



Legal Services (Scotland) Act 2010

2010 asp 16

PART 2

REGULATION OF LICENSED LEGAL SERVICES

CHAPTER 2

LICENSED LEGAL SERVICES PROVIDERS

Designated persons

59 Designated persons

- (1) In this Part, a “designated person” within a licensed legal services provider is a person who is designated as such under subsection (2).
- (2) Designation under this subsection is written designation by the licensed provider to carry out legal work in connection with the licensed provider's provision of legal services.
- (3) For the purposes of subsection (2)—
 - (a) designation by the licensed provider means designation on its behalf by its Head of Legal Services or Head of Practice (who has the function accordingly),
 - (b) a person is eligible for designation only if the person is an employee of the licensed provider (or otherwise works within it under any arrangement),
 - (c) it is immaterial whether the person is—
 - (i) a member of a professional association, or
 - (ii) paid for the work.

Commencement Information

II [S. 59](#) in force at 1.4.2011 by [S.S.I. 2011/180](#), art. 3, [Sch.](#)

Status: Point in time view as at 01/04/2011. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Legal Services (Scotland) Act 2010, Cross Heading: Designated persons. (See end of Document for details)

VALID FROM 02/07/2012

60 Working context

- (1) A Head of Legal Services is, in furtherance of section 51(5)(b) and (c), responsible for ensuring that there is (by or under the direction of the Head) adequate supervision of the legal work carried out by the designated persons within the licensed provider.
- (2) Only a designated person within a licensed provider may carry out legal work in connection with its provision of legal services.
- (3) Nothing in this Part affects the operation of—
 - (a) section 32 of the 1980 Act or any other enactment which requires that a particular sort of legal work be carried out by an individual of a particular description (or in a particular way), or
 - (b) any rule of professional practice, conduct or discipline (whether for solicitors or otherwise) which properly so requires.

VALID FROM 02/07/2012

61 Listing and information

- (1) The Head of Practice of a licensed provider must—
 - (a) keep a list of the designated persons within the licensed provider, and
 - (b) give its approved regulator a copy of the list whenever the approved regulator requests it.
- (2) The Head of Practice must give its approved regulator such information about the designated persons within the licensed provider as the approved regulator may reasonably request.

Status:

Point in time view as at 01/04/2011. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation:

There are currently no known outstanding effects for the Legal Services (Scotland) Act 2010,
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