
STATUTORY INSTRUMENTS

1976 No. 582

Solicitors (Northern Ireland) Order 1976

PART III

PROFESSIONAL PRACTICE, CONDUCT AND DISCIPLINE

Disciplinary proceedings before the Disciplinary Committee

[^{F1}Power of Tribunal in relation to legal aid

51B.—(1) On an inquiry into a complaint made to the Tribunal under Article 44(1) against a solicitor the Tribunal may, whether or not they make any other order on the inquiry,—

- [^{F2}(a) make an order prohibiting the solicitor (either permanently or for a specified period) from providing civil legal services or criminal defence services funded by the Department of Justice;
- (b) order that any costs otherwise payable in connection with such services provided by the solicitor—
 - (i) under Article 17(1) of the Access to Justice (Northern Ireland) Order 2003, or
 - (ii) in accordance with an order made by a court under Article 31(2) of that Order or under Part 3 of the Order of 1981,

shall be reduced or cancelled,]

[^{F3}and the power of the Tribunal under this Article is without prejudice to any powers of the Department of Justice under any regulations made under Article 36 of the Access to Justice (Northern Ireland) Order 2003 or Article 36B of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981.]

(2) The Tribunal shall not make an order under paragraph (1) unless they determine that there is good reason for doing so arising out of—

- [^{F4}(a) the conduct of the solicitor in connection with the provision for any person of civil legal services or criminal defence services funded by the Department of Justice (including the provision of any such services in the capacity of agent for that person's solicitor); or]
- (c) the professional conduct generally of the solicitor.

(3) Where the Tribunal make an order under paragraph (1)(a) in the case of a solicitor who is a member of a firm of solicitors, the Tribunal may, if they think fit, order that any other person who is for the time being a member of the firm [^{F5}shall be prohibited (either permanently or for a specified period) from providing civil legal services or criminal defence services funded by the Department of Justice].

(4) The Tribunal shall not make an order under paragraph (3) [^{F6}prohibiting any person from providing civil legal services or criminal defence services funded by the Department of Justice] unless an opportunity is given to him to show cause why the order should not be made.

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(5) In so far as [^{F7}Article 17 or 31 of the Access to Justice (Northern Ireland) Order 2003] has effect in relation to any costs reduced or cancelled by an order under paragraph (1)(b), it shall so have effect subject to the provisions of that order.

^{F8}(6)]

- F1** 1989 NI 14
- F2** Art. 51B(1)(a)(b) substituted (1.4.2015) by [Access to Justice \(Northern Ireland\) Order 2003 \(S.I. 2003/435\)](#), art. 1(2), **Sch. 4 para. 2(5)(a)** (as amended (18.11.2014) by [Legal Aid and Coroners' Courts Act \(Northern Ireland\) 2014 \(c. 11\)](#), Sch. 2 para 6(43)(b)(ii), (44)(b)); S.R. 2015/194, art. 2, Sch. (with art. 3)
- F3** Words in art. 51B(1) inserted (1.4.2015) by [Access to Justice \(Northern Ireland\) Order 2003 \(S.I. 2003/435\)](#), art. 1(2), **Sch. 4 para. 2(5)(b)** (as amended (18.11.2014) by [Legal Aid and Coroners' Courts Act \(Northern Ireland\) 2014 \(c. 11\)](#), Sch. 2 para 6(43)(b)(ii), (44)(b)); S.R. 2015/194, art. 2, Sch. (with art. 3)
- F4** Art. 51B(2)(a) substituted for art. 51B(2)(a)(b) (1.4.2015) by [Access to Justice \(Northern Ireland\) Order 2003 \(S.I. 2003/435\)](#), art. 1(2), **Sch. 4 para. 2(6)** (as amended (18.11.2014) by [Legal Aid and Coroners' Courts Act \(Northern Ireland\) 2014 \(c. 11\)](#), Sch. 2 para 6(43)(b)(ii)); S.R. 2015/194, art. 2, Sch. (with art. 3)
- F5** Words in art. 51B(3) substituted (1.4.2015) by [Access to Justice \(Northern Ireland\) Order 2003 \(S.I. 2003/435\)](#), art. 1(2), **Sch. 4 para. 2(7)** (as amended (18.11.2014) by [Legal Aid and Coroners' Courts Act \(Northern Ireland\) 2014 \(c. 11\)](#), Sch. 2 para 6(43)(b)(ii)); S.R. 2015/194, art. 2, Sch. (with art. 3)
- F6** Words in art. 51B(4) substituted (1.4.2015) by [Access to Justice \(Northern Ireland\) Order 2003 \(S.I. 2003/435\)](#), art. 1(2), **Sch. 4 para. 2(8)** (as amended (18.11.2014) by [Legal Aid and Coroners' Courts Act \(Northern Ireland\) 2014 \(c. 11\)](#), Sch. 2 para 6(43)(b)(ii)); S.R. 2015/194, art. 2, Sch. (with art. 3)
- F7** Words in art. 51B(5) substituted (1.4.2015) by [Access to Justice \(Northern Ireland\) Order 2003 \(S.I. 2003/435\)](#), art. 1(2), **Sch. 4 para. 2(9)**; S.R. 2015/194, art. 2, Sch. (with art. 3)
- F8** Art. 51B(6) repealed (1.4.2015) by [Access to Justice \(Northern Ireland\) Order 2003 \(S.I. 2003/435\)](#), art. 1(2), **Sch. 5**; S.R. 2015/194, art. 2, Sch. (with art. 3)

Modifications etc. (not altering text)

- C1** Art. 51B(1)(3) applied by 1981 SI228 (N.I. 8) art. 36A(2) (as substituted (1.4.2015) by [Legal Aid and Coroners' Courts Act \(Northern Ireland\) 2014 \(c. 11\)](#), s. 12(1), **Sch. 2 para. 1(5)** (with ss. 2(3), 9, Sch. 1 para. 3(3)); S.R. 2015/193, art. 2(e))

Changes to legislation:

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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\(1\)](#)