



Solicitors (Scotland) Act 1980

CHAPTER 46

SOLICITORS (SCOTLAND) ACT 1980

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Status: Point in time view as at 23/03/2011.

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- 1 The Society shall be a body corporate with a common...
- 2 The Council shall prepare a scheme providing for—
- 3 The scheme prepared under paragraph 2— (a) may make provision...
- 4 A scheme prepared under paragraph 2 shall have effect on...
- 5 The Society may by a resolution passed by a majority...

Revenue

- 6 Subject to paragraph 7, every member of the Society shall,...
- 6A The subscription payable under paragraph 6 by a practising member...
- 7 The . . . subscription payable by a solicitor in respect...
- 7A The Society shall have power, subject to paragraphs 7B to...
- 7B The Society may determine that an imposition under paragraph 7A...
- 7C An imposition under paragraph 7A or a determination under that...
- 7D No imposition may be made under paragraph 7A above unless...
- 8 Except as otherwise provided in this Act, the expenses of...
- 9 Paragraph 8 does not affect any trust constituted for a...

Powers

- 10 The Society may— (a) purchase or otherwise acquire land for...
- 11 The Council may— (a) act for and in the name...

Exemption from liability for damages

- 11A Neither the Society nor any of its officers or servants...

Attestation

- 12

SCHEDULE 2 — The Roll: Powers of the Council and Ancillary Provisions

- 1
- 2 The Council may, on the application of a solicitor whose...
- 3 Any person aggrieved by a decision of the Council under...
- 4 Subject to section 7(3), the Council may charge such reasonable...

SCHEDULE 3 —

PART 1 — THE SCOTTISH SOLICITORS GUARANTEE FUND

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Contributions by Solicitors

- 1 (1) Subject to the provisions of this Act, there shall...

Contributions by registered European lawyers

- 1A (1) Subject to the provisions of this paragraph, paragraph (1)...

Contributions by registered foreign lawyers

- 1B (1) Subject to the provisions of this paragraph, paragraph 1...

Investment etc.

- 2 (1) Monies not immediately required to meet sums payable out...

Insurance

- 3 (1) The society may enter into a contract of insurance...

Grants

- 4 (1) Every application for a grant from the Guarantee Fund...

Part II

Power of Council to investigate

- 5 (1) If under section . . . 45 or 46...

SCHEDULE 4 — Constitution, Procedure and Powers of Tribunal Part I

Constitution

- 1 The Tribunal shall consist of not more than 28 members....
1A The Tribunal shall consist of equal numbers of—
1B The validity of any proceedings of the Tribunal is not...
1C The Scottish Ministers may by order made by statutory instrument...
1D A statutory instrument containing an order made under paragraph 1C...
2 Each member of the Tribunal shall retire from office on...
3 The Lord President may from time to time terminate the...
4 The Tribunal may appoint one of their number to be...
5 The Tribunal shall be deemed to be properly constituted if—...
6 There shall be paid to the non-lawyer members of the...

Part II — PROCEDURE AND POWERS OF TRIBUNAL

Complaints

- 7 The making of a complaint to the Tribunal or the...
8 A complaint made to the Tribunal shall not be withdrawn...
8A Where a complaint is made to the Tribunal by a...
9 Subject to Part IV, the Tribunal may dismiss a complaint...
10 The Tribunal shall give notice of the complaint to the...
11 For the purpose of enquiring into the complaint the Tribunal...
12 On a petition by the complainer or the respondent to...

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Decisions

- 13 The Tribunal shall set out in their decision—
- 14 Every decision on the Tribunal shall be signed by the...
- 14A In carrying out their duty under paragraph 14, the Tribunal...
- 15 A copy of every decision by the Tribunal certified by...
- 16 In the case of a decision by the Tribunal—
- 17 The Council shall forthwith intimate any order striking a solicitor...
- 18 The file of orders under this Act striking solicitors off...
- 18A Without prejudice to paragraph 18, the Council shall ensure that...

Expenses

- 19 Subject to the provisions of Part IV, the Tribunal may...
- 20 On the application of the person in whose favour an...
- 21 Such warrant shall have effect for execution and for all...
- 22 The expenses of the Tribunal so far as not otherwise...

Appeals

- 23 The foregoing provisions of Part II of this Schedule shall...
- 24 Subject to Part IV, the Tribunal may dismiss an appeal...
- 25 The Tribunal shall give notice of the appeal to the...

SCHEDULE 5 —

- 1 The lay observer shall hold and vacate his office in...
- 2 The Secretary of State may give general directions to the...
- 3 The Society shall consider any report or recommendation which it...
- 4 The Secretary of State may appoint staff for the lay...
- 5 Remuneration for the lay observer and his staff and any...
- 6 In determining the terms of employment and remuneration of the...
- 7 The Society shall furnish the lay observer with such information...
- 8 The Secretary of State shall direct the submission to him...
- 9 The Secretary of State shall lay a copy of any...
- 10 In Part III of Schedule 1 to the House of...

SCHEDULE 6 — Transitional and Savings Provisions

General

- 1 (1) Insofar as— any agreement, appointment, operation, authorisation, determination, scheme,...
- 2 Where any enactment passed before this Act or any instrument...
- 3 Where any period of time specified in an enactment repealed...

Admission of enrolled law agent

- 4 Notwithstanding the repeal by this Act of section 15 of...

Restriction of grant under Guarantee Fund

- 5 Notwithstanding the repeal by this Act of section 22(2)(b) of...

Rights of banks

- 6 Nothing in section 61(3) shall deprive a bank of any...

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Admission to societies

7 Notwithstanding the repeal by this Act of sections 44 and...

Powers of societies

8 The repeal of Section 35 of the Solicitors (Scotland) Act...

Saving for non-qualified person to conduct certain proceedings

9 Nothing in this Act shall affect any enactment empowering any...

Register of Law Agents

10 Notwithstanding the repeal by this Act of section 18(1) of...

Certificate of admission

11 Notwithstanding the repeal by this Act of section 14 of...

SCHEDULE 7 — Repeals

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