

<p>Passport size photograph</p> <p>Attach here</p>	<p style="text-align: center;">THE LAW SOCIETY OF SCOTLAND</p> <p style="text-align: center;">APPLICATION FOR A CERTIFICATE OF ELIGIBILITY FROM AN OVERSEAS LAWYER</p> <p style="text-align: center;">to requalify as a Solicitor in Scotland</p> <p>Attached are explanatory notes which are <u>essential</u> to the completion of this form. Failure to answer any of the questions or to enclose any of the required documentation will lead to the form being sent back and could delay the commencement of your application.</p>
<p>Section 1 IMPORTANT</p> <p>Any change of address must be notified to the Education, Training & Qualifications department of the Society</p>  <p>Unless a formal change of name declaration or marriage certificate is enclosed, the name given on your birth certificate will be used on all documents. <u>Read explanatory note 1</u></p>	<p>Title: Mr/Mrs/Miss/Ms/Dr or other:</p> <p>Surname:</p> <p>Forenames:</p> <p>Address: (All correspondence will be sent to this address)</p> <p>Post Code:</p> <p>Email address:</p> <p>Telephone number:</p> <p>Date of birth: (enclose copy of birth certificate or abbreviated birth certificate)</p> <p>Maiden name (if applicable):</p> <p>Date of marriage: (if applicable) (enclose copy of marriage certificate)</p> <p>Have you been known by a name or names other than those detailed above?</p> <p>Yes No (circle the relevant answer)</p> <p>If "yes" please provide details (on a separate sheet of paper)</p>

<p>Section 2 IMPORTANT Read <u>explanatory</u> <u>note 2</u> and read <u>paragraph A</u> in the separate guidance notes regarding assessment of whether an infrant is a fit and proper person to be a solicitor</p>	<p>Have you ever been principal in a business that has been granted a Trust Deed, been declared insolvent or had a judicial factor appointed?</p> <p>Yes No (circle the relevant answer)</p> <p>If “yes” please provide (on a separate sheet of paper) details of the circumstances leading to this and a report from the Trustee.</p>
<p>Section 3 IMPORTANT Read <u>explanatory</u> <u>note 3</u> and Read <u>paragraph C</u> of the separate guidance notes regarding assessment of whether an infrant is a fit and proper person to be a solicitor</p>	<p>Have you ever been convicted of any criminal offence? (This includes all convictions whether “spent or otherwise”).</p> <p>Yes No (circle the relevant answer)</p> <p>If “yes” please provide (on a separate sheet of paper) details of the offence, the circumstances leading to this, whether anyone else was involved, whether you pled guilty or not guilty, whether you were represented in court.</p> <p>Note: Whether or not you have declared a conviction above you must complete the enclosed Disclosure Scotland application and send it with this form to the Society.</p>
<p>Section 4 IMPORTANT Read page 1 of the separate guidance notes regarding assessment of whether an infrant is a fit and proper person to be a solicitor, with particular reference to “lack of probity”</p>	<p>Are there any proceedings currently pending against you in respect of criminal charges or bankruptcy?</p> <p>Yes No (circle the relevant answer)</p> <p>If “yes” please provide (on a separate sheet of paper) details of the circumstances leading to this.</p>

