
STATUTORY INSTRUMENTS

1976 No. 582

Solicitors (Northern Ireland) Order 1976

PART II

QUALIFICATION, ADMISSION, PRACTISING CERTIFICATES, ETC.

Qualifications and admission

Qualifications for practising as solicitor

4. A person shall not be qualified to act as a solicitor unless—
- (a) he has been admitted as a solicitor; and
 - (b) his name is on the roll; and
 - (c) he has in force a certificate issued by the registrar in accordance with the provisions of this Part authorising him to practise as a solicitor (in this Order referred to as a “practising certificate”);

F1

F1 1989 NI 14

Admission of solicitors

5.—(1) Subject to paragraph (5), a person shall not, after the commencement of this Article, be admitted as a solicitor unless he has obtained a certificate from the Society that they are satisfied—

- (a) that he has complied with the requirements applicable to him by virtue of regulations made under Article 6, and
- (b) as to his character and his fitness to be a solicitor.

(2) A person who has been refused a certificate under paragraph (1) may, within one month from the date on which notice of such refusal is served on him, appeal, upon notice to the Society, to the Lord Chief Justice against such refusal; and for the purposes of this paragraph a person who has not received a certificate within three weeks after applying for it shall be deemed to have received notice at the expiration of that period that the certificate has been refused.

- (3) On such appeal—
 - (a) the Society may appear and be heard; and
 - (b) the Lord Chief Justice may make such order as he thinks proper, including an order directing the Society to issue the certificate and an order for the payment of costs.

(4) On production of a certificate required by paragraph (1), the Lord Chief Justice shall, unless cause to the contrary is shown to his satisfaction, by writing under his hand and in such form as he thinks fit, admit the person to whom the certificate relates to be a solicitor, and may do so at any time whether or not during a term or sittings of the High Court.

Status: This version of this cross heading contains provisions that are prospective.

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

(5) ^{F2}

F2 Art. 5(5) repealed (1.2.2006) by Law Reform (Miscellaneous Provisions) (Northern Ireland) Order 2005 (S.I. 2005/1452 (N.I. 7)), arts. 1(2), 19(3), 24, Sch. 2; S.R. 2005/494, art. 2(2)(a) (with art. 3)

[^{F3}Regulations as to the education, training, etc., of persons seeking admission or having been admitted as solicitors

6.—(1) The Society may make regulations with respect to the education and training of persons seeking admission or who have been admitted as solicitors and (without prejudice to the generality of the foregoing) such regulations may prescribe—

- (a) the education and training, whether by service under apprenticeship or otherwise, to be undergone by persons seeking admission as solicitors;
- (b) the examinations or other tests to be undergone by persons seeking admission as solicitors;
- (c) the qualifications, experience, conduct, duties and responsibilities of persons seeking admission as solicitors or solicitors providing apprenticeships (including the remuneration payable under such apprenticeships) under the regulations;
- (d) the circumstances in which apprenticeships may be transferred or discharged or education or training of persons seeking admission as solicitors may be abridged, extended or terminated;
- (e) the control and discipline of persons seeking admission as solicitors, including requirements to be imposed in consequence of contraventions of the regulations;
- (f) the circumstances in which a person seeking admission as a solicitor may apply to the Society to waive the application of any provision of the regulations in his case or to review any decision taken by the Society in respect of him for the purposes of the regulations and the procedure for such applications;
- (g) the education, training and examinations or other tests to be undergone by persons who have been admitted as solicitors;
- (h) the charging and application by the Society of fees to be paid by persons undergoing education and training for the purposes of the regulations;
- (i) such transitional and incidental matters as the society think necessary.

(2) Regulations under paragraph (1) may make the opinion, consent or approval of the Lord Chief Justice, or of any examining or other body or authority named in the regulations, or of the Society or the Council or any committee of the Council material for the purposes of any provision of the regulations.

