

CHAPTER 27

An Act to consolidate the Solicitors Acts, 1932 to 1956, and certain other enactments relating to solicitors, with corrections and improvements made under the Consolidation of Enactments (Procedure) Act, 1949.

[6th June, 1957]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I

PROVISIONS RELATING TO RIGHT TO PRACTISE AS SOLICITOR

Qualifications to practise as, and privileges and rights of, solicitor

Qualifications for practising as solicitor.

1. No person shall be qualified to act as a solicitor unless—

(*a*) he has been admitted as a solicitor; and

(*b*) his name is for the time being on the roll; and

(*c*) he has in force a certificate issued by the Society in accordance with the provisions of this Part of this Act authorising him to practise as a solicitor (in this Act referred to as a "practising certificate");

and for the purposes of this Act a practising certificate shall be deemed not to be in force at any time while it is suspended by an order under subsection (2) of section thirteen or by virtue of section fourteen of this Act.

Rights and privileges of qualified solicitors.

2.—(1) Subject to the next following subsection, every person qualified in accordance with the foregoing section may practise as a solicitor—

(*a*) in the Supreme Court;

(*b*) in any county court;

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(*c*) upon signing the roll of solicitors of any inferior court of law or equity which keeps such a roll (but without payment of any fee), in that court;

(*d*) in all courts and before all persons having jurisdiction in matters ecclesiastical; and

(*e*) in all matters relating to applications to obtain notarial faculties,

and shall be entitled to all the rights and privileges, and may exercise and perform all the powers and duties, formerly appertaining to the office or profession of a proctor in the provincial, diocesan or other jurisdictions in England.

(2) Nothing in the foregoing subsection shall affect the provisions of section one hundred and twenty of the Supreme Court of Judicature (Consolidation) Act, 1925 (which imposes on officers of the Supreme Court restrictions as to practise as a solicitor), section thirty of the County Courts Act, 1934 (which imposes such restrictions on officers of a county court), or section eighty-six of the said Act of 1934 (which relates to the rights of solicitors to address a county court), or of any other enactment in force at the commencement of this Act which restricts the right of any solicitor to practise as such in any court.

(3) Nothing in the foregoing provisions of this section shall prejudice or affect any right of practising or being heard in, before or by any court, tribunal or other body which immediately before the commencement of this Act was enjoyed by virtue of any enactment, rule, order or regulation or by custom or otherwise by persons qualified to act as solicitors.

Admission as solicitor

General provisions as to admission as solicitor.

3.—(1) Subject to the next following section and to subsection (3) of section twenty of the Justices of the Peace Act, 1949 (which relates to the admission as solicitors of certain persons who have served as assistant to a justices' clerk), no person shall be admitted as a solicitor unless he has satisfied the Society that he has complied with such requirements as the Society may by regulations made with the concurrence of the Lord Chancellor, the Lord Chief Justice and the Master of the Rolls prescribe with respect to—

(*a*) service under articles;

(*b*) attendance at a course of legal education; and

(*c*) the passing of examinations,

and unless the Society is also satisfied as to that person's moral fitness to be an officer of the Supreme Court:

Provided that no person shall be disqualified for admission as a solicitor by reason only that a solicitor whom he has served for the whole or any part of the term of articled service required in his case by any such regulations has neglected or

omitted to take out a practising certificate in accordance with the provisions of this Part of this Act, or by reason only that the name of a solicitor whom he has served for any period has after the termination of that period been removed from or struck off the roll.

(2) Any such regulations may make different provision for different circumstances and may include provision for the charging by the Society, and the application, of fees.

(3) Any person who has obtained a certificate that the Society is satisfied as required by subsection (1) of this section may apply to the Master of the Rolls to be admitted as a solicitor; and thereupon the Master of the Rolls, or any judge of the High Court whom the Master of the Rolls may by writing under his hand have appointed to act for the time being on his behalf for that purpose, shall, unless cause to the contrary, whether by reason of subsection (1) of this section or otherwise, is shown to his satisfaction, by writing under his hand, and in such manner and form as the Master of the Rolls may from time to time think fit, admit that person to be a solicitor.

Admission as solicitors of certain overseas solicitors.

4.—(1) Subject to subsection (1) of the next following section, a solicitor of a superior court in any territory to which this subsection for the time being applies who has been in practice before that court for not less than three years may, and a solicitor of such a court who has for not less than three years served bona fide as a clerk to a solicitor in England may with the consent of the Council of the Society, be admitted as a solicitor of the Supreme Court—

(*a*) after giving due notice and the prescribed proof of his qualifications and good character; and

(*b*) after passing the prescribed examination or, in the prescribed cases, without examination; and

(*c*) after service under articles during the prescribed period or, in the prescribed cases, without such service; and

(*d*) on payment of the prescribed amount in respect of fees.

(2) Where, as respects a superior court in a territory such as is mentioned in subsection (4) of this section, Her Majesty in Council is satisfied on the report of a Secretary of State—

(*a*) that the regulations respecting the admission of solicitors of that court are such as to secure that those solicitors possess proper qualifications and competency; and

(*b*) that by the law of that territory solicitors of the Supreme Court will be admitted as solicitors of the superior court in that territory on terms as favourable as those on which it is proposed to admit solicitors of that superior court in pursuance of the foregoing subsection as solicitors of the Supreme Court,

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Her Majesty may by Order in Council apply the foregoing subsection to that superior court and that territory subject to any exceptions, conditions and modifications specified in the Order, and by the same or any subsequent Order in Council may, as respects that court and territory, provide for all matters authorised by this section to be prescribed and for all matters appearing to Her Majesty to be necessary or proper for giving effect to the Order and to this section.

(3) Her Majesty may by Order in Council revoke or vary any Order previously made under this section.

(4) The territories referred to in subsection (2) of this section are—

(*a*) any part or parts of Her Majesty's dominions outside the United Kingdom under a single legislature or under the same central legislature;

(*b*) the Republic of India;

(*c*) the Republic of Pakistan;

(*d*) any territory or part of a territory included in any of the three foregoing paragraphs which is under a local as well as a central legislature;

(*e*) the Federation of Rhodesia and Nyasaland;

(*f*) any foreign country in which for the time being Her Majesty has jurisdiction and to which this section has for the time being been extended by or by virtue of an Order in Council made under the Foreign Jurisdiction Acts, 1890 and 1913.

(5) In this section, the expressions "superior court" and "solicitor" mean respectively, as respects any territory, such court in that territory and such solicitor, attorney, law agent or other person entitled to practise as agent in a court of law in that territory as may be prescribed.

Additional provisions with respect to admissions of overseas solicitors.

5.—(1) A person admitted under the Colonial Solicitors Act, 1900, whether before or after the commencement of this Act, as a solicitor in Scotland or in Northern Ireland shall not, whilst remaining such a solicitor, be admitted under the last foregoing section as a solicitor of the Supreme Court, and for the purposes of this subsection a person who before the first day of October, nineteen hundred and twenty-one, was admitted under the said Act of 1900 as a solicitor in Ireland shall be deemed to have been admitted under that Act as a solicitor in Northern Ireland.

(2) For the purposes of subsection (2) of section six of the said Act of 1900 (which makes for Scotland and Northern Ireland provision corresponding to the foregoing subsection), a person admitted as a solicitor of the Supreme Court under the last foregoing section shall be deemed to have been admitted as a solicitor in England under that Act.

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(3) An Order in Council applying subsection (1) of the last foregoing section to any court and providing for the admission of solicitors of that court as solicitors of the Supreme Court, and an Order in Council applying the said Act of 1900 to the same court and providing for the admission of solicitors of that court as solicitors in Scotland, may, if it be convenient, be made together as one Order.

The roll

Keeping and custody of the roll.

6.—(1) The roll shall be kept by the Society in the form of an alphabetical list of all solicitors of the Supreme Court and in accordance with the provisions of this Act and of any regulations made under section twenty-five thereof.

(2) The Society shall have the custody of the roll and of all documents relating thereto and shall allow any person to inspect the roll during office hours without payment.

Entry of name on roll on admission.

7. Upon production of an admission of any person as a solicitor signed by the Master of the Rolls or by such a judge as is mentioned in subsection (3) of section three of this Act, and on payment to the Society of such fee not exceeding five pounds as the Council may from time to time determine, the Society shall enter the name of that person on the roll.

Re-entry on roll of name struck off or removed.

8. The Master of the Rolls may at any time, if he thinks fit, order the Society to replace on the roll the name of a solicitor whose name has been removed from or struck off the roll, and upon production of such an order and payment to the Society of such fee not exceeding five pounds as the Council may from time to time determine the Society shall replace that name accordingly.

Practising certificates

Declaration by applicant for practising certificate.

9.—(1) Not less than fourteen days before a solicitor applies for a practising certificate, he shall attend at the Society's hall, either in person or by his agent, and deliver a written declaration in such form as the Society may by regulations made with the concurrence of the Lord Chancellor, the Lord Chief Justice and the Master of the Rolls prescribe—

(*a*) specifying the applicant's full name, place or places of business and date of admission; and

(*b*) containing such other particulars as the Society may by such regulations as aforesaid prescribe; and

(*c*) signed by the applicant personally:

Provided that the Society may at its discretion in any particular case, on the ground of illness or absence abroad of the applicant or on any other ground deemed by the Society sufficient, either unconditionally or subject to such conditions as

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the Society may think fit, accept a declaration signed by a partner of the applicant or by some other competent person approved by the Society.

(2) The Society shall, in the case of every declaration delivered under the foregoing subsection, cause to be entered in a register kept for that purpose such of the particulars contained in the declaration as are mentioned in paragraph (*a*) of that sub-section, and any person may inspect that register during office hours without payment.

(3) If in a declaration under this section any person makes any false statement, a complaint in respect of that statement may be made by or on behalf of the Society to the disciplinary committee.

Issue, dating and expiry of practising certificates.

10.—(1) Application for a practising certificate shall be made in person at the Society's hall either by the applicant or by his agent and, subject to the provisions of the two next following sections, if the Society is satisfied that the name of the applicant is on the roll and that he is not for the time being suspended from practice and that the requirements of subsection (1) of the last foregoing section have been complied with, the Society shall thereupon deliver a practising certificate in such form as the Society may by regulations made with the concurrence of the Lord Chancellor, the Lord Chief Justice and the Master of the Rolls prescribe.

(2) Every practising certificate issued after the fifteenth day of November and before the sixteenth day of December in any year shall bear the date of the sixteenth day of November in that year, and every other practising certificate shall bear the date of the day on which it is issued.

(3) Every practising certificate shall have effect from the be ginning of the day of which it bears the date, and that date shall be entered by the Society on the roll.

(4) Every practising certificate shall expire at the end of the fifteenth day of November next after it is issued:

Provided that where the name of a solicitor is removed from or struck off the roll, the practising certificate, if any, of that solicitor for the time being in force shall expire forthwith.

Fee payable on issue of practising certificate.

11.—(1) There shall be paid to the Society in respect of each practising certificate issued by it such fee not exceeding five pounds as the Master of the Rolls, with the concurrence of the Lord Chancellor and the Lord Chief Justice or (in the case of difference) of one of them, may from time to time by order determine: and the Society may withhold the issue of a practising certificate until that fee and any sum payable by the applicant under subsection (2) of section seventy-five of this Act or under paragraph 2 of the Second Schedule to this Act has been paid.

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(2) Out of every fee received by the Society under this section five shillings may be applied by the Society to its own use and the remainder shall be applied—

(*a*) in such manner and to such extent as the Society may consider necessary, towards the expenses of law schools provided or approved by the Society; and

(*b*) subject thereto, to such other purposes of this Act as the Society may think fit;

and the Society shall submit annually to the judges mentioned in the foregoing subsection an account of all such fees and of their application, and shall cause a copy of the account to be deposited at the Society's hall for inspection by any solicitor.

Discretion of Society with respect to issue of practising certificates in special cases.

