



Solicitors Act 1974

1974 CHAPTER 47

PART I

RIGHT TO PRACTISE AS SOLICITOR

Practising certificates

[^{F1}13B Suspension of practising certificates where solicitors convicted of fraud or serious crime.

- (1) Where—
 - (a) a solicitor has been convicted of—
 - (i) an offence involving dishonesty or deception; or
 - [^{F2}(ii) an indictable offence; and]
 - (b) the Society has made an application to the Tribunal under section 47 with respect to him,
the Society may direct that any practising certificate of his which is for the time being in force be suspended.
- (2) Any such suspension shall be for such period, not exceeding six months, as the Society shall specify in the direction.
- (3) If, before the specified period expires—
 - (a) the Tribunal determines the Society's application;
 - (b) the conviction is quashed or set aside; or
 - (c) the Society withdraws its application to the Tribunal,the suspension shall cease to have effect.
- (4) Where the specified period comes to an end without any of the events mentioned in subsection (3) having occurred, the Society may direct that the suspension be continued for such period, not exceeding six months, as it shall specify in the direction.
- (5) A suspension under this section may only be extended once under subsection (4).

Status: Point in time view as at 01/01/2006. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Solicitors Act 1974, Section 13B. (See end of Document for details)

- (6) Nothing in this section is to be taken as in any way affecting the Tribunal's power to suspend a solicitor from practice.
- (7) A solicitor in whose case a direction is given under subsection (1) or (4) may appeal to the Master of the Rolls against the direction within one month of being notified of it.
- (8) In an appeal under subsection (7), the Master of the Rolls may—
- (a) affirm the suspension;
 - (b) direct that the appellant's certificate shall not be suspended but shall have effect subject to such conditions as the Master of the Rolls thinks fit;
 - (c) by order revoke the direction; or
 - (d) make such other order as he thinks fit.]

Textual Amendments

- F1** S. 13B inserted by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), s. 94(3)
- F2** S. 13B(1)(a)(ii) substituted (1.1.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 111, 178, Sch. 7 para. 42(3); S.I. 2005/3495, art. 2(1) (subject to art. 2(2))
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Modifications etc. (not altering text)

- C1** S. 13B extended (22.5.2000) by S.I. 2000/1119, regs. 1, 37(3), Sch. 4 para. 7(1) (as substituted (1.7.2009) by The Legal Services Act 2007 (Registered European Lawyers) Order 2009 (S.I. 2009/1587), art. 3(7)(a))

Status:

Point in time view as at 01/01/2006. This version of this provision has been superseded.

Changes to legislation:

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