
Changes to legislation: Law Reform (Miscellaneous Provisions) (Scotland) Act 1985, Paragraph 23 is up to date with all changes known to be in force on or before 15 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 1

PART I

INCORPORATION OF SOLICITORS' PRACTICES

Solicitors (Scotland) Act 1980 c. 46

- 23 In section 45 (safeguarding interests of clients of solicitors struck off or suspended)
-
- (a) in subsection (1) at the end there shall be inserted the words “ and, in relation to any incorporated practice, the recognition under section 34(1A) of which is revoked ”;
 - (b) in subsection (2)—
 - (i) at the beginning there shall be inserted the words “ In the case of a solicitor, ”;
 - (ii) after the words “solicitors” there shall be inserted the words “ or incorporated practice ”;
 - (c) after subsection (2) there shall be inserted the following subsection—

“(2A) In the case of an incorporated practice, it shall within 21 days of the material date satisfy the Council that it has made suitable arrangements for making available to its clients or to some other solicitor or solicitors or incorporated practice instructed by its clients or itself—

 - (a) all deeds, wills, securities, papers, books of accounts, records, vouchers and other documents in its possession or control which are held on behalf of its clients or which relate to any trust of which it is sole trustee or co-trustee only with one or more of its employees; and
 - (b) all sums of money due from it or held by it on behalf of its clients or subject to any trust as aforesaid.”;
 - (d) in subsection (3)—
 - (i) after the word “solicitor” in both places where it occurs, there shall be inserted the words “ or, as the case may be, incorporated practice ”;
 - (ii) after the word “he” there shall be inserted the words “ or, as the case may be, any director, manager, secretary or other employee of the incorporated practice ”;
 - (e) in subsection (5), after the word “practice” there shall be inserted the words “ or, as the case may be, the recognition under section 34(1A) is revoked. ”.

Changes to legislation:

Law Reform (Miscellaneous Provisions) (Scotland) Act 1985, Paragraph 23 is up to date with all changes known to be in force on or before 15 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 8(5A) inserted by [2007 asp 3 s. 48\(3\)](#)