



Law Reform (Miscellaneous Provisions) (Scotland) Act 1990

1990 CHAPTER 40

PART II

LEGAL SERVICES

Conveyancing and executry services

22 Disclosure of documents etc.

(1) Any communication made to or by—

- (a) an independent [^{F1}conveyancing practitioner] or an executry practitioner in the course of his ^{F2}... acting as such for a client; or

^{F3}(b)

shall in any action or proceedings in any court be protected from disclosure on the ground of confidentiality between client and professional legal adviser in like manner as if the [^{F4}practitioner] had at all material times been a solicitor acting for the client.

(2) Any enactment or instrument making special provision in relation to a solicitor or other legal representative as to the disclosure of information, or as to the production, seizure or removal of documents, with respect to which a claim to confidentiality between client and professional legal adviser could be maintained, shall, with any necessary modifications, have effect in relation to—

- (a) an independent [^{F1}conveyancing practitioner]; [^{F5}and]

(b) an executry practitioner; ^{F6}...

^{F6}(c)

as it has effect in relation to a solicitor.

Changes to legislation: Law Reform (Miscellaneous Provisions) (Scotland) Act 1990, Section 22 is up to date with all changes known to be in force on or before 03 May 2023. 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](#)

Textual Amendments

- F1** Words in s. 22 substituted (15.8.2003) by [Public Appointments and Public Bodies etc. \(Scotland\) Act 2003 \(asp 4\), s. 21\(2\), Sch. 4 para. 12\(10\)\(a\)](#); S.S.I. 2003/384, art. 2(d)
- F2** Words in s. 22(1)(a) repealed (15.8.2003) by [Public Appointments and Public Bodies etc. \(Scotland\) Act 2003 \(asp 4\), s. 21\(2\), Sch. 4 para. 12\(10\)\(b\)\(i\)](#); S.S.I. 2003/384, art. 2(d)
- F3** S. 22(1)(b) and word repealed (15.8.2003) by [Public Appointments and Public Bodies etc. \(Scotland\) Act 2003 \(asp 4\), s. 21\(2\), Sch. 4 para. 12\(10\)\(b\)\(ii\)](#); S.S.I. 2003/384, art. 2(d)
- F4** Word in s. 22(1) substituted (15.8.2003) by [Public Appointments and Public Bodies etc. \(Scotland\) Act 2003 \(asp 4\), s. 21\(2\), Sch. 4 para. 12\(10\)\(b\)\(iii\)](#); S.S.I. 2003/384, art. 2(d)
- F5** Word in s. 22(2) inserted (15.8.2003) by [Public Appointments and Public Bodies etc. \(Scotland\) Act 2003 \(asp 4\), s. 21\(2\), Sch. 4 para. 12\(10\)\(c\)\(i\)](#); S.S.I. 2003/384, art. 2(d)
- F6** S. 22(2)(c) and word repealed (15.8.2003) by [Public Appointments and Public Bodies etc. \(Scotland\) Act 2003 \(asp 4\), s. 21\(2\), Sch. 4 para. 12\(10\)\(c\)\(ii\)](#); S.S.I. 2003/384, art. 2(d)

Commencement Information

- I1** S. 22 partly in force; s. 22 not in force at Royal Assent see 75(2); s. 22(1)(a)(2)(a)(b) in force at 1.3.1997 by [S.I. 1996/2894, art. 3, Sch.](#) and [S.I. 1996/2966, art. 2](#)

Changes to legislation:

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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. 21A(1)(c) words substituted by [2007 asp 5 Sch. 5 para. 3\(7\)\(a\)\(iii\)](#)
- s. 33(6) inserted by [2007 asp 5 Sch. 5 para. 3\(11\)](#)