(3) Subject to regulations made under paragraph (1)(f), on an application by a person seeking to be admitted as a solicitor, the Society may—

- (a) waive the application of any provision of regulations under paragraph (1) to that person; or
- (b) review any decision taken by the Society with respect to that person under those regulations.

(4) An applicant aggrieved by a decision of the Society under paragraph (3) may, after giving notice to the Society, appeal to the Lord Chief Justice; and on such appeal—

- (a) the Society may appear and be heard; and
- (b) the Lord Chief Justice may make such order (including an order for the payment of costs) as he thinks proper.]

Status: This version of this cross heading contains provisions that are prospective.

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

F3 1989 NI 14

Registrar

7. The Society shall appoint a person to act as registrar of solicitors and section 18(2) of the Interpretation Act (Northern Ireland) 1954 shall apply to such appointment.

[^{F4}Keeping and custody of the roll

8.—(1) The registrar shall continue to keep the roll in the form of an alphabetical list of all solicitors.

(2) The Society shall have the custody of the roll and of all documents relating thereto.

(3) The roll shall be kept in accordance with the provisions of this Order and of regulations and may be kept by means of a computer.

(4) If the roll is kept by means of a computer, the Society shall make any entry available for inspection in legible form during office hours, without payment, by any person who applies to inspect it.

(5) If the roll is not kept by means of a computer, any person may inspect it during office hours without payment.

(6) The Society, on the application of a solicitor, may cause his name to be removed from the roll.

(7) Regulations under paragraph (3) may—

- (a) provide for the Society, at such intervals as may be specified in the regulations, to enquire of solicitors of any class so specified whether they wish to have their names retained on the roll;
- (b) require solicitors of any such class, at such intervals as aforesaid, to pay to the Society a fee in respect of the retention of their names on the roll of such amount as may be prescribed;
- (c) authorise the Society to remove from the roll the name of any solicitor who—
 - (i) fails to reply to any enquiry made in pursuance of sub#paragraph (a) or to pay any fee payable by virtue of sub#paragraph (b); or
 - (ii) replies to any such enquiry by indicating that he does not wish to have his name retained on the roll; and
- (d) authorise the Society to remove from the roll the name of any solicitor who has died.

F4 1989 NI 14

Entry of name on roll

9.—(1) On production—

- (a) of an admission of any person as a solicitor signed by the Lord Chief Justice; or
- (b) of an order for the replacement on the roll of the name of a person whose name has been struck off it,

and on payment to the Society of such fee as may be prescribed, the registrar shall enter the name of that person on the roll.

(2) The Society, on the application of a former solicitor whose name is not on the roll because it has been removed from it, may cause his name to be entered on the roll on payment by him to the Society of such fee as may be prescribed.]

Status: This version of this cross heading contains provisions that are prospective.

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

F4 1989 NI 14

PROSPECTIVE

[^{F5} Authorisation of Society conferring additional rights of audience

9A.—(1) A person who is qualified to act as a solicitor may apply to the Society for an authorisation under this Article.

(2) An application under paragraph (1)—

- (a) shall be made in such manner as may be prescribed;
- (b) shall be accompanied by such information as the Society may reasonably require for the purpose of determining the application; and
- (c) shall be accompanied by such fee (if any) as may be prescribed.

(3) At any time after receiving the application and before determining it the Society may require the applicant to provide it with further information.

(4) The Society shall grant an authorisation under this Article if it appears to the Society, from the information furnished by the applicant and any other information it may have, that the applicant has complied with the requirements applicable to him by virtue of regulations under Article 6(1A).

(5) An authorisation granted to a person under this Article ceases to have effect if, and for so long as, that person is not qualified to act as a solicitor.

(6) The Society may by regulations provide that any person who has completed such education, training or experience as may be prescribed, before such date as may be prescribed shall be taken to hold an authorisation granted under this Article.]

F5 Art. 9A inserted (prosp.) by Justice Act (Northern Ireland) 2011 (c. 24), ss. 88(3), 111(3) (with s. 106(4))

Status:

This version of this cross heading contains provisions that are prospective.

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\(1\)](#)