



Legal Services (Scotland) Act 2010

2010 asp 16

PART 2

REGULATION OF LICENSED LEGAL SERVICES

CHAPTER 3

FURTHER PROVISION

Registers and lists

82 Register of approved regulators

- (1) The Scottish Ministers—
 - (a) must keep and publish a register of approved regulators,
 - (b) may do so in such manner as they consider appropriate.
- (2) The register is to include the following information in relation to each approved regulator—
 - (a) its contact details (including its address, website and telephone number),
 - (b) the date on which it was given the relevant approval under section 7,
 - (c) the date on which it was given the relevant authorisation under section 10 (and the duration of that authorisation (unlimited or the fixed period)),
 - (d) the categories of legal services to which that authorisation relates,
 - (e) details of any measure taken by the Scottish Ministers under section 38.

83 Registers of licensed providers

- (1) An approved regulator must keep and publish a register of its licensed legal services providers.
- (2) The register is to include the following information in relation to each licensed provider—
 - (a) its name and any place of business,

Status: This is the original version (as it was originally enacted).

- (b) the relevant details about its licence,
 - (c) the name of every non-solicitor investor in the licensed provider,
 - (d) the name of every person intimated to the approved regulator under paragraph 3 of schedule 8,
 - (e) the names and the dates of appointment of—
 - (i) its Head of Legal Services, and
 - (ii) its Head of Practice or, if applicable, each member of its Practice Committee (including with specific reference to section 53(3)),
 - (f) whether the licensed provider has been the subject of any disciplinary action and (if so) a description of that action.
- (3) In subsection (2)(b), the relevant details about a licensed provider’s licence are—
- (a) the date on which the licence was originally granted,
 - (b) the date on which it was most recently renewed,
 - (c) whether it is subject to any conditions,
 - (d) the date on which it will expire.
- (4) But, in the case of a former licensed provider, the relevant details are instead—
- (a) the date on which the licence was originally granted,
 - (b) the period for which the licensed provider held a licence,
 - (c) the reason for the licensed provider ceasing to hold a licence.
- (5) The Scottish Ministers may by regulations—
- (a) make further provision about the information to be contained in the registers of licensed providers, and
 - (b) prescribe the manner in which those registers are to be kept and published.
- (6) In this section, a reference to a licensed provider includes a former licensed provider.

84 Lists of disqualified persons

- (1) An approved regulator must keep a list of the persons whom it has disqualified under section 56 (that is, from holding a certain position in a licensed legal services provider).
- (2) The list kept under subsection (1) must include the following information in relation to each person concerned—
- (a) the person’s name,
 - (b) the—
 - (i) name of any relevant licensed provider,
 - (ii) any relevant position held by the person as at the date of the disqualification,
 - (c) each position from which the person is disqualified,
 - (d) the date of disqualification and its duration (unlimited or the fixed period),
 - (e) the reasons for the disqualification.
- (3) An approved regulator must keep a list of the persons whom it has—
- (a) determined as unfit under section 62 (that is, for being a non-solicitor investor in a licensed provider), or
 - (b) disqualified under section 65(1) (that is, from having an interest in a licensed provider).

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

- (4) The list kept under subsection (3) must include the following information in relation to each person concerned—
 - (a) the person's name,
 - (b) the name of any relevant licensed provider,
 - (c) the date of the determination or (as the case may be) disqualification,
 - (d) the grounds for the determination or (as the case may be) disqualification.
- (5) A list kept under this section must not include information relating to a person in respect of whom the determination or (as the case may be) disqualification—
 - (a) has been reversed on appeal, or
 - (b) otherwise, no longer applies.
- (6) The approved regulator must—
 - (a) publish the lists kept by it under this section, and
 - (b) notify the Scottish Ministers of any material alterations made to either of them.
- (7) The Scottish Ministers may by regulations—
 - (a) make further provision about the information to be contained in the lists kept under this section,
 - (b) prescribe the manner in which those lists are to be kept and published.