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STATUTORY INSTRUMENTS

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**1976 No. 582**

**Solicitors (Northern Ireland) Order 1976**

**PART III**

**PROFESSIONAL PRACTICE, CONDUCT AND DISCIPLINE**

*Disciplinary proceedings before the Disciplinary Committee*

**Powers of<sup>F1</sup> Tribunal] on inquiry being held**

**48.**—(1) Subject to the provisions of paragraph (2) with respect to the exercise of certain of the powers conferred by this paragraph, the<sup>F1</sup> Tribunal] shall, on an inquiry being held by them, have the like powers, rights and privileges as are vested in the High Court in respect of—

- (a) the summoning of witnesses and their examination on oath;
- (b) the requiring of the production of documents; and
- (c) the issuing, subject to rules of court, of a commission or request to examine witnesses out of Northern Ireland;

and a summons signed by a member of the<sup>F1</sup> Tribunal] may be issued and served on any person for the purposes of securing his attendance as a witness at, or the production by him of any document necessary for the purposes of, any such inquiry.

(2) Where any person—

- (a) on being duly summoned as a witness before the<sup>F1</sup> Tribunal] makes default in attending;
- (b) being in attendance as a witness before the<sup>F1</sup> Tribunal] refuses to take an oath lawfully required by the<sup>F1</sup> Tribunal] to be taken, or to produce any document in his power or control lawfully required by the<sup>F1</sup> Tribunal] to be produced by him, or to answer any question to which the<sup>F1</sup> Tribunal] may lawfully require an answer; or
- (c) does any other act which, if the<sup>F1</sup> Tribunal] were a court of law having power to commit for contempt, would be contempt of court;

the<sup>F1</sup> Tribunal] may, by certificate signed by any two members thereof, certify such default, refusal or act (as the case may be) to the High Court, and the High Court may thereupon inquire into the matter so certified and, after hearing any witness who may be produced against or on behalf of the person aforesaid and any statement that may be offered in his defence, may punish or take steps for the punishment of that person in like manner as if he had been guilty of contempt of the High Court.

(3) A witness at an inquiry held by the<sup>F1</sup> Tribunal] shall be entitled to the same immunities and privileges as if he were a witness before the High Court.

**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\(1\)](#)