, paragraph 46 to, the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6), section 59(5) of, and Schedule 11, Part 4, paragraph 21 to, the Constitutional Reform Act 2005 (c. 4), sections 177 and 210 of, and Schedule 16, Part 1, paragraphs 37, 38, 41, 42, 46, 47, 49, 50 and 51 and Schedule 23 to, the Legal Services Act 2007 (c. 29), section 39 of, and Schedule 5, Part 1, paragraphs 7 to 9 to, the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10) and S.I. 2015/401. There are other amending instruments not relevant to these Regulations.

Status: This is the original version (as it was originally made).

- (j) section 47(1)(b) and (c), (2)(c), (d) and (i), (2A) to (2H), (3), (3A) to (3C) (jurisdiction and powers of Tribunal);
- (k) section 48(2)(b) and (3) to (5) (orders of Tribunal);
- (l) section 49 (appeals from Tribunal);
- (m) section 50(2) and (3) (jurisdiction of Senior Courts over solicitors);
- (n) section 51 (procedure upon certain applications to High Court);
- (o) section 52 (power of Society to draw up order of court).