<p>Section 5</p>	<p>Have you ever had a disqualification order made against you under the Company Directors Disqualification Act 1986?</p> <p>Yes No (circle the relevant answer)</p> <p>If “yes” please provide (on a separate sheet of paper) details of the circumstances leading to this.</p>
<p>Section 6</p>	<p>Have you ever been suspended, disqualified or had disciplinary action imposed on you by any professional or educational body, other than a school?</p> <p>Yes No (circle the relevant answer)</p> <p>If “yes” please provide (on a separate sheet of paper) details of the circumstances leading to this.</p>
<p>Section 7</p>	<p>Have you ever been denied or had revoked any license or permit, the procurement of which required proof of good character?</p> <p>Yes No (circle the relevant answer)</p> <p>If “yes” please provide (on a separate sheet of paper) details of the circumstances leading to this.</p>
<p>Section 8</p>	<p>Have you ever previously applied to the Law Society of Scotland for a Certificate of Eligibility to requalify as a solicitor in Scotland?</p> <p>Yes No (circle the relevant answer)</p> <p>If “yes” please provide details (on a separate sheet of paper).</p>
<p>Section 9</p>	<p>Having read the separate guidance notes regarding assessment of whether an inrant is a fit and proper person to be a solicitor is there any other information, not already disclosed on this form, which might be relevant to assist the Society in assessing your suitability to be a solicitor in Scotland?</p> <p>Yes No (circle the relevant answer)</p> <p>If “yes” please provide details (on a separate sheet of paper).</p>

IMPORTANT

If you have answered “Yes” to any of questions 2 to 9, please provide full details on a separate page.

**Section 10
IMPORTANT
Read
explanatory
note 6**

Name, email address and **occupation** of 2 referees who will be asked by the Society to provide character references.

Referee One	Referee Two
Name:	Name:
Occupation:	Occupation:
Email:	Email:
Postal address (if no email):	Postal address (if no email):
Post Code:.....	Post code:

Section 11

Checklist of required supporting documentation

- Cheque for £400 (payable to *The Law Society of Scotland*)
- Paying by card? Please tick this box;*
- Certificate of Good Standing (Original document)
- Copy birth certificate or abbreviated birth certificate
- Name declaration if applicable (see explanatory note 1)
- Passport size photograph
- Copy of an up-to-date Curriculum Vitae
- Details if you have answered “yes” to **any** of questions 3 to 10
- Application for standard Disclosure and cheque for £25 payable to *The Law Society of Scotland*
- Copy identification to accompany Disclosure Scotland as listed in section E13 of the form

Section 12

DECLARATION

I.....(Print name of applicant) solemnly declare that all information provided by me in this application or supplemental thereto, and in the documents furnished in connection with this application, is true, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath or on affirmation.

DATA PROTECTION ACT 1998 (DPA)

*The Society uses the information you provide in this form to fulfil its statutory duty to assess whether you are a fit and proper person to be a solicitor in Scotland. The information you provide will form part of your permanent record in the Society. In order to carry out its statutory function of regulating the profession, the Society may in the future use the information you provide, or may share it with other persons who carry out a regulatory function. **By signing this form you expressly consent to the Society processing in this way the information you provide.** For the purpose of the DPA, the Society is the data controller, and all data protection queries should be addressed to: The Data Protection Office, The Law Society of Scotland, Atria One, 144 Morrison Street, Edinburgh, EH3 8EX.*

Applicant's signature:.....Date.....

This declaration was signed by the above named applicant before me:

.....
.....(Print name and address of witness)

On.....(Date)

Signature of witness.....(Witness)

Please return this form to:
Marty Robinson
Education, Training & Qualifications Department
The Law Society of Scotland
Atria One, 144 Morrison Street
Edinburgh
EH3 8EX

NOTE: FAILURE TO ENCLOSE ANY OF THE REQUIRED DOCUMENTATION WILL RESULT IN THE WHOLE APPLICATION AND SUPPORTING DOCUMENTATION BEING RETURNED TO YOU. THE PROCESSING OF YOUR APPLICATION WILL COMMENCE ONLY AFTER THE APPLICATION FORM (FULLY COMPLETED), TOGETHER WITH ALL THE REQUIRED SUPPORTING DOCUMENTATION, IS RECEIVED BY THE SOCIETY.

THE LAW SOCIETY OF SCOTLAND

EXPLANATORY NOTES
TO BE READ BEFORE COMPLETING APPLICATION FORM FOR A
CERTIFICATE OF ELIGIBILITY
FROM AN
OVERSEAS LAWYER
to requalify as a Solicitor in Scotland

1. NAME DECLARATION (*Section 1*)

Details of any other name by which you are known or by which you have been known should be included in the space provided on the form. An explanation should be included on a separate piece of paper and sent attached to the application form.

