

Amended by
Law 7/1934
20/1937
4/1940

NO. 20 OF 1933.

A.D. 1933. A LAW TO CONSOLIDATE AND AMEND THE LAW RELATING
 20 of 1933. TO ADVOCATES.

R. E. STUBBS,
 Governor.

[8th June, 1933.]

BE it enacted:—

Short title. 1. This Law may be cited as the Advocates Law, 1933.

Definitions. 2. In this Law, unless the context otherwise requires—
 “advocate” means a person enrolled as such under
 this Law or any Law previously in force in that behalf.

Deleted “advocate’s clerk” means ~~any person registered as
 such under any law in force in that behalf.~~

“practising as an advocate” means doing any of
 the following things namely: appearing before any court,
 judge or court officer to take or conduct any proceeding
 on behalf of any other person; preparing or perusing
 for reward any document intended to be used in
 connection with any proceeding before any court. In
 this definition the word “court” shall not include the
 Mussulman Religious Tribunals known as Mehkeme-
 i-Sheriè and the word “judge” shall not include any
 judge of such tribunal.

Admission of 3. The Chief Justice may approve and admit to practise
 advocates. as an advocate—

(a) any person who is entitled to practise as a
 barrister-at-law in England, Northern Ireland
 or as an advocate in Scotland or who immediately
 prior to the first day of October, 1921, was a
 member of the Bar of Ireland and who satisfies
 the Chief Justice that he is a person of good
 character;

(b) any person who has been admitted to practise as
 a solicitor in England, Northern Ireland or as
 a Law Agent in Scotland or who immediately
 prior to the first day of October, 1921, was a
 Solicitor of the Supreme Court of Judicature in
 Ireland and who satisfies the Chief Justice that
 he is a person of good character and is not by
 reason of professional misconduct incapacitated
 from so practising.

4. Any person who desires to be enrolled as an advocate shall produce in the office of the chief registrar for the inspection of the Chief Justice his certificate of call to the Bar or of his admission as a solicitor or law agent or a certified copy thereof, and shall file in the office of the chief registrar an affidavit of identity in such form as may be approved by the Chief Justice :

Documents to be produced for the inspection of the Chief Justice.

Provided that the Chief Justice may on special grounds and upon such terms as he may think fit, exempt any such person from complying with any of the formalities prescribed by this section either absolutely or for any specified period.

5.—(1) Any person approved and admitted to practise as an advocate shall, upon the direction of the Chief Justice and upon payment of a fee of ten pounds, have his name enrolled in a book to be kept by the chief registrar and to be called "the Roll of Advocates."

Enrolment of advocates.

(2) The chief registrar shall, on the application of any person whose name appears on the Roll of Advocates, issue to him a certificate of enrolment under the seal of the Supreme Court.

6.—(1) Notwithstanding anything in this Law contained the Chief Justice may approve and admit to practise as an advocate any person who possesses qualifications which but for this Law would entitle him to enrolment under any law hereby repealed :

Saving.

Provided that—

- (a) such person shall have passed such examination, ^{if any,} in the English language as the Chief Justice may prescribe ;
- (b) such person shall have passed any examination which he would have had to pass under the provisions of any law hereby repealed ;
- (c) such person shall satisfy the Chief Justice that he entered upon and commenced his course of legal studies before the first day of January, 1932 ;
- (d) notwithstanding anything in section 4 (4) of the Advocates Laws, 1894 and 1926, contained, such person will not be required to pass any time in the office of an advocate ;
- (e) no enrolment under this section shall be made after the thirty-first day of December, 1936.

(2) All powers and duties vested in and exercised by the Legal Board under any law hereby repealed shall, for the purposes of this section, vest in and be exercised by the Chief Justice.

(3) The provisions of section 5 of this Law shall apply to enrolments under this section.

(4) *added by 7/1934* 40/33
7. Every advocate shall be deemed to be an officer of the Supreme Court.

8. Every advocate shall exhibit in a conspicuous place in his office such tables of fees or rules of court as the Chief Justice may direct to be exhibited.

9. No advocate who has the rank of a King's Counsel shall practise as an advocate otherwise than as a barrister in manner corresponding to the practice in England, either alone or in partnership with any other advocate.

10.—(1) Where a party represented by an advocate in any proceedings before a court is ordered to pay the costs thereof but fails to do so, the court may order the advocate of such party to pay the costs or make such other order as the justice of the case may require in either of the following cases:—

- (a) where it appears to the court that the proceedings have been begun or carried on maliciously or without reasonable or probable grounds; or
- (b) where it appears to the court that the advocate has by any sort of deceit induced his client to enter into or continue the proceedings:

Provided always that before any order is made under this section the advocate shall be called upon by the court to show cause why such order should not be made.

(2) Any order made under this section by a court other than a court constituted by one or more judges of the Supreme Court shall be subject to review by the Chief Justice whose decision thereon shall be final.

(3) This section shall not be construed so as to restrict the liability of any advocate in respect of the abovementioned or any other misconduct for which he would otherwise be punishable.

11.—(1) The Supreme Court shall have power to order the name of any advocate to be struck off the Roll of Advocates or to order any advocate to be suspended from practising during such period as it may think fit; and

New sect. 6A added

Advocates deemed officers of Court.

Table of fees and rules of court to be exhibited.

King's Counsel.

Liability to pay costs.

Suspension, etc., of advocates.