

Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Paragraph 41. (See end of Document for details)

SCHEDULES

SCHEDULE 16 **E+W**

THE LAW SOCIETY, SOLICITORS, RECOGNISED BODIES AND FOREIGN LAWYERS

PART 1 **E+W**

THE SOLICITORS ACT 1974 (C. 47)

- 41 (1) Section 41 (employment by solicitor of person struck off or suspended) is amended as follows.
- (2) After subsection (1A) insert—
- “(1B) Where—
- (a) a solicitor (“the employed solicitor”) is employed by another solicitor in accordance with a written permission granted under this section, and
- (b) the employed solicitor is disqualified from practising as a solicitor by reason of a fact mentioned in subsection (1)(b) or (c),
- section 20(1) does not apply in relation to anything done by the employed solicitor in the course of that employment.”
- (3) In subsection (3)—
- (a) for “Master of the Rolls who” substitute “ High Court which ”, and
- (b) in paragraph (b) for “he” substitute “ it ”.
- (4) In subsection (4) for “shall” to the end substitute “may—
- (a) order that his name be struck off the roll,
- (b) order that he be suspended from practice for such period as the Tribunal or court thinks fit, or
- (c) make such other order in the matter as it thinks fit.”
- (5) After that subsection insert—
- “(4A) In relation to an appeal under subsection (3) the High Court may make such order as it thinks fit as to payment of costs.
- (4B) The decision of the High Court on an appeal under subsection (3) shall be final.”
- (6) Omit subsection (5).

Commencement Information

- II** Sch. 16 para. 41(1)(2) in force at 31.3.2009 by [S.I. 2009/503](#), [art. 2\(b\)\(i\)](#); Sch. 16 para. 41(3)-(6) in force at 1.7.2009 by [S.I. 2009/1365](#), [art. 2\(a\)\(iii\)](#) (subject to [art. 4](#))

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