

Solicitors (Keeping of the Roll) Regulations 1999

1. Authority and date

These regulations, dated 22nd January 1999, are made under section 28 of the Solicitors Act 1974 by the Master of the Rolls with the concurrence of the Lord Chancellor and the Lord Chief Justice.

2. Commencement and repeal

As from 1st February 1999 these regulations replace the Solicitors (Keeping of the Roll) Regulations 1989.

3. Address for correspondence

When the Society writes to any person under these regulations it shall write to the solicitor's last notified address.

4. Annual enquiry

The Society shall once a year ask every solicitor without a practising certificate whether the solicitor wishes his or her name to remain on the roll.

5. Removal from the roll

The Society may remove from the roll the name of any solicitor who:

- a) replies, following an enquiry under regulation 4, that he or she does not wish to remain on the roll; or
- b) fails to reply within eight weeks to an enquiry under regulation 4; or
- c) fails, within eight weeks of an enquiry under regulation 4, to pay the fee prescribed by regulation 13(a) for remaining on the roll; or
- d) applies to have his or her name removed from the roll; or
- e) has died.

6. Application for restoration to the roll

- a) A person whose name has been removed from the roll may apply to the Society for his or her name to be restored to the roll.
- b) This regulation does not apply if:
 - i) the Solicitors Disciplinary Tribunal has made an order prohibiting the restoration of the person's name to the roll except by order of the Tribunal; or
 - ii) the person's name has been struck off the roll.

7. Application for change of name on the roll

A solicitor whose name has changed may apply to the Society to change his or her name on the roll.

8. Outstanding complaints

The Society may refuse to remove from or restore to the roll the name of a solicitor or former solicitor against whom there is an outstanding complaint.

9. Disciplinary proceedings

The Society shall not remove from or restore to the roll the name of any solicitor or former solicitor against whom disciplinary proceedings are pending before the Supreme Court or Tribunal.

10. Notice of intention to remove name

Where regulation 5(b) or (c) applies, the Society shall not remove a solicitor's name from the roll until it has notified the solicitor in writing that it intends to remove his or her name.

11. Letter of confirmation or notice of refusal

The Society shall write to a solicitor or former solicitor:

- a) confirming that his or her name on the roll has been removed from, restored to or changed on the roll; or
- b) giving notice that the Society has refused to remove from, restore to or change his or her name on the roll.

12. Forms

The Society may prescribe forms for replies or applications to the Society and in the case of an application under regulation 7 may require such evidence as it sees fit.

13. Fees

- a) Subject to paragraph (b) any reply, following an enquiry under regulation 4, that a solicitor wishes to remain on the roll must be accompanied by a fee of £20.
- b) No fee is payable under regulation 4 by any solicitor whose name has been on the roll for 50 years or more or for such shorter period as the Society may from time to time prescribe.
- c) Any application under regulation 6 for restoration of a person's name to the roll shall be accompanied by such fee as the Society may from time to time prescribe.

14. Appeals

- a) Any person who is aggrieved because:
 - i) the Society has removed his or her name from the roll; or
 - ii) the Society refused to remove his or her name from the roll; or
 - iii) the Society refused to change his or her name on the roll may appeal to the Master of the Rolls under this regulation.
- b) Any person aggrieved by the Society's refusal to restore his or her name to the roll under regulation 6 may appeal to the Master of the Rolls under section 8(4) of the Solicitors Act 1974.
- c) The procedure for any appeal is governed by the Master of the Rolls (Appeals and Applications) Regulations 2001, which state that an appeal must be made within four weeks of the Society writing to confirm the removal or to give notice of the refusal.