



2016 CHAPTER 14

PART 3

COMPLAINTS AGAINST SOLICITORS

Information

PROSPECTIVE

Enforcement of requirements to provide information or produce documents

43.—(1) This section applies where the Solicitors Complaints Committee is of the opinion that a person (“the defaulter”) has failed to comply with a requirement imposed under section 41.

(2) The Committee may certify the defaulter's failure to comply with the requirement to the court.

(3) Where the Committee certifies a failure to the court under subsection (2), the court may enquire into the case.

(4) If the court is satisfied that the defaulter has failed without reasonable excuse to comply with the requirement, it may deal with—

- (a) the defaulter; and
- (b) in the case of a recognised body, any officer of the body,

as if that person were in contempt.

(5) Subsection (6) applies where the defaulter is a solicitor.

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Legal Complaints and Regulation Act (Northern Ireland) 2016, Section 43. (See end of Document for details)

(6) The Committee may not certify the defaulter's failure to the court until a report by the Committee has been made as required by section 42(2) and the Committee is satisfied—

- (a) that the Law Society has been given a reasonable opportunity to take action in respect of the defaulter's failure; and
- (b) that the defaulter has continued to fail to produce the documents or provide the information to which the requirement under section 41 related.

(7) In this section “the court” means the High Court.

(8) References in subsection (4)(b) to an officer of a recognised body include references to a director, manager or secretary of that body and references to a director, in relation to a limited liability partnership, are references to a member of the limited liability partnership.

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Legal Complaints and Regulation Act (Northern Ireland) 2016, Section 43.