
STATUTORY INSTRUMENTS

1976 No. 582

Solicitors (Northern Ireland) Order 1976

PART III

PROFESSIONAL PRACTICE, CONDUCT AND DISCIPLINE

Control of solicitors' property in certain cases

Extension of Bankruptcy Acts, etc.

Para. (1) rep. by 1980 NI 4

Para. (2) rep. by 1989 NI 19

(3) Where—

- (a) a solicitor is adjudicated a bankrupt [^{F1}or is the subject of a bankruptcy restrictions order][^{F2}or a debt relief order has been made in respect of him or he is the subject of a debt relief restrictions order][^{F3}, or a composition or scheme proposed by the solicitor has been approved under Chapter 2 of Part 8 of the Insolvency (Northern Ireland) Order 1989 or the solicitor dies] insolvent, and
- (b) the sum at the credit of the client account kept by the solicitor at a bank [^{F4} or building society] in accordance with regulations made under Article 33, or, where two or more such accounts are kept by the solicitor, the total of the sums at the credit of those accounts, is less than the total of the sums received by the solicitor in the course of his practice on behalf of his clients and remaining due by him to them,

then, notwithstanding any rule of law to the contrary, the sum at the credit of the client account, or where the solicitor has kept two or more client accounts the total of the sums at the credit of those accounts, shall be divisible proportionately amongst the clients of the solicitor according to the respective sums received by the solicitor in the course of his practice on behalf of his clients and remaining due by him to them.

(4) For the purposes of this Article no account shall be taken—

- (a) of any account at a bank [^{F4} or building society] kept by the solicitor in his own name for a specified client,
- (b) of sums received by the solicitor in the course of his practice on behalf of that client and remaining due by him to the client so far as represented by the sum in the ^{F4} . . . account in the name of the solicitor for the client,
- (c) of any account at a bank [^{F4} or building society] kept by the solicitor in his own name for money of any [^{F4} controlled trust, or]
- (d) of sums received by the solicitor in the course of his practice on behalf of that trust and remaining due by him to the trust so far as represented by the sum in the ^{F4} . . . account in the name of the solicitor for the trust.

Para. (5) rep. by 1989 NI 19

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to Solicitors (Northern Ireland) Order 1976. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(6) For the purposes of this Article any reference to an account at a bank shall include a reference to a deposit receipt at a bank.

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|-----------|---|
| F1 | Words in art. 41(3)(a) inserted (21.4.2015) by The Insolvency (Northern Ireland) Order 2005 (Consequential Amendments) Order (Northern Ireland) 2015 (S.R. 2015/159) , art. 1, Sch. para. 5(9) |
| F2 | Words in art. 41(3)(a) inserted (7.3.2016) by The Debt Relief Act (Northern Ireland) 2010 (Consequential Amendments) Order (Northern Ireland) 2016 (S.R. 2016/108) , art. 1, Sch. para. 7(11) |
| F3 | Words in art. 41(3)(a) substituted (1.4.2016) by Insolvency (Amendment) Act (Northern Ireland) 2016 (c. 2) , s. 28(2), Sch. 3 para. 3 ; S.R. 2016/203, art. 2 |
| F4 | 1989 NI 14 |

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 6(1A) inserted by [2011 c. 24 \(N.I.\) s. 88\(2\)](#)
- art. 10(2D) inserted by [2011 c. 24 \(N.I.\) s. 88\(4\)](#)
- art. 51(11A) inserted by [2016 c. 14 \(N.I.\) s. 3\(4\)](#)
- art. 71H(3) revoked by [1996 c. 23 s. 107\(2\)Sch.4](#)
- art. 75(1A) inserted by [2016 c. 14 \(N.I.\) s. 3\(6\)](#)
- art. 75(2A)(2B) inserted by [2011 c. 24 \(N.I.\) s. 90\(1\)](#)