

1975 No. 534 (C. 16)**SOLICITORS****The Solicitors Acts 1974 (Commencement) Order 1975**

Made - - - - *26th March 1975*

The Lord Chancellor, in exercise of the powers conferred on him by section 19(7) and (8) of the Solicitors (Amendment) Act 1974(a) and section 90(2) and (3) of the Solicitors Act 1974(b), hereby makes the following Order:—

1.—(1) This Order may be cited as the Solicitors Acts 1974 (Commencement) Order 1975.

(2) In this Order—

“ the 1957 Act ” means the Solicitors Act 1957(c), and any reference to the 1957 Act is a reference to that Act as amended or applied by or under any other enactment except any provision of the Solicitors (Amendment) Act 1974 brought into force by this Order;

“ the appointed day ” means 1st May 1975.

(3) The Interpretation Act 1889(d) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

2. Subject to the saving provisions set out in the Schedule to this Order, on the appointed day—

(a) those provisions of the Solicitors (Amendment) Act 1974 which are not already in force by virtue of section 19(6) of that Act shall come into force; and

(b) immediately thereafter the Solicitors Act 1974 shall come into force.

Dated 26th March 1975.

Elwyn-Jones, C.

(a) 1974 c. 26.

(b) 1974 c. 47.

(c) 1957 c. 27.

(d) 1889 c. 63.

SCHEDULE

SAVING PROVISIONS

Disciplinary Proceedings

1. No provision brought into force by this Order shall affect the operation of section 14 of the Solicitors Act 1936(a) or sections 46 to 49 of the 1957 Act in relation to any proceedings, the hearing of which has begun before the appointed day before the Disciplinary Committee appointed under the said section 46.

Intervention in Solicitor's Practice

2. Subject to the provisions of section 19(9) of the Solicitors (Amendment) Act 1974 and section 89(3) of the Solicitors Act 1974 (savings in respect of enactments superseded by corresponding provisions of those Acts), no provision brought into force by this Order shall affect the operation of:—

- (a) any provision of the 1957 Act or the Solicitors Act 1965(b) in relation to civil or criminal proceedings begun under Schedule 1 to the 1957 Act before the appointed day; or
- (b) the provisions of paragraph 16 of Schedule 1 to the 1957 Act and paragraph 2 of Schedule 2 to that Act in relation to any act or omission by The Law Society or its servants or agents occurring before the appointed day.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order brings into force on 1st May 1975—

- (a) those provisions of the Solicitors (Amendment) Act 1974 not already in force;
- (b) immediately thereafter, the Solicitors Act 1974.

The principal provisions of the Solicitors (Amendment) Act 1974 not already in force are section 5 (removal of name from roll at solicitor's request), section 8 and Schedule 1 (intervention in solicitor's practice), section 9(1) (Compensation Fund), sections 11 and 12 (Solicitors Disciplinary Tribunal) and section 16 (banks for clients' money).

The Solicitors Act 1974 consolidates the whole of the Solicitors (Amendment) Act 1974, together with the Solicitors Acts 1957 to 1965 and certain other enactments relating to solicitors.

(a) 1936 c. 35.

(b) 1965 c. 31.

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