
STATUTORY INSTRUMENTS

1976 No. 582

Solicitors (Northern Ireland) Order 1976

PART IV

THE COMPENSATION FUND AND PROFESSIONAL INDEMNITY

Professional indemnity

63.—(1) The Council may by regulations (in this Order referred to as “indemnity regulations”) make provision for indemnity against claims in respect of any description of civil liability incurred—

- (a) by a solicitor or former solicitor in connection with his practice or with any trust of which he is or was a trustee;
 - (b) by an^[F1] employee or former employee] of a solicitor or former solicitor in connection with that solicitor's practice or with any trust of which that solicitor or the^[F1] employee] is or was a trustee.
- (2) Indemnity regulations may—
- (a) authorise or require the Society to establish and maintain an indemnity fund or funds;
 - (b) authorise or require the Society to take out and maintain indemnity insurance with authorised insurers;
 - (c) require solicitors to take out and maintain indemnity insurance with authorised insurers.
- (3) Without prejudice to the generality of paragraphs (1) and (2), indemnity regulations may—
- (a) specify the terms and conditions on which indemnity is to be available, and any circumstances in which the right to it is to be excluded or modified;
 - (b) provide for the management, administration and protection of any fund maintained under paragraph (2)(a) and require solicitors to make payments to any such fund;
 - (c) require solicitors to make payments by way of premium on any insurance policy maintained by the Society under paragraph (2)(b);
 - (d) prescribe the conditions which an insurance policy must satisfy for the purposes of paragraph (2)(c);
 - (e) authorise the Society to determine the amount of any payments required by the regulations subject to such limits, or in accordance with such provisions, as may be prescribed by the regulations;
 - (f) specify circumstances in which, where a solicitor for whom indemnity is provided has failed to comply with the regulations, the Society or insurers may take proceedings against him in respect of sums paid by way of indemnity in connection with a matter in relation to which he has failed to comply;
 - (g) specify circumstances in which solicitors are exempt from the regulations;
 - (h) empower the Council to take such steps as they consider necessary or expedient to ascertain whether or not the regulations are being complied with; and

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(i) contain incidental, procedural or supplementary provisions.

(4) If any solicitor fails to comply with indemnity regulations, any person may make a complaint in respect of that failure to the^{F1} Tribunal].

(5) The Society may, without prejudice to any of their other powers, carry into effect any arrangements which they consider necessary or expedient for the purpose of providing indemnity under this Article.

F1 [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\(1\)](#)