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STATUTORY INSTRUMENTS

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**1976 No. 582**

**Solicitors (Northern Ireland) Order 1976**

**PART III**

**PROFESSIONAL PRACTICE, CONDUCT AND DISCIPLINE**

*Lay observers*

**Lay observers**

**42.**—(1) The Head of the Department of Finance may, after consultation with the Lord Chief Justice, appoint one or more persons (in this Article referred to as “lay observers”)

[<sup>F1</sup>(a)] to report to the Lord Chief Justice, the Head of that Department and the Council on the nature of complaints being made to the Society about the conduct of solicitors and the manner in which the complaints are being dealt with by the Society.[<sup>F1</sup> and]

[<sup>F1</sup>(b) examine any written allegation made by or on behalf of a member of the public concerning the Society's treatment of a complaint about a solicitor or an employee of a solicitor made to the Society by that member of the public or on his behalf.]

(2) No solicitor or member of the Bar of Northern Ireland shall be appointed a lay observer.

(3) A lay observer shall hold and vacate office in accordance with the terms of his appointment.

(4) The Head of the Department of Finance may, after consultation with the Lord Chief Justice and the Council, give general directions to lay observers about the scope and discharge of their functions.

(5) The Council shall consider any report which they receive from a lay observer and shall notify him of any action which has been taken in consequence.

[<sup>F1</sup>(5A) Where it appears to a lay observer, in examining any such allegation as is mentioned in paragraph (1)(b)—

(a) that there arises out of the complaint in respect of which the allegation has been made both—

(i) a question as to the professional conduct of a solicitor, and

(ii) a question as to the quality of any professional services provided by him; and

(b) that it would be appropriate for the latter question to be considered by the Tribunal with a view to determining whether to exercise any of its powers under Article 51A in relation to the solicitor,

the lay observer may make an application to the Tribunal with respect to the solicitor.]

(6) The Department of Finance shall pay to lay observers such remuneration and other allowances (if any) as that Department may determine.

*Para.(7) amends sch.1 to 1975 c.25*

[<sup>F1</sup>(8) The Head of the Department of Finance and Personnel shall lay a copy of any report made by a lay observer before the Assembly.]

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**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](#)

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**F1** 1989 NI 14

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**Changes and effects yet to be applied to :**

- [art. 42](#) repealed by [2016 c. 14 \(N.I.\) s. 9\(2\)Sch. 5](#)

**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\(1\)](#)