12.—(1) Subject to subsection (3) of this section and to subsection (5) of section fifteen of this Act, the next following subsection shall have effect where a solicitor applies for a practising certificate—

(*a*) when for twelve months or more he has ceased to hold a practising certificate in force; or

(*b*) whilst he is an undischarged bankrupt or a receiving order in bankruptcy is in force against him; or

(*c*) when, having been suspended from practice or having had his name removed from or struck off the roll, the period of his suspension has expired or his name has been restored to the roll, as the case may be; or

(*d*) not having held a practising certificate in force within the twelve months next following the date of his admission as a solicitor; or

(*e*) whilst he is a person to whom the powers and provisions of Part IV of the Lunacy Act, 1890, relating to management and administration apply; or

(*f*) without having paid a penalty or costs ordered by the disciplinary committee to be paid by him; or

(*g*) after he has been invited by the Council to give an explanation in respect of any matter affecting his conduct and has failed to give to the Council an explanation in respect of that matter which the Council regard as sufficient and satisfactory, and has been notified in writing by the Council that he has so failed; or

(*h*) after having had an order made against him for the issue of a writ of attachment; or

(*i*) after having been adjudicated a bankrupt and obtained his discharge or after having entered into a composition with his creditors or a deed of arrangement for the benefit of his creditors; or

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(*j*) after having had given against him any judgment which involves the payment of moneys, not being a judgment—

(i) limited to the payment of costs; or

(ii) as to the whole effect of which upon him he is entitled to indemnity or relief from some other person; or

(iii) evidence of the satisfaction of which has been produced to the Society.

(2) The applicant shall, unless the Society or the Master of the Rolls otherwise orders, give to the Society not less than six weeks before his application for a practising certificate notice of his intention to apply therefor, and the Society may in its discretion—

(*a*) grant or refuse the application; or

(*b*) decide to issue a certificate to the applicant subject to such terms and conditions as the Society may in its discretion think fit,

and where the Society decides to issue a certificate subject to conditions, it may, if it thinks fit, postpone the issue of the certificate pending the hearing and determination of any appeal under subsection (2) of the next following section:

Provided that in a case such as is mentioned in paragraph (*b*) (*h*) or (*j*) of the foregoing subsection, where an appeal has been made to the appropriate court against the order or judgment in question the Society shall not refuse the application before the determination of that appeal unless in the opinion of the Society the proceedings on that appeal have been unduly protracted by the appellant or are unlikely to be successful.

(3) Where a practising certificate free of conditions is issued by the Society under the last foregoing subsection to a solicitor in relation to whom that subsection has effect by virtue of particular circumstances such as are mentioned in paragraph (*a*), (*c*), (*d*), (*g*), (*h*), (*i*) or (*j*) of subsection (1) of this section, the last foregoing subsection shall not thereafter have effect in relation to that solicitor by virtue of those circumstances.

Appeals in connection with issue of practising certificates.

13.—(1) If in any case, not being a case to which the last foregoing section applies, the Society on an application duly made to it refuses or neglects to issue a practising certificate, the applicant may apply to the High Court or any judge thereof or to the Master of the Rolls who may make such an order in the matter, including an order for payment of costs by or to either the Society or the applicant, as shall be just.

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(2) Where under the last foregoing section the Society either refuses to grant a practising certificate or decides to issue such a certificate subject to terms and conditions, the applicant may by petition presented within one month after being notified of the decision of the Society, and in such manner and subject to such regulations as the Master of the Rolls may from time to time direct, appeal against that decision to the Master of the Rolls who may—

(*a*) affirm the decision of the Society; or

(*b*) direct the Society to issue a certificate to the applicant free from terms and conditions or on such terms and conditions as the Master of the Rolls may think fit; or

(*c*) direct the Society not to issue a certificate; or

(*d*) if a certificate has been issued, by order suspend that certificate; or

(*e*) make such other order as he may think fit.

Suspension of practising certificate in certain circumstances.

14. The making by the disciplinary committee or the court of an order suspending a solicitor from practice shall operate, and the adjudication in bankruptcy of a solicitor shall operate immediately, to suspend any practising certificate of that solicitor for the time being in force.

Duration of suspension of practising certificate.

15.—(1) Subject to the provisions of this section, where a practising certificate has become suspended by an order under subsection (2) of section thirteen of this Act or by virtue of the last foregoing section, that suspension shall continue until the certificate expires.

(2) The suspension of a practising certificate by virtue of the last foregoing section by reason of an adjudication in bankruptcy shall terminate if the adjudication is annulled and an office copy of the order annulling the adjudication has been served upon the Society.

(3) Where a solicitor's practising certificate has become suspended—

(*a*) by an order under subsection (2) of section thirteen of this Act; or

(*b*) by virtue of the last foregoing section by reason of his adjudication in bankruptcy; or

(*c*) by virtue of the last foregoing section by reason of his suspension from practice and the period of his suspension from practice expires before the date of expiry of the certificate,

the solicitor may at any time before the certificate expires (and, in the case of adjudication in bankruptcy, while the adjudication

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remains unannulled) apply to the Society to terminate the suspension, and the Society may in its discretion—

(*a*) by order terminate the suspension either unconditionally or subject to such terms and conditions as the Society may in its discretion think fit; or

(*b*) refuse the application.

(4) If on an application by a solicitor under the last foregoing subsection the Society refuses the application or terminates the suspension subject to terms or conditions, the solicitor may, by petition presented in such manner and subject to such regulations as the Master of the Rolls may from time to time direct, appeal against the decision of the Society to the Master of the Rolls who may—

(*a*) affirm the decision of the Society; or

(*b*) terminate the suspension either unconditionally or subject to such terms and conditions as he may think fit.

(5) Where a solicitor's practising certificate has become suspended by virtue of the last foregoing section by reason of his suspension from practice and the suspension of his practising certificate is terminated unconditionally under either of the two last foregoing subsections, then, notwithstanding paragraph (*c*) of subsection (1) of section twelve of this Act, subsection (2) of the said section twelve shall not thereafter have effect in relation to that solicitor by virtue of that suspension from practice and the expiry of the period thereof.

Publication of suspension or termination of suspension of practising certificate in certain cases.

16. Where a solicitor's practising certificate has become suspended—

(*a*) by an order under subsection (2) of section thirteen of this Act; or

(*b*) by virtue of section fourteen of this Act by reason of his adjudication in bankruptcy,

the Society shall forthwith cause notice of that suspension to be published in the London Gazette and a note thereof to be entered against the name of the solicitor in the roll; and where that suspension is terminated under subsection (2), (3) or (4) of the last foregoing section, the Society shall forthwith cause a note of that termination to be entered against the name of the solicitor in the roll and, if so requested in writing by the solicitor, a notice thereof to be published in the London Gazette.

Evidence as to holding of practising certificate.

17.—(1) Any list purporting to be published by authority of the Society and to contain the names of solicitors who have obtained practising certificates for the current year before the second day of January in that year shall, until the contrary is proved, be evidence that the persons named therein as solicitors holding such certificates as aforesaid for the current year are solicitors holding such certificates.

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(2) The absence from any such list of the name of any person shall, until the contrary is proved, be evidence that that person is not qualified to practise as a solicitor under a certificate for the current year, but in the case of any such person an extract from the roll certified as correct by the Society shall be evidence of the facts appearing in the extract.

Provisions with respect to unqualified persons acting as solicitors

Unqualified person not to act as solicitor.

18.—(1) No unqualified person shall act as a solicitor, or as such sue out any writ or process, or commence, carry on or defend any action, suit or other proceeding, in the name of any other person or in his own name, in any court of civil or criminal jurisdiction, or act as a solicitor in any cause or matter, civil or criminal, to be heard or determined before any court of assize, any general or quarter sessions, any justice or justices, or any commissioners of Her Majesty's revenue.

(2) If any person contravenes the provisions of this section, he shall—

(*a*) be guilty of a misdemeanour and of contempt of the court in which the action, suit, cause, matter or proceeding in relation to which he so acts is brought or taken and may be punished accordingly; and

(*b*) be incapable of maintaining any action for any costs in respect of anything done by him in the course of so acting; and

(*c*) in addition to any other penalty or forfeiture and any disability to which he may be subject, be liable for each such offence to a penalty of fifty pounds, to be recovered, with full costs of action, by action brought in the High Court or in any county court by the Society with the sanction of the Attorney-General and to be applied to the use of Her Majesty.

Penalty for pretending to be a solicitor.

19. Any unqualified person who wilfully pretends to be, or takes or uses any name, title, addition or description implying that he is, qualified or recognised by law as qualified to act as a solicitor shall be liable on summary conviction to a penalty not exceeding fifty pounds for each such offence.

Unqualified person not to prepare certain instruments, etc.

20.—(1) Any unqualified person who either directly or indirectly—

(*a*) draws or prepares any instrument of transfer or charge for the purposes of the Land Registration Act, 1925, or makes any application or lodges any document for registration under that Act at the registry; or

(*b*) draws or prepares any other instrument relating to real or personal estate, or any legal proceeding,

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shall, unless he proves that the act was not done for or in expectation of any fee, gain or reward, be liable on summary conviction to a fine not exceeding fifty pounds:

Provided that this subsection shall not apply to—

(i) a barrister or duly certificated notary public;

(ii) any public officer drawing or preparing instruments or applications in the course of his duty;

(iii) any person employed merely to engross any instrument, application or proceeding;

and paragraph (*b*) of this subsection shall not apply to a duly certificated solicitor in Scotland.

(2) For the purposes of paragraph (*b*) of the foregoing subsection, the expression " instrument " does not include—

(*a*) a will or other testamentary instrument;

(*b*) an agreement under hand only;

(*c*) a letter or power of attorney; or

(*d*) a transfer of stock containing no trust or limitation thereof.

Unqualified person not to act in preparation of papers for probate, etc.

21. Any unqualified person, not being a barrister or duly certificated notary public, who, either directly or as an agent of any person, whether or not that other person is a qualified person, barrister or duly certificated notary public, takes instructions for or draws or prepares any papers on which to found or oppose a grant of probate or of letters of administration shall, unless he proves that the act was not done for or in expectation of any fee, gain or reward, and without prejudice to any other liability or disability to which he may be subject under this or any other Act, be liable on summary conviction to a penalty not exceeding ten pounds for each such offence.

Application of penal provisions to body corporate.

22.—(1) If any act is done by a body corporate, or by any director, officer or servant thereof, of such a nature or in such a manner as to be calculated to imply that the body corporate is qualified or recognised by law as qualified to act as a solicitor, the body corporate shall be liable on summary conviction to a fine not exceeding one hundred pounds for each such offence, and, in the case of an act done by a director, officer or servant of the body corporate, he also shall be liable on summary conviction to a fine not exceeding ten pounds for each such offence.

(2) For the avoidance of doubt it is hereby declared that in sections eighteen, twenty and twenty-one of this Act references to unqualified persons and to persons include references to bodies corporate.

No costs recoverable where unqualified person acts as solicitor.

23. No costs in respect of anything done by any unqualified person acting as a solicitor shall be recoverable in any action, suit or matter by any person whomsoever.

Time limit for commencement of certain proceedings.

24. Notwithstanding anything in the Magistrates' Courts Act, 1952, proceedings in respect of any offence under section nineteen, twenty or twenty-one of this Act may be brought at any time within two years next after the commission of the offence, or within six months next after the first discovery thereof by the prosecutor, whichever period expires first.

General provisions as to Part I

General regulations by Master of the Rolls.

25. The Master of the Rolls with the concurrence of the Lord Chancellor and the Lord Chief Justice or (in case of difference) of one of them may, for the purposes of the execution of this Part of this Act, make general regulations with respect to the following matters or any of them, that is to say, the admission of a person as a solicitor, the issue of practising certificates, and the duties of the Society with respect to the keeping of the roll and the issuing of such certificates.

Evidence as to solicitors in Scotland.

26. For the purposes of this Part of this Act, a letter purporting to be signed by or on behalf of the registrar of solicitors in Scotland—

(*a*) stating that a person specified therein is or is not a solicitor in Scotland shall be evidence that that person is, or as the case may be, is not a solicitor in Scotland; or

(*b*) stating with respect to a person and a period specified in the letter that that person did not at any time during that period have in force a practising certificate as a solicitor in Scotland shall be evidence that that person was not during any part of that period a duly certificated solicitor in Scotland.

Saving for persons authorised to conduct legal proceedings.

27. Nothing in this Part of this Act shall affect any enactment empowering an unqualified person to conduct, defend or otherwise act in relation to any legal proceedings.

PART II

PROFESSIONAL PRACTICE, CONDUCT AND DISCIPLINE OF SOLICITORS AND CLERKS

General power to make rules

General power to make rules as to professional practice, conduct and discipline of solicitors.

28.—(1) Without prejudice to any other provision of this Part of this Act, the Council may, if they see fit, make rules for regulating in respect of any matter the professional practice, conduct and discipline of solicitors:

Provided that any such rules shall not come into operation until they have been approved by the Master of the Rolls.

(2) If a solicitor fails to comply with any rules made under this section, any person may make a complaint in respect of that failure to the disciplinary committee.

Accounts etc.

Rules as to keeping of accounts by solicitors.

