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STATUTORY INSTRUMENTS

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**1976 No. 582**

**Solicitors (Northern Ireland) Order 1976**

**PART IV**

**THE COMPENSATION FUND AND PROFESSIONAL INDEMNITY**

**Provisions as to grants in case of loss or hardship**

**58.**—(1) The following provisions of this Article shall have effect in relation to grants under Article 56 or 57—

- (a) the Society shall not make a grant unless the Council are satisfied that the solicitor in respect of whose act or default or in respect of whose<sup>[F1]</sup> employee's] act or default the application is made (unless he is dead or it is impracticable to give notice to him) has been given sufficient notice of the substance of the application and has not given, either to the applicant or to the Society, such explanation as satisfies the Council that no grant should be made;
- (b) the fact that the applicant is himself a solicitor or the<sup>[F1]</sup> employee] of a solicitor shall not disqualify him from receiving a grant;
- (c) the Society shall, to the extent of the amount of the grant, be subrogated to any rights and remedies of the person to whom it is made in relation to the act or default in respect of which it is made and such person shall not be entitled, whether by way of bankruptcy or other legal proceedings or otherwise, to receive any sum out of the assets of the solicitor,<sup>[F1]</sup> or employee] in respect of that act or default until the Society have been reimbursed the full amount of the grant;
- (d) the fact that a person has received or may be likely to receive a grant from the Society shall not constitute any defence to an action brought by such person in respect of the act or default in relation to which such grant has been or may be made and the Society shall be entitled (whether before or after payment of the grant) upon giving to such person a sufficient indemnity against costs to require him to sue in his own name but on behalf of the Society for the purpose of giving effect to any rights conferred on the Society by subparagraph ( c) and to permit the Society to have the conduct of the proceedings.

(2) In this Article references to the person to whom a grant has been made, or to any solicitor,<sup>[F1]</sup> or employee] in respect of whose act or default a grant has been made, shall include in the event of his death, bankruptcy or other disability, references to his personal representative or to any other person having authority to administer his estate.

**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.

[View outstanding changes](#)

**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\(1\)](#)