
STATUTORY INSTRUMENTS

1976 No. 582

Solicitors (Northern Ireland) Order 1976

PART III

PROFESSIONAL PRACTICE, CONDUCT AND DISCIPLINE

Disciplinary proceedings before the Disciplinary Committee

Effect, notice and recording of orders of Disciplinary Committee

52.—(1) [^{F1}An order made by the Tribunal on an inquiry] shall contain a statement of their findings and shall be signed by at least two of their members and filed with the registrar but the Committee may in any case in which it appears to them to be desirable so to do, make an order not prefaced by a statement of the findings relative to the facts of the case, and in such case a statement of their findings shall be signed by the chairman or secretary of the Committee and shall, if the order is one required to be lodged with the Registrar of the [^{F2}Court of Judicature] under paragraph (2) or paragraph (3) be lodged with such Registrar together with the order.

(2) [^{F1}Where the Tribunal make an order—

- (a) under Article 51(1)(b) imposing a fine on a solicitor;
- (b) under Article 51(1)(j), (k) or (l);
- (c) under Article 51(3); or
- (d) under Article 51A(2),]

, the registrar, if so required in writing by the Society or by any other party in whose favour the order was so made, shall lodge a duly authenticated copy of the order with the Registrar of the [^{F3}Court of Judicature], who shall forthwith cause such copy to be filed; and thereupon the order shall be of the like effect as a judgment of the High Court and enforceable accordingly.

(3) Where the [^{F1} Tribunal] make an order suspending a solicitor from practice or removing from or striking off the roll the name of a solicitor, the registrar shall forthwith—

- (a) lodge a duly authenticated copy of the order with the Registrar of the [^{F4}Court of Judicature]; and
- (b) cause to be published in the Belfast Gazette, and in such other manner as the [^{F1} Tribunal] may direct, a notice stating the effect of the order,^{F1} . . .

(4) The registrar shall maintain separate files on which all orders made by the [^{F1} Tribunal] shall be entered in the following manner—

- (a) on a file to be termed File A, there shall be entered, in alphabetical order against the names of the solicitors concerned, each order directing that the name of a solicitor is to be removed from or struck off the roll, or that a solicitor is to be suspended from practice;
- (b) on a file to be termed File B, there shall be entered, in chronological order, all other orders.

Status: Point in time view as at 01/10/2009.

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(5) Where an order of the^{F1} Tribunal] includes provision for any of the matters mentioned in^{F1} Article 51(1)(c) or (e) or (4)], the registrar shall enter a note of the effect of that order on the roll against the name of the solicitor with respect to whom the application or complaint was made.

(6) On receipt under^{F1} Article 53(5)] of a copy of an order the registrar shall enter the order as if it were an order of the^{F1} Tribunal].

(7) The registrar shall, on payment of such fee (if any) as may be prescribed, furnish a copy of an entry on File A or File B to a person who applies in writing for such a copy.

(8) Notwithstanding the provisions contained in paragraph (7), where—

(a) application is made for a copy of an entry on File B, being an entry under a date which is earlier than two years before the date of such application; or

(b) application is made for a copy of an entry on File A or File B as respects which the^{F1} Tribunal] have directed the insertion of a note that the furnishing of a copy thereof might cause injustice;

a copy of the entry shall be furnished only—

(i) by permission in writing of the Society; or

(ii) in compliance with an order of a court.

F1 1989 NI 14

F2 Words in art. 52(1) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59(5), 148(1), Sch. 11 para. 6; S.I. 2009/1604, art. 2(d)

F3 Words in art. 52(2) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59(5), 148(1), Sch. 11 para. 6; S.I. 2009/1604, art. 2(d)

F4 Words in art. 52(3)(a) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59(5), 148(1), Sch. 11 para. 6; S.I. 2009/1604, art. 2(d)

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