29.—(1) The Council shall make rules—

(*a*) as to the opening and keeping by solicitors of accounts at banks for clients' money; and

(*b*) as to the keeping by solicitors of accounts containing particulars and information as to moneys received, held or paid by them for or on account of their clients; and

(*c*) empowering the Council to take such action as may be necessary to enable them to ascertain whether or not the rules are being complied with:

Provided that any such rules shall not come into operation until they have been approved by the Master of the Rolls.

(2) The Council shall also make rules—

(*a*) as to the opening and keeping by every solicitor who is a sole trustee, or who is co-trustee only with one or more of his partners, clerks or servants, of an account at a bank for moneys of any trust of which he is such a sole trustee or co-trustee; and

(*b*) as to the keeping by every such solicitor of accounts containing particulars and information as to moneys received, held or paid by him for or on account of any such trust; and

(*c*) empowering the Council to take such action as may be necessary to enable them to ascertain whether or not the rules are being complied with.

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(3) If a solicitor fails to comply with any rules made under this section, any person may make a complaint in respect of that failure to the disciplinary committee.

(4) Rules made under paragraph (*a*) or (*b*) of subsection (1) or under paragraph (*a*) or (*b*) of subsection (2) of this section shall not apply to a solicitor acting in the course of his employment as a public officer or in a county office; rules made under paragraph (*a*) or (*b*) of the said subsection (1) shall not apply to any solicitor who is in whole-time employment as an officer of a local authority or of statutory undertakers and does not engage in private practice as a solicitor; and rules made under paragraph (*a*) or (*b*) of the said subsection (2) shall not apply to a solicitor in whole-time employment as an officer of a local authority acting in that capacity.

(5) In this section, the following expressions have the following meanings respectively, that is to say—

"county office" means the office of clerk or deputy clerk of the peace of a county, clerk or deputy clerk of a county council, clerk of the lieutenancy, or any other office connected with the administration of a county to which a person has, whilst holding any of the offices aforesaid, been appointed by the court of quarter sessions or by the county council, or by a joint committee of the court of quarter sessions and the county council, or by a committee of either of them;

"local authority" means any body having power to levy a rate, as defined for the purposes of the Rating and Valuation Act, 1925, or to issue a precept to a rating authority;

"public officer" means an officer whose remuneration is defrayed out of moneys provided by Parliament, the revenues of the Duchy of Cornwall or the Duchy of Lancaster, the general fund of the Church Commissioners, the Forestry Fund, the Development Fund, or any other revenues or fund which the Treasury may from time to time by order made by statutory instrument prescribe for the purposes of this section;

"statutory undertakers" means any person authorised by or under an Act of Parliament, or an order having the force of an Act of Parliament, to construct, work, or carry on any railway, canal, inland navigation, dock, harbour, tramway, gas, electricity, water or other public undertaking;

"trust" and "trustee" extend to implied and constructive trusts and to cases where the trustee has a beneficial interest in the trust property and to the duties incident

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to the office of a personal representative, and "trustee", where the context admits, includes a personal representative.

Accountants' certificates.

30.—(1) Every solicitor shall once in each period of twelve months ending with the fifteenth day of November, unless he satisfies the Council that owing to the circumstances of his case it is unnecessary so to do, deliver to the Society a certificate signed by an accountant (in this section referred to as an "accountant's certificate") stating—

(*a*) that in compliance with this section and any rules made thereunder the accountant has examined the books, accounts and documents of the solicitor or his firm for such accounting period as may be specified in the certificate; and

(*b*) whether or not the accountant is satisfied, from his examination of the books, accounts and documents produced to him and from the information and explanations given to him, that during the said accounting period the solicitor or his firm has complied with any rules made under subsection (1) of the last foregoing section; and

(*c*) if the accountant is not satisfied as aforesaid, the matters in respect of which he is not so satisfied.

(2) Subject to any rules made under this section, the accounting period for the purposes of an accountant's certificate shall—

(*a*) begin at the expiry of the last preceding accounting period for which an accountant's certificate has been delivered;

(*b*) cover not less than twelve months;

(*c*) terminate not more than twelve months, or such less period as the said rules may prescribe, before the date of the delivery of the certificate to the Society; and

(*d*) where possible, consistently with the foregoing paragraphs, correspond to a period or consecutive periods for which the accounts of the solicitor or his firm are ordinarily made up.

(3) The Council shall make rules to give effect to the provisions of this section, and those rules shall prescribe—

(*a*) what qualification shall be held by an accountant by whom an accountant's certificate may be given;

(*b*) the nature and extent of the examination to be made by the accountant of the books and accounts of a solicitor or his firm and of any other relevant documents with a view to the signing of a certificate to be delivered by the solicitor under this section;

(*c*) the form of the accountant's certificate; and

(*d*) the evidence, if any, which shall satisfy the Council that the delivery of an accountant's certificate is unnecessary and the cases in which such evidence is or is not required.

(4) Any such rules may include provision—

(*a*) permitting in such special circumstances as may be defined in the rules a different accounting period from that specified in subsection (2) of this section; and

(*b*) regulating any matters of procedure or matters incidental, ancillary or supplemental to the provisions of this section.

(5) If any solicitor fails to comply with the provisions of this section or of any rules made thereunder, a complaint in respect of that failure may be made by or on behalf of the Society to the disciplinary committee.

(6) A certificate under the hand of the Secretary of the Society shall, until the contrary is proved, be evidence that a solicitor has or, as the case may be, has not delivered to the Society an accountant's certificate or supplied any evidence required under this section or any rules made thereunder.

(7) Where a solicitor is employed as a public officer within the meaning of the last foregoing section—

(*a*) nothing in this section shall apply to him unless he takes out a practising certificate;

(*b*) an accountant's certificate shall in no case deal with books, accounts or documents kept by him in the course of his employment as a public officer; and

(*c*) no examination shall be made of any such books, accounts and documents under any rules made under this section.

Control of solicitor's property and compensation to clients in certain cases

Power of Council to deal with property of certain solicitors.

31.—(1) If the Council have reasonable cause to believe that a solicitor, or a clerk or servant of a solicitor, has been guilty of dishonesty in connection with that solicitor's practice as a solicitor or in connection with any trust of which that solicitor is a trustee, the provisions of the First Schedule to this Act, except paragraph 7 thereof, and, if the Council are satisfied that the solicitor, clerk or servant has been guilty as aforesaid, the said paragraph 7, shall apply in relation to that solicitor.

(2) Where the name of a solicitor is removed from or struck off the roll or a solicitor is suspended from practice, that solicitor

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shall within twenty-one days from the material date satisfy the Council that he has made suitable arrangements for making available to his clients or to some other solicitor or solicitors instructed by his clients or by himself—

(*a*) all deeds, wills, documents constituting or evidencing title to any property, papers, books of account, records, vouchers and other documents in his or his firm's possession or control, or relating to any trust of which he is the sole trustee or co-trustee only with one or more of his partners, clerks or servants; and

(*b*) all sums of money due from him or his firm to, or held by him or his firm on behalf of, his clients or subject to any such trust as aforesaid,

and if he fails so to satisfy the Council the said First Schedule shall apply in relation to him.

(3) In the last foregoing subsection, the expression "the material date" means whichever is the latest of the following dates, that is to say—

(*a*) the date when the order of the disciplinary committee or of the court by or in pursuance of which the solicitor's name is removed from or struck off the roll, or the solicitor is suspended from practice, is to take effect;

(*b*) the last date on which an appeal against that order may be lodged;

(*c*) the date on which any such appeal is dismissed or abandoned.

(4) In this section and in the said First Schedule, the expressions "trust" and "trustee" have the same meanings as in section twenty-nine of this Act.

Compensation for loss due to dishonesty of solicitor or clerk.

32.—(1) A fund, to be known as "the Compensation Fund", shall be maintained and administered in accordance with the provisions of the Second Schedule to this Act.

(2) Where it is proved to the satisfaction of the Council that any person has sustained loss in consequence of dishonesty on the part of any solicitor or any clerk or servant of a solicitor in connection with that solicitor's practice as a solicitor or in connection with any trust of which that solicitor is a trustee, then, subject to the provisions of this section, the Society may, if the Council think fit, make a grant to that person out of the Compensation Fund for the purpose of relieving or mitigating that loss.

(3) A grant may be made under this section whether or not the solicitor had a practising certificate in force when the act

of dishonesty was committed, and notwithstanding that subsequently to the commission of that act the solicitor has died or had his name removed from or struck off the roll, or has ceased to practise or been suspended from practice.

(4) On the making by the Society of any grant under this section to any person in respect of any loss—

(*a*) the Society shall to the amount of that grant be subrogated to any rights and remedies in respect of that loss of the person to whom the grant is made or of the solicitor, clerk or servant; and

(*b*) the person to whom the grant is made shall have no right under bankruptcy or other legal proceedings or otherwise to receive any sum out of the assets of the solicitor, clerk or servant in respect of the loss until the Society has been reimbursed the full amount of its grant,

and in paragraphs (*a*) and (*b*) of this subsection references to the person to whom the grant is made or to the solicitor, clerk or servant include, in the event of his death, insolvency or other disability, references to his personal representative or any other person having authority to administer his estate.

(5) The Council may make rules with respect to the procedure to be followed in giving effect to the provisions of this section and of the Second Schedule to this Act and with respect to any matters incidental, ancillary or supplemental to those provisions or concerning the administration or protection of the Compensation Fund, and no grant shall be made under this section in respect of any loss unless notice of the loss is received by the Society in such manner and within such time after the loss first came to the knowledge of the loser as may be prescribed by the rules; and, for the purposes of enquiring into any matters which may affect the making or refusal of a grant under this section, the Council or any committee appointed by the Council and authorised by them to exercise any of their functions under this section or to assist them in the exercise of any such functions may administer oaths.

(6) In this section the expressions "trust" and "trustee" have the same meanings as in section twenty-nine of this Act.

Restrictions on practice as solicitor

Restriction on right to practise of solicitor who is justice of the peace.

33.—(1) Subject to the provisions of this section, it shall not be lawful for any solicitor who is one of the justices of the peace for any area, nor for any partner of his, to act in connection with proceedings before any of those justices as solicitor or agent for the solicitor of any person concerned in those proceedings.

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(2) Where a solicitor is a justice of the peace for any area, but either—

(*a*) his name is entered in the supplemental list for that area within the meaning of section four of the Justices of the Peace Act, 1949; or

(*b*) he is for the time being excluded from the exercise of his functions as a justice for that area under section four of the Justices of the Peace Act, 1906 (which relates to ex-officio justices),

his being a justice for the area shall not subject him or any partner of his to any disqualification under this section.

(3) Where a solicitor is a justice of the peace for the county of London, but is so by virtue only of his office as mayor of a metropolitan borough, his being a justice for the county shall not subject any partner of his to any disqualification under this section.

Solicitor not to act as agent for unqualified person.

34.—(1) No solicitor shall wilfully and knowingly act as agent in any action or in any matter in bankruptcy for any unqualified person, or permit his name to be made use of in any such action or matter upon the account or for the profit of any unqualified person, or send any process to any unqualified person, or do any other act enabling any unqualified person to appear, act or practise in any respect as a solicitor in any such action or matter.

(2) Where it appears to the disciplinary committee or, as the case may be, to the High Court that a solicitor has acted in contravention of this section, the committee or court shall order that his name be struck off the roll.

(3) Where the High Court order the name of a solicitor to be struck off the roll in respect of an offence under this section, they may further order that the unqualified person who was enabled by the conduct of the offender to act or practise as a solicitor shall be imprisoned for any period not exceeding one year.

(4) For the avoidance of doubt it is hereby declared that in subsection (1) of this section references to an unqualified person include references to a body corporate.

Solicitor not to commence or defend actions whilst in prison.

35.—(1) No solicitor whilst a prisoner in any prison shall as a solicitor, in his own name or in the name of any other solicitor, sue out any writ or process, or commence, prosecute or defend any action or any matter in bankruptcy.

(2) Any solicitor commencing, prosecuting or defending any such action or matter in contravention of this section shall be incapable of maintaining any action for the recovery of any costs in respect of any business done by him whilst such a prisoner

as aforesaid, and he and any solicitor permitting him to commence, prosecute or defend any such action or matter in his name shall be guilty of contempt of the court in which that action or matter was commenced or prosecuted and may be punished accordingly.

Restriction on employment of certain persons

Employment by solicitor of person struck off the roll or suspended.

36.—(1) No solicitor shall, in connection with his practice as a solicitor, without the written permission of the Society, which may be given for such period and subject to such conditions as the Society thinks fit, employ or remunerate any person who to his knowledge is disqualified from practising as a solicitor by reason of the fact that his name has been struck off the roll or that he is suspended from practising as a solicitor.

