
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 383

**The Solicitors (Scotland) Act 1980 (Foreign Lawyers
and Multi-national Practices) Regulations 2004**

Amendment of Schedule 3

12. After paragraph 1A(1) of Schedule 3, insert—

“Contributions by registered foreign lawyers

1B.—(1) Subject to the provisions of this paragraph, paragraph 1 above shall apply to registered foreign lawyers as it applies to solicitors and in that paragraph as so applied references to a practising certificate shall be construed as references to a registered foreign lawyer’s registration certificate.

(2) Where a registered foreign lawyer can prove that—

- (a) he is covered by a guarantee provided in accordance with the rules of the legal profession of which he is a member; and
- (b) the guarantee is equivalent in terms of the conditions and the extent of its cover to the Guarantee Fund,

then to the extent that there is such equivalence that lawyer shall be exempt from the requirements of paragraph 1.

(3) Where the equivalence referred to in sub paragraph (2) is only partial, the Society may specify the guarantee obligations a registered foreign lawyer is required to meet to comply with paragraph 1.

(4) The Council may, where it is satisfied that any acts or defaults on the part of a registered foreign lawyer would not result in a grant being made from the Guarantee Fund held under section 43, exempt that lawyer from the requirements of paragraph 1.

(5) Sub paragraphs (2), (6) and (8) of paragraph 1 shall not apply to registered foreign lawyers.”.