

Status: This version of this schedule contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Legal Complaints and Regulation Act (Northern Ireland) 2016, SCHEDULE 4. (See end of Document for details)

PROSPECTIVE

SCHEDULES

SCHEDULE 4

Section 53.

MINOR AND CONSEQUENTIAL AMENDMENTS

The Northern Ireland Assembly Disqualification Act 1975 (c. 25)

1 In Schedule 1, in Part 3, omit the entry relating to the lay observer appointed under Article 42 of the Solicitors (Northern Ireland) Order 1976.

The Solicitors (Northern Ireland) Order 1976 (NI 12)

2.—(1) In Article 3(2) (interpretation), at the appropriate place insert—
 “the Legal Services Oversight Commissioner” means the Legal Services Oversight Commissioner for Northern Ireland;”.

(2) In Article 38(a) (solicitors guilty of undue delay in certain matters), omit the words “or Article 51A”.

(3) Omit Article 41A (power of Council to impose sanctions for inadequate professional services) and the cross-heading immediately preceding that Article.

(4) In Article 41B (power of Society to examine files in connection with complaints), in paragraph (1), for the words from “to the Society” to “the Society may” substitute “ to the Society alleging professional misconduct by a solicitor, the Society may ”.

(5) In Article 46 (procedure on application or complaint against solicitor), in paragraphs (1) and (2), omit the words “or a lay observer”.

(6) In Article 51 (orders of Solicitors Disciplinary Tribunal on inquiry)—

(a) omit paragraph (2);

(b) in paragraph (3)—

(i) for “Article 41A(8)” substitute “ section 38(9) of the Legal Complaints and Regulation Act (Northern Ireland) 2016 ”;

(ii) for “Article 41A” substitute “ that section ”;

(iii) omit the words “or Article 51A”;

(c) in paragraph (6), omit the words “, Article 51A”;

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(d) in paragraph (8), omit the words “, Article 51A”.

(7) Omit Article 51A (power of Tribunal to impose sanctions for inadequate professional services).

(8) In Article 52 (effect, etc., of orders), in paragraph (2), omit sub-paragraph (d) and the word “or” preceding that sub-paragraph.

(9) In Article 73A (committees of the Council), in paragraph (5), omit “41A or”.

(10) In Schedule 1A (recognised bodies)—

(a) in paragraph 1(2)—

(i) for the words from “in relation to” to “include references to” substitute “ in relation to a complaint (other than such a complaint as is mentioned in paragraph 19(1)(a)) include references to ”;

(ii) omit the words “or application”;

(b) in paragraph 14(a) omit the words “or Article 51A”;

(c) omit paragraph 16 and the cross-heading immediately preceding it;

(d) in paragraph 17(1) for the words from “investigating” to “a recognised body” substitute “ investigating any such complaint as is mentioned in head (b), (c) or (d) of paragraph 19(1) ”;

(e) omit paragraph 18 and the cross-heading immediately preceding it;

(f) in paragraph 21 (powers of Tribunal)—

(i) in sub-paragraph (1)(d) for “Article 41A by virtue of paragraph 16” substitute “ section 38 of the Legal Complaints and Regulation Act (Northern Ireland) 2016 ”;

(ii) in sub-paragraph (3) for “paragraph 16(3) relating to a direction given under Article 41A” substitute “ section 38(9) of the Legal Complaints and Regulation Act (Northern Ireland) 2016 relating to a direction given under that section ”;

(iii) in that sub-paragraph omit the words “or paragraph 22”;

(g) omit paragraph 22 (powers of Tribunal in respect of inadequate professional services) and the cross-heading immediately preceding it;

(h) in paragraph 25 (effect, notice and recording of orders of Tribunal), in sub-paragraph (1), omit head (b) and the word “or” immediately preceding it.

The Solicitors (Amendment) (Northern Ireland) Order 1989 (NI 14)

3 In Article 16 (solicitors' discipline), omit paragraph (1).

4 Omit Article 17 (lay observers).

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The Immigration and Asylum Act 1999 (c. 33)

5 In section 86 (designated professional bodies), in subsection (4)(d) for “lay observers appointed under Article 42 of the Solicitors (Northern Ireland) Order 1976” substitute “Legal Services Oversight Commissioner for Northern Ireland”.

6 In Schedule 5 (Immigration Services Commissioner) in paragraph 4(2)(d) for “lay observers appointed under Article 42 of the Solicitors (Northern Ireland) Order 1976” substitute “Legal Services Oversight Commissioner for Northern Ireland”.

The Freedom of Information Act 2000 (c. 36)

7 In Schedule 1 (public bodies and offices: Northern Ireland), in Part 7, omit the entry relating to the Lay Observer for Northern Ireland.

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