(2) A solicitor aggrieved by the refusal of the Society to grant any such permission as aforesaid, or by any conditions attached by the Society to the grant thereof, may appeal to the Master of the Rolls, who may confirm the refusal or the conditions, as the case may be, or may, in lieu of the Society, grant such permission for such period and subject to such conditions as he thinks fit.

(3) If any solicitor acts in contravention of the provisions of this section or of the conditions subject to which any permission has been given thereunder, his name shall be struck off the roll, or he shall be suspended from practice for such period as the disciplinary committee or, as the case may be, the court think fit.

Failure to disclose fact of having been struck off etc.

37.—(1) Any person who, whilst he is disqualified from practising as a solicitor by reason of the fact that his name has been struck off the roll or that he is suspended from practising as a solicitor, seeks or accepts employment by a solicitor in connection with that solicitor's practice without previously informing him that he is so disqualified shall on summary conviction be liable for each offence to a fine not exceeding ten pounds.

(2) Notwithstanding anything in the Magistrates' Courts Act, 1952, proceedings under this section may be commenced at any time before the expiration of six months after the first discovery of the offence by the prosecutor, but no such proceedings shall be commenced except by, or with the consent of, the Attorney-General.

Control of employment of certain clerks.

38.—(1) Where in the case of a person who is or was a clerk to a solicitor but is not himself a solicitor—

(*a*) that person has been convicted—

(i) of larceny, embezzlement or fraudulent conversion; or

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—cont.

(ii) of any other criminal offence in respect of any money or property belonging to or held or controlled by the solicitor by whom he is or was employed or any client of that solicitor; or

(*b*) it appears to the Society—

(i) in the course or as the result of any proceedings before the disciplinary committee under any other provision of this Act; or

(ii) in the exercise of any powers of the Society under rules made under any of sections twenty-eight to thirty and thirty-two of, or the First Schedule to, this Act,

that that person has been a party to any act or default of the solicitor to whom he is or was clerk in respect of which an application or complaint against that solicitor has been or might be made to the disciplinary committee under any other provision of this Act,

an application may be made to the disciplinary committee with respect to that person by or on behalf of the Society.

(2) On the hearing of any application under the foregoing subsection, the disciplinary committee may make an order that as from such date as may be specified in the order no solicitor shall in connection with his practice as a solicitor take into or retain in his employment, or remunerate, the person with respect to whom the application is made except in accordance with permission in writing granted by the Society for such period and subject to such conditions as the Society may think fit to specify in the permission, and may also make an order as to the payment by any party to the application of costs.

(3) Sections forty-six, forty-eight and forty-nine of this Act shall have effect for the purposes of the hearing of, and orders on, applications under this section.

(4) Every order made under this section shall be filed with the Secretary of the Society and the file kept by him for that purpose may be inspected by any solicitor during office hours without payment but shall not be open to the inspection of any person other than a solicitor.

(5) For the purposes of this section—

(*a*) an order under Part I of the Criminal Justice Act, 1948, placing a person on probation or discharging him absolutely or conditionally shall, notwithstanding anything in section twelve of that Act, be deemed to be a conviction of the offence for which the order was made; and

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(*b*) the death of a solicitor against whom an application or complaint might have been made to the disciplinary committee under this Act shall not prevent an application being made under this section in respect of a person who was a clerk to that solicitor but is not himself a solicitor, and who is alleged to have been a party to any act or default of that solicitor.

Offences in connection with orders controlling employment of certain clerks.

39.—(1) Any person who, while there is in force in respect of him an order under the last foregoing section, seeks or accepts any employment by or remuneration from a solicitor in connection with his practice as a solicitor without previously informing him of that order shall on summary conviction be liable for each offence to a fine not exceeding fifty pounds.

(2) Where an order has been made under the last foregoing section in respect of any person and no appeal has been made against that order or that order has been confirmed upon appeal, then, if any solicitor knowingly acts in contravention of that order or of any conditions subject to which permission for the employment of that person has been granted thereunder, a complaint in respect of that contravention may be made by or on behalf of the Society to the disciplinary committee.

(3) Any document purporting to be such an order as aforesaid and to be duly signed in accordance with subsection (1) of section forty-nine of this Act shall be received in evidence in any proceedings under this section and be deemed to be such an order without further proof unless the contrary is shown.

(4) Notwithstanding anything in the Magistrates' Courts Act, 1952, proceedings under subsection (1) of this section may be commenced at any time before the expiration of six months after the first discovery of the offence by the prosecutor, but no such proceedings shall be commenced, except with the consent of the Director of Public Prosecutions, by any person other than the Society or a person acting on behalf of the Society.

Articles

Power for Society to make regulations with respect to articles.

40. Without prejudice to any other provision of this Act, the Society may by regulations made with the concurrence of the Lord Chancellor, the Lord Chief Justice and the Master of the Rolls make provision with respect to the taking and retaining of articled clerks by solicitors and the conduct, duties and responsibilities towards one another of the parties to articles.

Restrictions on taking of articled clerks.

41.—(1) No solicitor who has not at some time been in continuous practice as a solicitor for a period of five years shall, without the special leave in writing of the Society, take any articled clerk.

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(2) No solicitor shall have more than two articled clerks at the same time.

(3) No solicitor shall take or retain any articled clerk after he has ceased to practise as a solicitor or while the solicitor is employed as a clerk by another solicitor.

(4) If any solicitor takes or has an articled clerk in contravention of any of the foregoing provisions of this section, the Society may of its own motion discharge the articles of that clerk upon such terms, including terms as to return of premium, as the Society thinks fit.

Power to prohibit taking of articled clerk in certain cases.

42.—(1) Where in the case of any solicitor the Society has power under section twelve of this Act to refuse an application by that solicitor for a practising certificate, the Society may in its discretion by notice in writing to that solicitor prohibit him from taking any articled clerk, and may, if the Society thinks fit, of its own motion discharge the articles of any clerk then already articled to that solicitor upon such terms, including terms as to return of premium, as the Society thinks fit.

(2) If, where any such prohibition has been imposed on a solicitor and has not been withdrawn by the Society, that solicitor takes an articled clerk, a complaint in respect thereof may be made by or on behalf of the Society to the disciplinary committee, and the Society may of its own motion discharge the articles of that clerk upon such terms, including terms as to return of premium, as the Society thinks fit.

Power to discharge articles on grounds of moral unfitness.

43. If any allegation is made to the Council as to the moral unfitness of an articled clerk to be an officer of the Supreme Court, and the Council, after inquiring into that allegation, are satisfied that the clerk is morally unfit to be such an officer, the Society may of its own motion discharge the articles of that clerk upon such terms, including terms as to return of premium, as the Society thinks fit.

Power to discharge articles on application of solicitor or clerk.

44. If at any time while a person is serving as an articled clerk to a solicitor, the Society is satisfied on the application either of the solicitor or of the clerk that the articles ought to be discharged, the Society may discharge the articles upon such terms, including terms as to return of premium, as the Society thinks fit.

Rights of articled clerk upon bankruptcy etc. of solicitor.

45.—(1) Where, before the expiration of the term for which a clerk is articled, the solicitor to whom he is articled is adjudged bankrupt, or is imprisoned for debt and remains so imprisoned for twenty-one days, the High Court upon the application of the clerk may order his articles to be discharged or to be transferred

to another solicitor on such terms and in such manner as the court may think fit.

(2) Nothing in the foregoing subsection shall be construed as limiting or affecting—

(*a*) any power in relation to articles possessed by the High Court apart from that subsection; or

(*b*) the provisions of section thirty-four of the Bankruptcy Act, 1914.

Disciplinary proceedings before disciplinary committee

Constitution and proceedings of disciplinary committee.

46.—(1) The Master of the Rolls shall appoint from among members of the Council and such former members of the Council as are practising as solicitors in England a disciplinary committee consisting of such number of persons, not being less than three nor more than nine, as he may from time to time think fit, and may from time to time remove any member from, or fill any vacancy in, or, subject to the limits aforesaid, increase the number of the members of, that committee.

(2) The disciplinary committee may, for the purpose of hearing and determining applications or complaints under this Act, sit in two or more divisions and, for the purposes of the hearing and determination of, and the making of an order on, any such application or complaint by such a division, that division shall be deemed to be the committee.

(3) The quorum of the disciplinary committee or a division thereof shall for all purposes be three:

Provided that the decision of the committee or division on an application or complaint may be announced by a single member thereof.

(4) Subject to the last foregoing subsection, the disciplinary committee, with the concurrence of the Master of the Rolls, may from time to time make rules for regulating the making to the committee, and the hearing and determining by the committee or a division thereof, of applications or complaints under this Act.

(5) Any such rules may—

(*a*) make provision, in relation to applications under section thirty-eight of this Act, as to who shall be parties to any such application, as to the service of any notice or order upon any party, and as to whether any such application shall be heard prior to, in the course of, concurrently with or subsequent to the hearing of any application or complaint to the committee against a solicitor under this Act;

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(*b*) provide, in relation to any other application or complaint, that, where in the opinion of the committee or of the division thereof to which that application or complaint is referred no prima facie case is shown in favour of the application or complaint, the committee or division may refuse that application or dismiss that complaint without requiring the solicitor to whom the application or complaint relates to answer the allegations and without hearing the applicant or complainant.

(6) For the purposes of any application or complaint made to the disciplinary committee under this Act, the committee or any division thereof may administer oaths, and the applicant or complainant and any person with respect to whom the application or complaint is made may issue writs of subpoena ad testificandum and duces tecum, but no person shall be compelled under any such writ to produce any document which he could not be compelled to produce on the trial of an action.

(7) The power to make rules conferred by subsection (4) of this section shall be exercisable by statutory instrument, and the Statutory Instruments Act, 1946, shall apply to a statutory instrument containing such rules in like manner as if the rules had been made by a Minister of the Crown.

Jurisdiction and powers of disciplinary committee.

47.—(1) In addition to any other jurisdiction conferred upon the disciplinary committee by this Act, any application—

(*a*) by a solicitor to procure his name to be removed from the roll;

(*b*) by another person to strike the name of a solicitor off the roll, or to require a solicitor to answer allegations contained in an affidavit,

shall be made to that committee:

Provided that nothing in this subsection shall affect any jurisdiction of the Master of the Rolls or any judge of the High Court over solicitors exercisable apart from the provisions of this subsection by virtue of section fifty of this Act.

(2) Subject to section fifty-four of this Act, on the hearing of any application or complaint made to the disciplinary committee under this Act, other than an application under section thirty-eight thereof, the committee or a division thereof shall have power to make such order as they may think fit, and any such order may in particular include provision for any of the following matters, that is to say—

(*a*) removing from or striking off the roll the name of the solicitor to whom the application or complaint relates;

(*b*) suspending that solicitor from practice;

(*c*) payment by that solicitor of a penalty not exceeding five hundred pounds, which shall be forfeit to Her Majesty; and

(*d*) payment by any party of costs or of such sum as the committee or division may consider a reasonable contribution towards costs:

Provided that upon proof of the commission of an offence with respect to which express provision is made by any section of this Act, the committee or division shall, without prejudice to their power of making an order as to costs, impose the punishment, or one of the punishments, specified in that section.

Appeals against orders of disciplinary committee.

48.—(1) Subject to the next following subsection, an appeal against any order made by the disciplinary committee or a division thereof on an application or complaint under this Act shall lie to the High Court at the instance either of the applicant or complainant or of the person with respect to whom the application or complaint is made, and every such appeal shall be made within such time and in such form and shall be heard in such manner as may be prescribed by rules of court:

Provided that any rules made under section eight of the Solicitors Act, 1932, as originally enacted, and any regulations made under subsection (7) of section sixteen of the Solicitors Act, 1941, as originally enacted, being rules or regulations in force immediately before the commencement of this Act, shall continue to have effect for the purposes of this section until revoked by rules of court made by virtue of this subsection as if they were such rules of court.

(2) In the case of an order made on an application under section thirty-eight of this Act—

(*a*) an appeal shall lie under this section only at the instance of the person with respect to whom the application was made;

(*b*) the time prescribed for the making of the appeal shall commence with the date of service of a copy of the order on the person aforesaid; and

(*c*) the decision of the High Court on the appeal shall be final.

Additional provisions with respect to orders of disciplinary committee.

49.—(1) Every order made by the disciplinary committee or a division thereof on an application or complaint made to the committee under this Act shall be prefaced by a statement of their findings in relation to the facts of the case and shall be signed by the chairman of the committee or by some other member of the committee authorised by the committee in that behalf.

