

Government Circular No. 1992/0468



Legal Practitioners Registration Act 1986

LEGAL PRACTITIONERS (GENERAL) REGULATIONS 1992¹

Approved by Tynwald: 17 November 1992
Coming into Operation: 1 January 1993

In exercise of the powers conferred on the Governor by sections 2 and 5 of the Legal Practitioners Registration Act 1986¹, and of all other powers enabling him in that behalf, the following Regulations are hereby made:- .

1 Citation, commencement and revocation

- (1) These Regulations may be cited as the Legal Practitioners (General) Regulations 1992² and, subject to section 5(2) of the Legal Practitioners Registration Act 1986, shall come into operation on 1 January 1993.
- (2) The Legal Practitioners (General) Regulations 1986² are revoked.

2 The Register

In relation to the registration of a legal practitioner, the particulars to be entered in the register shall be —

- (a) full name;
- (b) home address;
- (c) legal qualifications and country or territory of qualification;
- (d) the name and address of the professional organisation by which he is authorised to practise law in that country or territory;
- (e) name and address of any firm of which he is a member, consultant or employee;
- (f) address of his or her firms' permanent establishment in the Island;
- (g) any other business name under which business is carried on by the legal practitioner;
- (h) period of registration.

¹ 1986 c.15

² G.C. 368/86

3 Application for registration

An application for registration as a legal practitioner shall be —

- (a) made in the form contained in the Schedule;
- (b) accompanied by a fee of £50; and
- (c) accompanied by evidence sufficient to show that the applicant satisfies the requirements for registration.

4 Alteration of entries

- (1) When the First Deemster is satisfied that an entry in the register has become incorrect or application is made on behalf of a registered legal practitioner for an entry in the register to be altered, he may direct the Chief Registrar to cause an appropriate correction or alteration to be made.²
- (2) Where a registered legal practitioner ceases to be entitled to be registered he shall forthwith give written notice of that fact to the Chief Registrar.³

5 Removal of entries

The Chief Registrar shall remove from the register a reference to a person —

- (a) who is deceased;
- (b) who has applied to be removed from the register;
- (c) whose registration has been revoked by the First Deemster under section 3(3) of the Legal Practitioners Registration Act 1986 or section 21(4)(d) of the Advocates Act 1976 (as it applies to legal practitioners);⁴
- (d) whose registration is suspended by an order of the First Deemster under section 21(4)(c) of the Advocates Act 1976 (as it applies to legal practitioners).^{5 6}

6 Indemnity insurance

In respect of every registered legal practitioner there shall be taken out and maintained liability insurance of such type and amount as may be approved by the Chief Registrar.⁷

7 Nameplates, advertisements, etc

- (1) It shall be a condition of entitlement to be registered that a legal practitioner shall cause to be affixed outside every office or place in which he carries on business a nameplate with the following particulars mentioned on it in English in legible characters —
 - (a) the professional title and description applicable to that legal practitioner in the country or territory in which he is qualified; and

- (b) the country in which he is qualified.
- (2) All the letter headings of, and advertisements, circulars and other documents issued by, a registered legal practitioner shall have the following particulars mentioned in English in legible characters —
 - (a) the professional title and description applicable to him in the country or territory in which he is qualified;
 - (b) the country in which he is qualified;
 - (c) the address of his or his firms' permanent establishment in the Island.

8 Further conditions for registration

- (1) A person shall not be entitled to be registered as a legal practitioner if he has been adjudged bankrupt or has entered into any scheme or arrangement with his creditors and remains undischarged or, as the case may be, insolvent.
- (2) For the purposes of paragraph (1), a person shall be treated as having been adjudged bankrupt if —
 - (a) he has been adjudged bankrupt by the High Court in the Island; or
 - (b) a court outside the Island has made an order in respect of that person declaring him to be insolvent or having the like effect as an adjudication of bankruptcy.

9 Offences

- (1) Any registered legal practitioner who, without reasonable excuse, fails to comply with regulations 4(2), 6 or 7(2) shall be guilty of an offence and shall be liable to a fine not exceeding £2,000 on summary conviction.

MADE 21 OCTOBER 1992

SCHEDULE

LEGAL PRACTITIONERS REGISTRATION ACT 1986

APPLICATION FOR REGISTRATION

FULL NAME	
HOME ADDRESS	
LEGAL QUALIFICATION ENTITLING APPLICANT TO REGISTER	
COUNTRY OR TERRITORY IN WHICH QUALIFICATION OBTAINED	
NAME AND ADDRESS OF THE PROFESSIONAL ORGANISATION BY WHICH APPLICANT IS AUTHORISED TO PRACTICE LAW IN THAT COUNTRY OR TERRITORY	
PROFESSIONAL TITLE AND DESCRIPTION APPLICABLE TO HIM IN THE COUNTRY OR TERRITORY IN WHICH HE IS QUALIFIED:	
HAS APPLICANT EVER BEEN ADJUDICATED BANKRUPT OR HAD A SIMILAR ORDER MADE AGAINST HIM/HER, OR ENTERED INTO A SCHEME OF ARRANGEMENT WITH CREDITORS – YES/NO* IF ANSWER YES FULL DETAILS MUST ACCOMPANY THIS APPLICATION**:	
HAS APPLICANT EVER BEEN CONVICTED OF A CRIMINAL OFFENCE YES/NO* IF ANSWER YES FULL DETAILS MUST ACCOMPANY THIS APPLICATION**:	
NAME AND ADDRESS OF ANY FIRM OF WHICH THE APPLICANT IS A MEMBER CONSULTANT OR EMPLOYEE**	
ADDRESS OF APPLICANT OR APPLICANT'S FIRM'S PERMANENT ESTABLISHMENT IN THE ISLAND	
ANY OTHER BUSINESS NAMES USED BY THE APPLICANT OR THE APPLICANT'S FIRM**	
COMMENCEMENT OF REGISTRATION	
HAS APPLICANT BEEN REGISTERED BEFORE – YES/NO* IF ANSWER IS YES FULL DETAILS MUST ACCOMPANY THIS APPLICATION**	
APPLICANT'S SIGNATURE:	

* Delete as applicable.

** Continue on a separate sheet if insufficient space on form.

ENDNOTES

Table of Endnote References

¹ The format of this legislation has been changed as provided for under section 75 of, and paragraph 2 of Schedule 1 to, the Legislation Act 2015. The changes have been approved by the Attorney General after consultation with the Clerk of Tynwald as required by section 76 of the Legislation Act 2015.

² Para (1) amended by SD382/99.

³ Para (2) amended by SD382/99.

⁴ Subpara (c) amended by SD382/99.

⁵ Subpara (d) amended by SD382/99.

⁶ Reg 5 amended by SD382/99.

⁷ Reg 6 amended by SD382/99.