

*These notes relate to the Legal Profession and Legal Aid
(Scotland) Act (asp 5) which received Royal Assent on 19 January
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LEGAL PROFESSION AND LEGAL AID (SCOTLAND) ACT (ASP 5) WHICH RECEIVED ROYAL ASSENT ON 19 JANUARY 2007

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2 – Conduct Complaints: Other Matters

Section 49: Conduct complaints: financial impropriety

93. **Section 49** provides powers for a relevant professional organisation to apply to the court for an order freezing bank accounts held in the name of a practitioner or firm where it has reasonable cause to believe that the practitioner or firm has been guilty of financial impropriety. No payment is to be made from such bank accounts without the leave of the court.
94. This provision thus extends to all the relevant professional organisations the statutory power to freeze bank accounts which was previously only available to the Law Society of Scotland (under section 38 of the Solicitors (Scotland) Act 1980).