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(2) Every such order, other than an order made on an application under section thirty-eight of this Act, shall be filed with the Society, and as soon as it has been so filed shall be acted upon by the Society and be enforceable in the same manner as a judgment or order of the High Court to the like effect.

(3) Where any order filed as aforesaid includes provision for any of the matters referred to in paragraphs (*a*) to (*d*) of subsection (2) of section forty-seven of this Act, the Society shall cause a note of the effect of that order to be entered on the roll against the name of the solicitor with respect to whom the application or complaint was made and, except in the case of an order making provision only for the matters referred to in the said paragraph (*d*), shall forthwith upon the filing of the order cause a notice stating the effect of the operative part thereof to be published in the London Gazette.

(4) The file kept by the Society for the purposes of this section shall be open to inspection by any person during office hours without payment.

Disciplinary proceedings before Supreme Court

Jurisdiction of Supreme Court over solicitors.

50.—(1) Any person duly admitted as a solicitor shall be an officer of the Supreme Court:

Provided that section one hundred and twenty of the Supreme Court of Judicature (Consolidation) Act, 1925 (which imposes on officers of the Supreme Court restrictions as to practice as solicitors) shall not apply to any solicitor by virtue only of this subsection.

(2) Subject to the provisions of this Act, the High Court and the Court of Appeal respectively, or any division or judge thereof, may exercise the same jurisdiction in respect of solicitors as any one of the superior courts of law or equity from which the Supreme Court of Judicature was constituted might have exercised immediately before the passing of the Supreme Court of Judicature Act, 1873, in respect of any solicitor, attorney or proctor admitted to practise therein.

Procedure upon certain applications to High Court.

51.—(1) Where an application to strike the name of a solicitor off the roll or to require a solicitor to answer allegations contained in an affidavit is made to the High Court, then, subject to section fifty-four of this Act, the following provisions of this section shall have effect in relation to that application.

(2) The court shall not entertain the application except upon production of an affidavit proving that the applicant has served upon the Society fourteen clear days' notice of his intention to make the application, together with copies of all affidavits intended to be used in support thereof.

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(3) The Society may appear by counsel upon the hearing of the application and upon any other proceedings arising out of or in reference to the application, and may apply to the court to make absolute any order nisi which may have been made by the court in the matter of the application, or to make an order that the name of the solicitor with respect to whom the application is made be struck off the roll, or such other order as the court may think fit.

(4) The court may order the costs of the Society of or relating to any of the matters aforesaid to be paid by the solicitor against whom, or by the person by whom, the application was made, or was intended to be made, or partly by one and partly by the other of them.

Power of Society to draw up order of court.

52. Where an order, whether nisi or absolute, has been made by the High Court or the Court of Appeal upon a motion to remove from or strike off the roll the name of a solicitor, or to require a solicitor to answer allegations contained in an affidavit, and has not been drawn up by the applicant within one week after it was made, the Society may cause the order to be drawn up, and all future proceedings thereon shall be taken as if the motion had been made by the Society.

Production of order of court to Society.

53. Where an order is made by the High Court or the Court of Appeal that the name of a solicitor be removed from or struck off the roll, or that a solicitor be suspended from practice, the proper officer of the court shall forthwith send to the Society a copy of the order, and the Society shall enter a note thereof on the roll in connection with the name of the solicitor and, where the order so directs, shall remove or strike off the name.

Disciplinary proceedings—general

Restrictions on powers to strike names off roll.

54.—(1) No solicitor shall be liable to have his name struck off the roll on account of any failure to comply with the requirements with respect to service under articles of any regulations made under section three of this Act or on account of any defect in his admission and enrolment, unless the application to strike his name off the roll is made within twelve months after the date of his enrolment:

Provided that this subsection shall not apply in any case where fraud is proved to have been committed in connection with the failure or defect.

(2) No person shall be liable to have his name struck off the roll by reason only that a solicitor whom he has served for the whole or any part of the term of articled service required in his case by the regulations aforesaid has neglected or omitted to take out a practising certificate in accordance with the provisions of Part I of this Act, or by reason only that the name

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of a solicitor whom he has served for any period has after the termination of that period been removed from or struck off the roll.

Applications with respect to allegations.

55. For the avoidance of doubt it is hereby declared that an application by any person to require a solicitor to answer allegations contained in an affidavit, whether that application is made to the disciplinary committee or to the High Court, may be treated as an application to strike the name of that solicitor off the roll on the grounds of the matters alleged.

PART III

REMUNERATION OF SOLICITORS

Non-contentious business

Orders as to remuneration of solicitors for non-contentious business.

56.—(1) For the purposes of this section there shall be a committee consisting of the following persons—

(*a*) the Lord Chancellor;

(*b*) the Lord Chief Justice;

(*c*) the Master of the Rolls;

(*d*) the President of the Society;

(*e*) a solicitor, being the president of a provincial law society, nominated by the Lord Chancellor to serve on the committee during his tenure of office as president; and

(*f*) subject to the provisions of the next following subsection, the Chief Land Registrar appointed under the Land Registration Act, 1925.

(2) The committee or any three of the members thereof (the Lord Chancellor being one) may make general orders prescribing and regulating in such manner as they think fit the remuneration of solicitors in respect of non-contentious business and any order made under this section may revoke or alter any previous order so made:

Provided that the Chief Land Registrar shall be deemed to be a member of the committee for the purpose only of prescribing and regulating the remuneration of solicitors in respect of business under the Land Registration Act, 1925.

(3) Before any such order is made, the Lord Chancellor shall cause a draft thereof to be sent to the Council, and the committee shall, before making the order, consider any observations in writing submitted to them by the Council within one month of the sending to them of the draft, and may then make the order, either in the form of the draft or with such alterations or additions as they may think fit.

PART III —*cont.*

(4) An order under this section may, as regards the mode of remuneration, prescribe that it shall be according to a scale of rates of commission or percentage, varying or not in different classes of business, or by a gross sum, or by a fixed sum for each document prepared or perused, without regard to length, or in any other mode, or partly in one mode and partly in another, and may regulate the amount of remuneration with reference to all or any of the following, among other, considerations, that is to say—

(*a*) the position of the party for whom the solicitor is concerned in the business, that is, whether as vendor or purchaser, lessor or lessee, mortgagor or mortgagee, and the like;

(*b*) the place where, and the circumstances in which, the business or any part thereof is transacted;

(*c*) the amount of the capital money or rent to which the business relates;

(*d*) the skill, labour and responsibility involved therein on the part of the solicitor;

(*e*) the number and importance of the documents prepared or perused, without regard to length.

(5) An order under this section may authorise and regulate—

(*a*) the taking by a solicitor from his client of security for payment of any remuneration, to be ascertained by taxation or otherwise, which may become due to him under any such order; and

(*b*) the allowance of interest.

(6) So long as an order made under this section is in operation, taxation of bills of costs of solicitors in respect of non-contentious business shall, subject to the provisions of the next following section, be regulated by that order.

(7) The power to make orders under this section shall be exercisable by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament, and the Statutory Instruments Act, 1946, shall apply to a statutory instrument containing such an order in like manner as if the order had been made by a Minister of the Crown.

Agreements with respect to remuneration for non-contentious business.

57.—(1) Whether or not any order is in force under the last foregoing section, a solicitor and his client may, either before or after or in the course of the transaction of any non-contentious business by the solicitor, make an agreement as to the remuneration of the solicitor in respect thereof.

PART III —*cont.*

(2) The agreement may provide for the remuneration of the solicitor by a gross sum, or by commission or percentage, or by salary, or otherwise, and it may be made on the terms that the amount of the remuneration therein stipulated for either shall or shall not include all or any disbursements made by the solicitor in respect of searches, plans, travelling, stamps, fees or other matters.

(3) The agreement shall be in writing and signed by the person to be bound thereby or his agent in that behalf.

(4) The agreement may be sued and recovered on or set aside in the like manner and on the like grounds as an agreement not relating to the remuneration of a solicitor:

Provided that if on any taxation of costs the agreement is relied on by the solicitor and objected to by the client as unfair or unreasonable, the taxing officer may enquire into the facts and certify them to the court, and if on that certificate it appears just to the court that the agreement should be cancelled, or the amount payable thereunder reduced, the court may order the agreement to be cancelled, or the amount payable thereunder to be reduced, and may give such consequential directions as they think fit.

Remuneration of a solicitor who is a mortgagee.

58.—(1) If a mortgage is made to a solicitor, either alone or jointly with any other person, he, or the firm of which he is a member, shall be entitled to recover from the mortgagor in respect of all business transacted and acts done by him or them in negotiating the loan, deducing and investigating the title to the property, and preparing and completing the mortgage, such usual costs as he or they would have been entitled to receive if the mortgage had been made to a person who was not a solicitor and that person had retained and employed him or them to transact that business and do those acts.

(2) If a mortgage has been made to, or has become vested by transfer or transmission in, a solicitor, either alone or jointly with any other person, and any business is transacted or acts are done by that solicitor, or by the firm of which he is a member, in relation to that mortgage or the security thereby created or the property comprised thereunder, then he or they shall be entitled to recover from the person on whose behalf the business was transacted or the acts were done, and to charge against the security, such usual costs as he or they would have been entitled to receive if the mortgage had been made to and had remained vested in a person who was not a solicitor and that person had retained and employed him or them to transact that business and do those acts.

(3) In this section the expression "mortgage" includes any charge on any property for securing money or money's worth.

Contentious business

Power to make agreements as to remuneration for contentious business.

59. A solicitor may make an agreement in writing with his client as to his remuneration in respect of any contentious business done, or to be done, by him providing that he shall be remunerated either by a gross sum, or by salary, or otherwise, and at either a greater or a less rate than that at which he would otherwise have been entitled to be remunerated.

Effect of agreements with respect to contentious business.

60.—(1) The following provisions of this section shall have effect in relation to any agreement such as is referred to in the last foregoing section.

(2) The agreement shall not affect the amount of, or any rights or remedies for the recovery of, any costs payable by the client to, or to the client by, any person other than the solicitor, and that person may, unless he has otherwise agreed, require any such costs to be taxed according to the rules for the time being in force for the taxation thereof:

Provided that the client shall not be entitled to recover from any other person under any order for the payment of any costs to which the agreement relates more than the amount payable by him to his solicitor in respect thereof under the agreement.

(3) The agreement shall be deemed to exclude any claim by the solicitor in respect of the business to which it relates other than—

(*a*) a claim for the agreed costs; or

(*b*) a claim for such costs as are expressly excepted therefrom.

(4) A provision in the agreement that the solicitor shall not be liable for negligence, or that he shall be relieved from any responsibility to which he would otherwise be subject as a solicitor, shall be void.

Enforcement of agreements with respect to contentious business.

61.—(1) No action shall be brought upon any such agreement as is referred to in section fifty-nine of this Act but the court may, on the application of any person who is a party to, or the representative of a party to, the agreement, or who is, or who is alleged to be, liable to pay, or who is or claims to be entitled to be paid, the costs due or alleged to be due in respect of the business to which the agreement relates, enforce or set aside the agreement and determine every question as to the validity or effect thereof.

(2) On any such application, the court—

(*a*) if they are of opinion that the agreement is in all respects fair and reasonable, may enforce it;

(*b*) if they are of opinion that the agreement is in any respect unfair or unreasonable, may declare it void

PART III —*cont.*

and may order it to be given up to be cancelled and may order the costs covered thereby to be taxed as if the agreement had never been made;

(*c*) in any case, may make such order as to the costs of the application as they think fit.

(3) If the business covered by any such agreement is business done, or to be done, in any action, the amount payable under the agreement shall not be received by the solicitor until the agreement has been examined and allowed by a taxing officer of the court, and, if the taxing officer is of opinion that the agreement is unfair or unreasonable, he may require the opinion of the court to be taken thereon, and the court may reduce the amount payable thereunder, or order the agreement to be cancelled and the costs covered thereby to be taxed as if the agreement had never been made.

(4) When the amount agreed for under any such agreement has been paid by or on behalf of the client or by any person entitled so to do, the person making the payment may at any time within twelve months after payment apply to the court, and the court, if it appears to them that the special circumstances of the case require the agreement to be re-opened, may, on such terms as may be just, re-open the agreement and may order the costs covered thereby to be taxed and the whole or any part of the amount received by the solicitor to be repaid by him.

(5) Where any such agreement is made by the client as the guardian or committee of, or as a trustee under a deed or will for, any person whose property will be chargeable with the whole or any part of the amount payable under the agreement, the agreement shall, before payment, be laid before the taxing officer of the court, and that officer shall examine the agreement and may disallow any part thereof, or may require the opinion of the court to be taken thereon.

