

# SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4815 GIBRALTAR Thursday 28th January 2021

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LEGAL NOTICE NO. 96 OF 2021.

## SUPREME COURT ACT

### BARRISTERS AND SOLICITORS (AMENDMENT) RULES 2021

In exercise of the powers conferred on him by section 38 of the Supreme Court Act, the Chief Justice has made the following Rules-

#### **Title.**

1. These Rules may be cited as the Barristers and Solicitors (Amendment) Rules 2021.

#### **Commencement.**

2. These Rules come into operation on the day of publication.

#### **Amendment of the Barristers and Solicitors Rules.**

- 3.(1) Rule 3 of the Barristers and Solicitors Rules is amended in accordance with the provisions of this rule.

- (2) For rule 3(2) to (8) substitute-

“(2) The Admissions and Disciplinary Committee shall consist of the following members—

- (a) the chairman of the LSRA who shall be the chairman of the committee;
  - (b) three Standing Members to be appointed by the Chief Justice following their nomination by the chairman, and who are members of the LSRA (other than the Chief Executive); and
  - (c) no more than 9 Ordinary Members to be appointed by the Chief Justice, following nomination by the chairman.
- (3) Standing and Ordinary members shall hold office for two years and shall be eligible for re-appointment.
  - (4) Standing and Ordinary Members shall be barristers or solicitors of at least 10 years standing.

- (5) If in respect of any particular application or complaint the Chief Justice considers it is undesirable that a Standing or Ordinary Member or members should sit and there are insufficient members to substitute for such member, the Chief Justice may appoint an additional member or members for the purpose of that application or complaint.
  - (6) The Admissions and Disciplinary Committee shall perform its duties in panels of not less than three and no more than seven members.
  - (7) When the chairman is not a member of a panel he shall designate one of its members as chairman to preside over meetings of that panel.
  - (8) The decision of a panel shall be deemed to be a decision of the Admissions and Disciplinary Committee.”.
- (3) After subrule (9) insert-
- “(10) In this rule “LSRA” means the Legal Services Regulatory Authority established by the Legal Services Act 2017.”.

Dated: 28<sup>th</sup> January 2021.

A E DUDLEY,  
Chief Justice.

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### **EXPLANATORY MEMORANDUM**

These Rules amend the Barristers and Solicitors Rules to facilitate the transfer of the functions of the Admissions and Disciplinary Committee to the Legal Services Regulatory Authority in anticipation of the commencement of all sections of the Legal Services Act 2017.