Unless a formal change of name declaration is enclosed the name given on your birth certificate will be used on all documents. The Society can supply a style of formal name change document if requested.

2. BANKRUPTCY/INSOLVENCY/TRUST DEED (*Section 2*)

READ THE SEPARATE GUIDANCE NOTE FOR APPLICANTS WHICH EXPLAINS THE CRITERIA APPLIED BY THE COUNCIL OF THE LAW SOCIETY OF SCOTLAND IN CONSIDERING WHETHER AN INTRANT IS A FIT AND PROPER PERSON TO BE A SOLICITOR IN SCOTLAND. (The Introduction and Section A address bankruptcy/insolvency/trust deeds.)

3. CONVICTIONS (*Section 3*)

READ THE SEPARATE GUIDANCE NOTE FOR APPLICANTS WHICH EXPLAINS THE CRITERIA APPLIED BY THE COUNCIL OF THE LAW SOCIETY OF SCOTLAND IN CONSIDERING WHETHER AN INTRANT IS A FIT AND PROPER PERSON TO BE A SOLICITOR IN SCOTLAND. (The Introduction and Section C address convictions.)

DISCLOSURE SCOTLAND APPLICATION

In addition to the declaration on the application form the Society requires each application for a Certificate of Eligibility from an Overseas Solicitor to requalify as a Solicitor in Scotland to complete a Disclosure Scotland application form. **Please contact the Education, Training & Qualifications department for a Disclosure Scotland application form.**

Before any applicant is granted a Certificate of Eligibility, the Council of the Society may make whatever enquiries it considers appropriate and, in granting the application, the Council may impose whatever conditions it considers appropriate or a requirement that the applicant must disclose the nature of any offence to such employer. Any such condition will be made known to the applicant and failure to abide by any such condition will again be a disciplinary offence.

Where an applicant is called for interview in connection with such enquiries, the applicant shall be given the opportunity to be accompanied or represented, if he or she so wishes.

4. REFEREES (*Section 10*)

The referees should be professionals and who should have known you for a minimum of five years. Referees must not be near relatives or members of your employing firm or organisation.

5. SUPPORTING DOCUMENTATION (*complete check list section 11*)

Please send the undernoted supporting documentation with your application.

Cheque for £400 (payable to *The Law Society of Scotland*)

Certificate of Good Standing (**Original document**)

Copy birth certificate or abbreviated birth certificate

Name declaration if applicable (See guidance note 1)

Passport size photograph

Copy of an up-to-date Curriculum Vitae

Details if you have answered "yes" to any of questions 3 to 10

NOTE: FAILURE TO ENCLOSE ANY OF THE REQUIRED DOCUMENTATION WILL RESULT IN THE WHOLE APPLICATION AND SUPPORTING DOCUMENTATION BEING RETURNED TO YOU. THE PROCESSING OF YOUR APPLICATION WILL COMMENCE ONLY AFTER THE APPLICATION FORM (FULLY COMPLETED), TOGETHER WITH ALL THE REQUIRED SUPPORTING DOCUMENTATION, IS RECEIVED BY THE SOCIETY.

6. DECLARATION

Section 12 must be completed and witnessed.

Note: Failure to complete the form truthfully and/or correctly may be regarded as a fraudulent statement and will be taken into consideration in relation to the application and could result in disciplinary action.

NOTE:- It is your responsibility to confirm that your application has been received by the Society. Sending it by recorded delivery is advised but not mandatory. If you do not receive acknowledgement from the Society within 3 weeks please get in touch.

GDPR, Data Protection Act 2018. For information about how we use your personal data see our [privacy policy](http://www.lawscot.org.uk) at www.lawscot.org.uk