(6) Any such client as is mentioned in the last foregoing subsection who pays the whole or any part of the amount payable under the agreement without the agreement having been allowed by the officer or by the court shall be liable at any time to account to the person whose property is charged with the whole or any part of the amount so paid for the sum so charged, and the solicitor who accepts the payment may be ordered by the court to refund the amount received by him.

(7) In this and the next following section the expression "court" means—

(*a*) in relation to an agreement under which any business has been done in any court having jurisdiction to enforce and set aside agreements, any such court in which any of that business has been done;

PART III —*cont.*

(*b*) in relation to an agreement under which no business has been done in any such court, and under which more than fifty pounds is payable, the High Court;

(*c*) in relation to an agreement under which no business has been done in any such court and under which not more than fifty pounds is payable, any county court which would, but for the provisions of subsection (1) of this section prohibiting the bringing of an action on the agreement, have had jurisdiction in any action thereon;

and for the avoidance of doubt it is hereby declared that the expression "court having jurisdiction to enforce and set aside agreements" in paragraph (*a*) of this subsection includes a county court.

Death, incapability or change of solicitor, etc.

62.—(1) If, after some business has been done under an agreement made in pursuance of the provisions of section fifty-nine of this Act but before the solicitor has wholly performed it, the solicitor dies or becomes incapable of acting, then any party to, or the representative of any party to, the agreement may apply to the court, and the court shall have the same jurisdiction as to enforcing the agreement so far as it has been performed, or setting it aside, as they would have had if the solicitor had not died or become incapable of acting:

Provided that the court may, notwithstanding that they are of opinion that the agreement is in all respects fair and reasonable, order the amount due in respect of the business done thereunder to be ascertained by taxation, and in that case—

(*a*) the taxing officer, in ascertaining that amount, shall have regard so far as may be to the terms of the agreement; and

(*b*) payment of the amount found by him to be due may be enforced in the same manner as if the agreement had been completely performed.

(2) The provisions of the foregoing subsection shall apply in the event of the client changing his solicitor (as, notwithstanding the agreement, he shall be entitled to do) before the conclusion of the business to which the agreement relates in the same manner as they apply when the solicitor dies or is incapacitated, with this modification, that if an order is made for the taxation of the amount due to the solicitor in respect of the business done under the agreement the court shall direct the taxing officer to have regard to the circumstances under which the change of solicitor has taken place, and the taxing officer, unless he is of opinion that there has been no default, negligence, improper delay or other conduct on the part of the solicitor affording to the client reasonable ground for changing his solicitor, shall not allow to the solicitor the full amount of the remuneration agreed to be paid to him.

PART III
—cont.

Agreement excludes taxation.

63. Subject to the provisions of the three last foregoing sections, the costs of a solicitor in any case where an agreement has been made in pursuance of the provisions of section fifty-nine of this Act shall not be subject to taxation, nor to the provisions of section sixty-eight of this Act.

Form of bill of costs for contentious business.

64. Where the remuneration of a solicitor in respect of contentious business done by him is not the subject of such an agreement as is mentioned in section fifty-nine of this Act, the solicitor's bill of costs may at the option of the solicitor either contain detailed items or be for a gross sum:

Provided that—

(*a*) at any time before service upon him of a writ or other originating process for the recovery of costs included in a gross sum bill and before the expiration of three months from the date of the delivery to him of the bill, the party chargeable therewith may require the solicitor to deliver to him in lieu thereof a bill containing detailed items, and the gross sum bill shall thereupon be of no effect;

(*b*) where an action is commenced on a gross sum bill, the court shall, if so requested by the party chargeable therewith before the expiration of one month from the service on that party of the writ or other originating process, order that the bill shall be taxed;

(*c*) if a gross sum bill is referred to taxation, whether under this section or otherwise, nothing in this section shall prejudice any rules of court with respect to taxation, and the solicitor shall furnish the taxing officer with such details of any of the costs covered by the bill as the taxing officer may require.

Miscellaneous provisions as to remuneration for contentious business.

65.—(1) Nothing in sections fifty-nine to sixty-three of this Act shall give validity to—

(*a*) any purchase by a solicitor of the interest, or any part of the interest, of his client in any action, suit or other contentious proceeding; or

(*b*) any agreement by which a solicitor retained or employed to prosecute any action, suit or other contentious proceeding stipulates for payment only in the event of success in that action, suit or proceeding; or

(*c*) any disposition, contract, settlement, conveyance, delivery, dealing or transfer which is under the law relating to bankruptcy invalid against a trusteee or creditor in any bankruptcy or composition.

(2) A solicitor may, with respect to any contentious business to be done by him, take security from his client for his costs to be ascertained by taxation or otherwise.

PART III —*cont.*

(3) Subject to the provisions of any rules of court, upon every taxation of costs with respect to any contentious business, the taxing officer may—

(*a*) allow interest at such rate and from such time as he thinks just on moneys disbursed by the solicitor for the client, and on moneys of the client in the hands of, and improperly retained by, the solicitor;

(*b*) in determining the remuneration of the solicitor, have regard to the skill, labour and responsibility involved in the business done by him.

General provisions as to remuneration

Inclusion in bill of costs of disbursements due but not paid.

66. For the purposes of the remuneration of a solicitor, his bill of costs may include costs payable in discharge of a liability properly incurred by the solicitor on behalf of the party to be charged with the bill (including counsel's fees) notwithstanding that those costs have not been paid before the delivery to that party of that bill:

Provided that—

(*a*) those costs shall be described in the bill as not then paid;

(*b*) if the bill is referred to taxation, the taxing officer shall not allow those costs unless they have been paid before the taxation is completed.

Power of court to order solicitor to deliver bill, etc.

67.—(1) The jurisdiction of the High Court to make orders for the delivery by a solicitor of a bill of costs and for the delivery up of, or otherwise in relation to, any deeds, documents or papers in his possession, custody or power, is hereby declared to extend to cases in which no business has been done by him in the High Court.

(2) A county court shall have the same jurisdiction as the High Court to make orders for the delivery by a solicitor of a bill of costs and for the delivery up of, or otherwise in relation to, any deeds, documents or papers in his possession, custody or power, in cases where the bill of costs, deeds, documents or papers relate wholly or partly to contentious business done by the solicitor in that county court.

(3) In this and the three next following sections the expression "solicitor" includes the executors, administrators and assignees of the solicitor in question.

Action to recover solicitors' costs.

68.—(1) Subject to the provisions of this Act, no action shall be brought to recover any costs due to a solicitor until one month after a bill thereof has been delivered in accordance with the requirements set out in the next following subsection:

Provided that, if there is probable cause for believing that the party chargeable with the costs is about to quit England, or

PART III —*cont.*

to become a bankrupt, or to compound with his creditors, or to do any other act which would tend to prevent or delay the solicitor obtaining payment, the High Court may, notwithstanding that one month has not expired from the delivery of the bill, order that the solicitor be at liberty to commence an action to recover his costs and may order those costs to be taxed.

(2) The requirements referred to in the foregoing subsection are that the bill must—

(*a*) be signed by the solicitor, or if the costs are due to a firm, by one of the partners of that firm, either in his own name or in the name of the firm, or be enclosed in, or accompanied by, a letter which is so signed and refers to the bill; and

(*b*) be delivered to the party to be charged therewith, either personally or by being sent to him by post to, or left for him at, his place of business, dwelling-house, or last known place of abode;

and, where a bill is proved to have been delivered in compliance with those requirements, it shall not be necessary in the first instance for the solicitor to prove the contents of the bill and it shall be presumed, until the contrary is shown, to be a bill bona fide complying with this Act.

Taxation of bills on application of party chargeable or solicitor.

69.—(1) On the application, made within one month of the delivery of a solicitor's bill, of the party chargeable therewith, the High Court shall, without requiring any sum to be paid into court, order that the bill shall be taxed and that no action shall be commenced thereon until the taxation is completed.

(2) If no such application is made within the period mentioned in the last foregoing subsection, then, on the application either of the solicitor or of the party chargeable with the bill, the court may, upon such terms, if any, as they think fit (not being terms as to the costs of the taxation), order—

(*a*) that the bill shall be taxed;

(*b*) that, until the taxation is completed, no action shall be commenced on the bill, and any action already commenced be stayed:

Provided that—

(i) if twelve months have expired from the delivery of the bill, or if the bill has been paid, or if a verdict has been obtained or a writ of inquiry executed in an action for the recovery of the costs covered thereby, no order shall be made on the application of the party chargeable with the bill except in special circumstances and, if an order is made, it may contain such terms as regards the costs of the taxation as the court may think fit;

PART III —*cont.*

(ii) in no event shall any such order be made after the expiration of twelve months from the payment of the bill.

(3) Every order for the taxation of a bill shall require the taxing officer to tax not only the bill but also the costs of the taxation and to certify what is due to or by the solicitor in respect of the bill and in respect of the costs of the taxation.

(4) If after due notice of any taxation either party thereto fails to attend, the officer may proceed with the taxation ex parte.

(5) Unless—

(*a*) the order for taxation was made on the application of the solicitor and the party chargeable does not attend the taxation; or

(*b*) the order for taxation otherwise provides,

the costs of the taxation shall be paid according to the event of the taxation, that is to say, if one-sixth of the amount of the bill is taxed off, the solicitor shall pay the costs, but otherwise the party chargeable shall pay the costs:

Provided that—

(i) if, in the case of a bill for non-contentious business, not less than half of the amount of the bill before taxation consists of costs for which no scale charge is provided by an order for the time being in operation under section fifty-six of this Act, for the reference in this subsection to one-sixth of the amount of the bill there shall be deemed to be substituted a reference to one-fifth thereof;

(ii) the taxing officer may certify any special circumstances relating to the bill or the taxation thereof to the court, and the court may make thereon any such order as they think fit respecting the payment of the costs of the taxation.

Taxation on application of third parties, etc.

70.—(1) Where a person other than the person who is the party chargeable with the bill for the purposes of the last foregoing section has paid, or is or was liable to pay, the bill either to the solicitor or to the party chargeable with the bill, that person or his executors, administrators or assignees may apply to the court for an order for the taxation of the bill as if he were the party chargeable therewith, and the court may make thereon the same order, if any, as they might have made if the application had been made by that party:

Provided that, in cases where the court have no power to make an order except in special circumstances, the court may, in considering whether there are special circumstances sufficient to

PART III —*cont.*

justify them in making an order, take into account circumstances affecting the applicant but which do not affect the party chargeable with the bill.

(2) If a trustee, executor or administrator has become liable to pay a bill of a solicitor, the High Court may, upon the application of any person interested in any property out of which the trustee, executor or administrator has paid, or is entitled to pay, the bill, and upon such terms, if any, as they think fit, order the bill to be taxed, and may order such payments, in respect of the amount found due to or by the solicitor and in respect of the cost of the taxation, to be made to or by the applicant, or to or by the solicitor, or to the executor, administrator or trustee, as they think fit:

Provided that in considering any such application the court shall have regard to—

(*a*) the provisions of the last foregoing section as to applications by the party chargeable with the taxation of a solicitor's bill so far as they are capable of being applied to an application made under this subsection;

(*b*) the extent and nature of the interest of the applicant.

(3) If an applicant under the last foregoing subsection pays any money to the solicitor, he shall have the same right to be paid that money by the trustee, executor or administrator chargeable with the bill as the solicitor had.

(4) On an application made under this section—

(*a*) except in special circumstances no order shall be made for the taxation of a bill which has already been taxed;

(*b*) the court may, if they order taxation of the bill, order the solicitor to deliver to the applicant a copy of the bill upon payment of the costs of that copy.

General provisions as to taxations.

71.—(1) Every application for an order for the taxation of a solicitor's bill or for the delivery of such a bill and the delivery up of any deeds, documents and papers by a solicitor shall be made in the matter of that solicitor.

(2) In the course of any taxation, the taxing officer may request the taxing officer of any other court to assist him in taxing any part of the bill, and the taxing officer so requested shall thereupon proceed to tax that part of the bill and shall return the bill with his opinion thereon to the taxing officer making the request.

(3) In any case such as is mentioned in the last foregoing subsection the taxing officer who is requested to tax part of a bill shall have such powers, and may take such fees, in respect thereof as he would have or be entitled to take if he were taxing that part of the bill in pursuance of an order of the

court of which he is an officer, and the taxing officer who made the request shall not take any fee in respect of that part of the bill. PART III —*cont.*

(4) The certificate of the taxing officer by whom any bill has been taxed shall, unless it is set aside or altered by the court, be final as to the amount of the costs covered thereby, and the court may make such order in relation thereto as they think fit, including, in a case where the retainer is not disputed, an order that judgment be entered for the sum certified to be due with costs.

