

*These notes relate to the Legal Profession and Legal Aid  
(Scotland) Act (asp 5) which received Royal Assent on 19 January  
2007 (asp 5) which received Royal Assent on 19 January 2007*

# **LEGAL PROFESSION AND LEGAL AID (SCOTLAND) ACT (ASP 5) WHICH RECEIVED ROYAL ASSENT ON 19 JANUARY 2007**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 5 – General**

*Section 77: Advice, services or activities to which Act does not apply*

#### **Insolvency**

211. In respect of (b) (*insolvency*), in which field the regulation of Insolvency Practitioners is reserved (Head C2 of Schedule 5 to the Scotland Act 1998), the Law Society of Scotland<sup>1</sup> is a recognised professional body under the Insolvency Act 1986 and issues licences to those solicitors who wish to be appointed as insolvency practitioners, supervised by the Insolvency Service, an agency of the Department of Trade and Industry. A person may act as an insolvency practitioner within the meaning of section 388(1) of the Insolvency Act 1986, if, by virtue of section 390(2)(a) of that Act, the person is a member of a professional body recognised under section 391 of that Act.

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<sup>1</sup> The Law Society of Scotland is recognised in terms of the [Insolvency Practitioners \(Recognised Professional Bodies\) Order 1986 \(S.I. 1986/1746\)](#).