Charging orders.

72. Any court in which a solicitor has been employed to prosecute or defend any suit, matter or proceeding may at any time declare the solicitor entitled to a charge on the property recovered or preserved through his instrumentality for his taxed costs in reference to that suit, matter or proceeding, and may make such orders for the taxation of the said costs and for raising money to pay, or for paying, the said costs out of the said property as they think fit, and all conveyances and acts done to defeat, or operating to defeat, that charge shall, except in the case of a conveyance to a bona fide purchaser for value without notice, be void as against the solicitor:

Provided that no order shall be made if the right to recover the costs is barred by any statute of limitations.

Special provisions as to contentious business done in county courts.

73.—(1) For the purposes of regulating the remuneration of a solicitor in respect of contentious business done by him in a county court, sections fifty-nine to seventy-two of this Act shall have effect subject to the following provisions of this section.

(2) Where a bill of costs relates wholly or partly to contentious business done in a county court and the amount of the bill does not exceed four hundred pounds, the powers and duties of the High Court relating thereto under sections sixty-eight, sixty-nine, and seventy of this Act may be exercised and performed by a county court in which any part of the business was done.

(3) The registrar of a county court shall be the taxing officer of that court but any taxation of costs by him may be reviewed by the judge of that court on the application of any party thereto.

(4) On the taxation of any costs or bill of costs, the amount which may be allowed in respect of any item relating to proceedings in a county court shall not exceed the amount which could have been allowed in respect of that item as between party and party in those proceedings, having regard to the nature of the proceedings and the amount of the claim and counter claim, if any, therein.

PART III —*cont.*

Saving for certain enactments.

74. Nothing in this Part of this Act shall affect the following enactments, that is to say—

(*a*) section three of the Leases Act, 1845 (which regulates the taxation of the costs of preparing and executing deeds under that Act);

(*b*) section one hundred and thirty-nine of, and paragraphs 3 and 4 of the Fourteenth Schedule to, the Law of Property Act, 1922 (which contains provisions as to costs in connection with the extinguishment of manorial incidents under that Act);

(*c*) section one hundred and forty-four of the Land Registration Act, 1925 (which enables rules to be made regulating, amongst other things, the taxation and incidence of the costs of the registration of land and other matters done under that Act);

(*d*) section two hundred and forty-two of the Local Government Act, 1933 (which provides for the examination of certain costs incurred by the council of the county district by the clerk of the peace);

(*e*) any of the provisions of the Legal Aid and Advice Act, 1949;

(*f*) any of the provisions of the Costs in Criminal Cases Act, 1952;

(*g*) any other enactment not expressly repealed by this Act which authorises the making of rules or orders or the giving of directions with respect to costs, or which provides that any such rule, order or direction made or given under a previous enactment shall continue in force.

PART IV

MISCELLANEOUS AND GENERAL

Provisions with respect to the Society

Compulsory membership of Society.

75.—(1) The following provisions of this section shall not come into operation until such day as the Lord Chancellor may by order made by statutory instrument appoint after he is satisfied on a poll taken by the Council of all solicitors for the time being holding practising certificates that not less than two-thirds of those voting are in favour of those provisions coming into operation.

(2) A solicitor shall, on each occasion on which a practising certificate is issued to him, pay to the Society, together with the fee payable by him in respect of that certificate under section eleven of this Act, the annual subscription which is or would be payable by him under section seventy-seven of this Act as a

PART IV —*cont.*

member of the Society, and shall thereupon, notwithstanding anything in the Charter or in any byelaw or regulation of the Society, become, by virtue of this section and without election or appointment by the Council, a member of the Society and be subject to any byelaw or regulation of the Society for the time being affecting members thereof and, while he remains a member, be eligible for election as a member of the Council:

Provided that a solicitor to whom a practising certificate is issued after the fifteenth day of November but before the sixteenth day of December in any year shall on payment of the said annual subscription be deemed to have become a member of the Society on the sixteenth day of November in that year.

(3) Subject to the provisions of subsection (1) of section seventy-eight of this Act, a solicitor who has become a member of the Society under the last foregoing subsection on the issue to him of a practising certificate shall remain a member until the end of the fifteenth day of November next following the issue of that certificate.

Non-practising solicitors eligible for membership of Society.

76. Notwithstanding anything in the Charter, the Council may appoint and elect to be a member of the Society any person whose name is for the time being on the roll, whether or not he has held a practising certificate, and upon appointment and election and payment of the annual subscription payable by him under the next following section that person shall become a member of the Society and be subject to any byelaw or regulation of the Society for the time being affecting the members thereof and, while he remains a member, be eligible for election as a member of the Council.

Annual subscription to Society.

77.—(1) The amount of the annual subscription payable by members of the Society shall be fixed from time to time by the Council.

(2) In fixing the amount of the annual subscription, the Council shall be at liberty to divide members into classes, and to provide that different amounts shall be paid by different classes and extend over different periods, and generally to regulate, and to vary from time to time, the subscriptions payable by members or by different classes of members, as the Council may think fit.

Cessation and suspension of membership of Society, etc.

78.—(1) If the name of a solicitor who is a member of the Society is removed from or struck off the roll that solicitor shall thereupon cease to be a member of the Society.

(2) A member of the Society who is suspended from practising as a solicitor shall not be entitled during the period of his suspension to any of the rights or privileges of membership of the Society.

PART IV —*cont.*

(3) The Council may suspend any member of the Society from using the hall and library and any of the rooms belonging to the Society and from the exercise of all other rights and privileges of a member during such period as they may think fit for any cause which, in their opinion, renders such suspension necessary or expedient but is not of a nature to justify the making of a complaint by or on behalf of the Society to the disciplinary committee:

Provided that a member shall not be so suspended unless at least sixteen members of the Council are present at the meeting at which the suspension is resolved on and at least twelve of the members of the Council present at that meeting consent to the suspension.

(4) Any member of the Society who has been suspended under the last foregoing subsection may, upon giving the notice required by any byelaw or regulation of the Society, appeal against the suspension to the next available general meeting of members of the Society, and that meeting may confirm, rescind or vary the period of the suspension in any manner they think fit.

Appointment of committees of the Council.

79.—(1) The Council may appoint a committee for any such general or special purpose as in the opinion of the Council may be better regulated or managed by means of a committee, and may delegate to any committee so appointed, with or without restrictions or conditions, as they think fit, the exercise of any functions exercisable by the Council.

(2) The number and term of office of the members of a committee appointed under this section, and the number of those members necessary to form a quorum, shall be fixed by the Council.

(3) A committee appointed under this section may include persons who are not members of the Council:

Provided that—

(*a*) at least half the members of any committee (including the chairman thereof) shall be members of the Council;

(*b*) if more than one-third of the members of any committee are not members of the Council, no resolution of that committee shall be duly passed unless the majority of the members of the Council present shall have voted in favour of it.

Powers to act on behalf of Society.

80.—(1) Anything authorised or required to be done by the Society under or in pursuance of this Act or of any instrument made thereunder may be done on behalf of the Society by the Council.

PART IV —*cont.*

(2) Any document issued by the Society for any purpose whatsoever may be signed on behalf of the Society by the Secretary thereof or by such other officer thereof as may from time to time be prescribed by the Council.

Miscellaneous provisions

Registration of appointment of solicitor as commissioner for oaths.

81.—(1) Every commission appointing a solicitor to be a commissioner for oaths shall, before being acted upon, be produced to the Society by or on behalf of the holder, and the Society shall enter the particulars of every commission so produced to it in a register to be kept for the purpose and shall note upon the commission the fact and date of entry.

(2) Such fees shall be chargeable by the Society in respect of the registration under this section of any commission as the Lord Chancellor, with the concurrence of the Lord Chief Justice and the Master of the Rolls, may by order made by statutory instrument from time to time prescribe.

(3) The register kept in pursuance of this section shall be open to inspection during office hours by any person without payment.

Qualification for holding office of solicitors who have been barristers.

82. For the purpose of any statutory provision or custom whereby the qualification of a solicitor for holding any office depends upon his having been admitted and enrolled for a prescribed period, the period of enrolment of a solicitor who before admission was a barrister shall be deemed to include any period after his call to the bar in England during which he is, for the purposes of this section, recognised by the Society as having been, or certified by the Attorney-General as having in his opinion been, in practice or in employment as a barrister.

Power of Society to inspect file of proceedings in bankruptcy of solicitor.

83. The Society shall be entitled, without payment of any fee, to inspect the file of proceedings in bankruptcy relating to any solicitor against whom proceedings in bankruptcy have been taken and to be supplied with office copies of the proceedings on payment of the usual charge for such copies.

Service of documents at solicitor's place of business.

84.—(1) For the purpose of facilitating the service of notices and other documents, every solicitor who has in force, or has applied for, a practising certificate shall give notice to the Society of any change in his place or places of business within fourteen days after the date on which the change takes effect, and every such notice shall be deemed to be, and shall be recorded by the

PART IV —*cont.*

Society as, an amendment of the latest declaration delivered by the solicitor to the Society under section nine of this Act.

(2) Any notice or other document which is required or authorised by or under this Act to be served on a practising solicitor may, without prejudice to any other method of service, be served by sending it in a registered letter addressed to him at any place specified as his place of business, or one of his places of business, in the latest declaration so delivered by him as amended by any such notice as aforesaid.

Relief to banks.

85.—(1) Subject to the provisions of this section, no bank shall, in connection with any transaction on account of any solicitor kept with it or with any other bank (other than an account kept by a solicitor as trustee for a specified beneficiary) incur any liability or be under any obligation to make any inquiry, or be deemed to have any knowledge of any right of any person to any money paid or credited to any such account, which it would not incur or be under or be deemed to have in the case of an account kept by a person entitled absolutely to all the money paid or credited to it:

Provided that nothing in this subsection shall relieve a bank from any liability or obligation under which it would be apart from section twenty-nine of this Act or this section.

(2) Notwithstanding anything in the foregoing subsection, a bank at which a solicitor keeps an account for clients' moneys shall not, in respect of any liability of the solicitor to the bank, not being a liability in connection with that account, have or obtain any recourse or right, whether by way of set-off, counterclaim, charge or otherwise, against moneys standing to the credit of that account.

General provisions

Interpretation.

86.—(1) In this Act, except where the context otherwise requires, the following expressions have the following meanings respectively, that is to say—

"articles" means written articles of clerkship binding a person to serve a solicitor as an articled clerk;

"the Charter" means the Royal Charter dated the twenty-sixth day of February, eighteen hundred and forty-five, whereby the Society was incorporated, together with the Royal Charters supplemental thereto dated respectively the twenty-sixth day of November, eighteen hundred and seventy-two, the fourth day of June, nineteen hundred and three, the second day of June, nineteen hundred and nine and the tenth day of March, nineteen hundred and fifty-four;

PART IV —*cont.*

" client " includes—

(*a*) in relation to contentious business, any person who as principal or on behalf of another person retains or employs, or is about to retain or employ, a solicitor, and any person who is or may be liable to pay a solicitor's costs;

(*b*) in relation to non-contentious business, any person who, as a principal or on behalf of another, or as a trustee or executor, or in any other capacity, has power, express or implied, to retain or employ, and retains or employs or is about to retain or employ, a solicitor, and any person for the time being liable to pay to a solicitor for his services any costs;

" contentious business " means business done, whether as solicitor or advocate, in or for the purposes of proceedings begun before a court or before an arbitrator appointed under the Arbitration Act, 1950, not being business which falls within the definition of non-contentious or common form probate business contained in subsection (1) of section one hundred and seventy-five of the Supreme Court of Judicature (Consolidation) Act, 1925;

" costs " includes fees, charges, disbursements, expenses and remuneration;

" the Council " means the Council of the Society elected in accordance with the provisions of the Charter and this Act;

" disciplinary committee " means the committee appointed under section forty-six of this Act;

" non-contentious business " means any business done as a solicitor which is not contentious business as defined by this subsection;

" practising certificate " has the meaning assigned by section one of this Act;

" provincial law society " means any body of solicitors in England, other than the Society, incorporated by Royal Charter or under any enactment relating to companies;

" the roll " means the roll of solicitors of the Supreme Court kept by the Society under section six of this Act;

" Secretary " of the Society includes any deputy or person appointed temporarily to perform the duties of that office;

" the Society " means the Law Society, that is to say, the Society incorporated and regulated by the Charter;

" solicitor " means solicitor of the Supreme Court;

PART IV —*cont.*

" solicitor in Scotland " means a person enrolled or deemed to have been enrolled as a solicitor in pursuance of the Solicitors (Scotland) Act, 1933 ;

" unqualified person " means a person not qualified under section one of this Act to act as a solicitor.

(2) For the purposes of this Act, references to the removal from the roll of a solicitor's name shall be construed as references to the removal of a solicitor's name at his own request, and references to striking off the roll the name of a solicitor shall be construed as references to striking that name off the roll otherwise than at the solicitor's own request.

(3) Save where the context otherwise requires, references in this Act to any enactment shall be construed as references to that enactment as amended by or under any other enactment, including any enactment contained in this Act.

Saving for solicitors to public departments and City of London.

87.—(1) Nothing in this Act shall prejudice or affect any rights or privileges of the solicitor to the Treasury, any other public department, the Church Commissioners or the Duchy of Cornwall, or require any such officer as aforesaid or any clerk or officer appointed to act for him to be admitted or enrolled or to hold a practising certificate in any case where it would not have been necessary for him to be admitted or enrolled or to hold such a certificate if this Act had not been passed.

(2) Section twenty-eight, paragraphs (*a*) and (*b*) of subsection (1) of section twenty-nine and section eighty-five of this Act shall not apply to, and nothing in this Act shall prejudice or affect any rights or privileges which immediately before the commencement of this Act attached to the office of, the Solicitor of the City of London.

Repeals, general savings, adaptations, etc.

88.—(1) The enactments mentioned in the Third Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(2) Any instrument or other document whatsoever which was, or was treated as having been, made, issued, served or kept, and any other thing done, under or for the purposes of any enactment repealed by this Act shall be treated as having been made, issued, served, kept or done under or for the purposes of the corresponding provision of this Act ; and, save where the context otherwise requires, any document referring, or to be construed as referring, to any enactment repealed by this Act shall be construed as referring to the corresponding provision of this Act.

(3) References in any other Act to solicitors, attorneys or proctors, or to the registrar of attorneys and solicitors or the registrar of solicitors, shall be construed as references to solicitors and to the Society respectively.

PART IV —*cont.*

(4) Nothing in this section shall affect the general application of section thirty-eight of the Interpretation Act, 1889, with regard to the effect of repeals.

Short title, commencement and extent.

89.—(1) This Act may be cited as the Solicitors Act, 1957.

(2) This Act shall come into operation on such day as the Lord Chancellor may by order made by statutory instrument appoint, not being earlier than the day after the coming into operation of section two of the Solicitors (Amendment) Act, 1956.

(3) This Act, except subsections (2) and (3) of section five thereof, shall not extend to Scotland.

(4) This Act, except subsection (2) of section five thereof, shall not extend to Northern Ireland.

SCHEDULES

Section 31.

FIRST SCHEDULE

CONTROL OF PROPERTY OF A SOLICITOR IN CERTAIN CASES

1. The Council may require the production or delivery to any person appointed by the Council at a time and place to be fixed by the Council, and may take possession of, all deeds, wills, documents constituting or evidencing the title to any property, papers, books of account, records, vouchers and other documents in the possession or control of the solicitor or his firm, or relating to any trust of which he is a sole trustee or is co-trustee only with one or more of his partners, clerks or servants.

2. If any person having possession or control of any such documents fails to comply forthwith with any such requirement—

(*a*) he shall be guilty of an offence and be liable on summary conviction to a fine not exceeding fifty pounds; and

(*b*) the High Court or a judge thereof may on the application of the Council order that person to comply with the requirement within such time as may be specified in the order.

3. Upon taking possession of any such documents, the Council shall serve upon the solicitor and every person from whom those documents were received a notice giving particulars and the date of taking possession thereof.

4. Any requirement or notice under this Schedule shall be made in writing under the hand of such person as may be appointed by the Council for the purpose and may be served on any person either personally or by forwarding it by registered letter addressed to his last known place of business or residence.

5. Within fourteen days after the service of a notice under paragraph 3 of this Schedule, the solicitor or other person upon whom the notice was served may apply to a judge of the High Court in chambers for an order directing the Council to return those documents to the person from whom they were received by the Council or to such other person as the applicant may require, and on the hearing of any such application the judge may make such order with respect to the matter as he may think fit.

6. If no application is made under the last foregoing paragraph or if the judge to whom any such application is made directs that the documents shall remain in the custody or control of the Council, the Council may make inquiries to ascertain the person to whom those documents belong and may deal with those documents in accordance with the directions of that person.

7. The High Court or a judge thereof may, on the application of the Council, order that no payment shall be made without the leave of the High Court or a judge thereof by any banker named in the order out of any banking account in the name of the solicitor or his firm.

8. Any application to a judge of the High Court in chambers under paragraph 5 of this Schedule or to the High Court or a judge thereof under paragraph 2 or 7 of this Schedule shall be made in such form and heard in such manner as may be prescribed by rules of court: 1ST SCH. —*cont.*

Provided that any regulations made under paragraph 6 of the First Schedule to the Solicitors Act, 1941, as originally enacted, being regulations in force immediately before the commencement of this Act, shall continue to have effect for the purposes of this Schedule until revoked by rules of court made by virtue of this paragraph as if they were such rules of court.

9. The Council may make rules with respect to the procedure to be followed in giving effect to the provisions of paragraphs 1, 3, 4 and 6 of this Schedule and with respect to any matters incidental, ancillary or supplemental to those provisions.

SECOND SCHEDULE

Sections 11, 32.

THE COMPENSATION FUND

1. The fund shall be maintained and administered by the Society and shall be held by the Society on trust for the purposes provided for in section thirty-two of this Act and this Schedule.

2. Every solicitor shall on each occasion on which a practising certificate is issued to him pay to the Society with the fee payable in respect of that certificate under section eleven of this Act a contribution (in this Schedule referred to as " the annual contribution ") of such sum not exceeding ten pounds as the Council may from time to time determine, and the Society shall pay that contribution into the fund:

Provided that—

(*a*) a solicitor shall not be required to pay the annual contribution on the issue of the first three practising certificates issued to him after his admission; and

(*b*) on the issue of the fourth, fifth and sixth practising certificates issued to him after his admission a solicitor shall be liable to pay only one half of the amount of the annual contribution.

3. The Society may invest in securities in which trustees are authorised by law to invest trust funds in their hands any moneys which form part of the fund and are not immediately required for any other purposes provided for by the said section thirty-two or this Schedule.

4. Subject to the provisions of section one of the Borrowing (Control and Guarantees) Act, 1946, and of any order for the time being in force thereunder, the Society may borrow for the purposes of the fund from any lender and may charge any investments of the fund by way of security for any such loan:

Provided that the aggregate sum owing at any one time in respect of such loans shall not exceed one hundred thousand pounds.

2ND SCH. —*cont.*

5. The Society may insure with any person authorised by law to carry on insurance business within the United Kingdom for such purposes and on such terms as the Council may deem expedient in relation to the fund.

6. There shall be carried to the credit of the fund—

(*a*) all annual contributions paid to the Society in pursuance of paragraph 2 of this Schedule;

(*b*) all interest, dividends and other income and accretions of capital arising from the investment of the fund or any part thereof;

(*c*) the proceeds of any realisation of any investments of the fund;

(*d*) all moneys borrowed for the purposes of the fund;

(*e*) all sums received by the Society under any insurance effected by the Society under paragraph 5 of this Schedule;

(*f*) all sums received by the Society under subsection (4) of section thirty-two of this Act; and

(*g*) any other moneys which may belong or accrue to the fund or be received by the Society in respect thereof.

7. All moneys from time to time forming part of the fund and all investments of the fund shall be applicable—

(*a*) for payment of any costs, charges and expenses of establishing, maintaining, administering and applying the fund;

(*b*) for payment of any premiums on insurances effected by the Society under paragraph 5 of this Schedule;

(*c*) for repayment of any moneys borrowed by the Society for the purposes of the fund and for payment of interest on any moneys so borrowed;

(*d*) for payment of any grants which the Society may make under section thirty-two of this Act;

(*e*) for payment of all costs, charges and expenses incurred by the Society by virtue of subsection (1) of section thirty-one of this Act; and

(*f*) for payment of any other sums properly payable out of the fund by virtue of the said section thirty-two or this Schedule.

THIRD SCHEDULE

Section 88.

ENACTMENTS REPEALED

Session and Chapter	Short Title	Extent of Repeal
15 & 16 Geo. 5. c. 49.	The Supreme Court of Judicature (Consolidation) Act, 1925.	Subsection (1) of section two hundred and fifteen.
22 & 23 Geo. 5. c. 37.	The Solicitors Act, 1932 ...	The whole Act.
23 & 24 Geo. 5. c. 24.	The Solicitors Act, 1933 ...	The whole Act.
24 & 25 Geo. 5. c. 45.	The Solicitors Act, 1934 ...	In section one, subsection (1), in subsection (2) the words from " in sections forty-five " to " 1932 and ", and subsection (3); in section two, in subsection (1) the words from " as it applies to England " to " to Scotland " and subsection (2).
24 & 25 Geo. 5. c. 53.	The County Courts Act, 1934.	Section one hundred and eighty-two from " and a " onwards; and section one hundred and eighty-four.
26 Geo. 5. & 1 Edw. 8. c. 35.	The Solicitors Act, 1936 ...	The whole Act except section fourteen.
2 & 3 Geo. 6. c. 110.	The Solicitors (Disciplinary Committee) Act, 1939.	The whole Act.
4 & 5 Geo. 6. c. 46.	The Solicitors Act, 1941 ...	The whole Act.
12, 13 & 14 Geo. 6. c. 21.	The Solicitors, Public Notaries, &c., Act, 1949.	Subsections (2) and (4) of section one and the First Schedule.
12, 13 & 14 Geo. 6. c. 101.	The Justices of the Peace Act, 1949.	Section seven.
14 & 15 Geo. 6. c. 6.	The Solicitors Act, 1950 ...	The whole Act.
4 & 5 Eliz. 2. c. 8.	The County Courts Act, 1955.	Sub-paragraph (*e*) of paragraph 1 of the First Schedule.
4 & 5 Eliz. 2. c. 41.	The Solicitors (Amendment) Act, 1956.	The whole Act except subsection (4) of section two and paragraph 5 of the First Schedule.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Leases Act, 1845	8 & 9 Vict. c. 124.
Supreme Court of Judicature Act, 1873 ...	36 & 37 Vict. c. 66.
Interpretation Act, 1889	52 & 53 Vict. c. 63.
Lunacy Act, 1890	53 & 54 Vict. c. 5.
Foreign Jurisdiction Act, 1890	53 & 54 Vict. c. 37.
Colonial Solicitors Act, 1900	63 & 64 Vict. c. 14.
Justices of the Peace Act, 1906	6 Edw. 7. c. 16.
Foreign Jurisdiction Act, 1913	3 & 4 Geo. 5. c. 16.
Bankruptcy Act, 1914	4 & 5 Geo. 5. c. 59.
Law of Property Act, 1922	12 & 13 Geo. 5. c. 16.
Land Registration Act, 1925	15 & 16 Geo. 5. c. 21.
Supreme Court of Judicature (Consolidation) Act, 1925	15 & 16 Geo. 5. c. 49.
Rating and Valuation Act, 1925	15 & 16 Geo. 5. c. 90.
Solicitors Act, 1932	22 & 23 Geo. 5. c. 37.
Solicitors (Scotland) Act, 1933	23 & 24 Geo. 5. c. 21.
Local Government Act, 1933	23 & 24 Geo. 5. c. 51.
County Courts Act, 1934	24 & 25 Geo. 5. c. 53.
Solicitors Act, 1941	4 & 5 Geo. 6. c. 46.
Statutory Instruments Act, 1946	9 & 10 Geo. 6. c. 36.
Borrowing (Control and Guarantees) Act, 1946	9 & 10 Geo. 6. c. 58.
Criminal Justice Act, 1948	11 & 12 Geo. 6. c. 58.
Legal Aid and Advice Act, 1949	12, 13 & 14 Geo. 6. c. 51.
Patents Act, 1949	12, 13 & 14 Geo. 6. c. 87.
Justices of the Peace Act, 1949	12, 13 & 14 Geo. 6. c. 101.
Arbitration Act, 1950	14 Geo, 6. c. 27.
Costs in Criminal Cases Act, 1952	15 & 16 Geo. 6. & 1 Eliz. 2. c. 48.
Magistrates' Courts Act, 1952	15 & 16 Geo. 6. & 1 Eliz. 2. c. 55.
Solicitors (Amendment) Act, 1956	4 & 5 Eliz. 2. c. 41.

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