

# DÁIL ÉIREANN

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## AN BILLE UM RIALÁIL SEIRBHÍSÍ DLÍ, 2011 —ROGHCHOISTE

### LEGAL SERVICES REGULATION BILL 2011 —SELECT COMMITTEE

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*Leasuithe Breise  
Additional Amendments*

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#### SECTION 18

**59a.** In page 23, before section 18, to insert the following new section:

“18.—(1) The Authority shall, after consultation with the professional bodies—

(a) develop policies, and

(b) prepare and publish codes of practice, for the purpose of establishing and maintaining standards for the provision of legal services in the State.

(2) The Law Society shall—

(a) develop policies, and

(b) prepare and publish professional codes of practice in relation to the provision of legal services by practising solicitors in the State.

(3) The Bar Council shall—

(a) develop policies, and

(b) prepare and publish professional codes of practice in relation to the provision of legal services by practising barristers in the State.

(4) Before publishing a code of practice under this section the Authority may/shall publish, in such manner as it considers appropriate, a draft of the code of practice and shall allow persons 60 days from the date of that publication within which to make representations in writing to the Authority in relation to the draft code or such further period, not exceeding 30 days, as the Authority thinks fit.

(5) Before publishing a professional code of practice under this section the Law Society or, as appropriate, the Bar Council may/shall publish, in such manner as it considers appropriate, a draft of the relevant professional code of practice and shall allow 60 days from the date of that publication within which to make representations in writing to the Law Society or as appropriate, Bar Council in relation to the draft code or such further period, not exceeding 30 days, as the Law Society or, as appropriate, Bar Council thinks fit.

(6) Where the Authority publishes a code of practice under this section the Minister shall cause a notice to that effect to be published in *Iris Oifigiúil*—

[ SECTION 18 ]

- (a) identifying or specifying the code,
- (b) specifying the legal services in respect of which the code is so published, and
- (c) specifying the date from which the code of practice shall have effect.

(7) The Authority may amend or revoke a code of practice under this section.

(8) *Subsections (4) and (6) shall, with all necessary modifications, apply to any amendments to a code of practice that the Authority proposes to make under subsection (7).*

(9) Where a professional code is published under this section the Law Society or, as appropriate, Bar Council shall inform the Authority of any amendments made to that code.

(10) The Authority, the Law Society and the Bar Council shall make available for inspection free of charge to members of the public at their principal office during normal working hours a copy of any code of practice or professional code published by them under this section.”.

—Niall Collins, Pádraig Mac Lochlainn.

*[Acceptance of this amendment involves the deletion of section 18 of the Bill.]*

SECTION 20

**64a.** In page 26, before section 20, to insert the following new section:

“20.—(1) The Authority may, after consultation with the professional bodies, appoint persons to be the staff of the Authority and may determine their duties.

(2) The Authority, after consultation with the professional bodies, and, with the approval of the Minister for Public Expenditure and Reform, shall determine—

- (a) the terms and conditions of employment (including terms and conditions relating to remuneration and allowances) of staff appointed under this section, and
- (b) the grades of staff of the Authority and the numbers of staff in each grade.

(3) The remuneration and allowances of the Authority’s staff are payable by the Authority to the staff out of funds at the Authority’s disposal.”.

—Pádraig Mac Lochlainn.

*[Acceptance of this amendment involves the deletion of section 20 of the Bill.]*

SECTION 23

**71a.** In page 29, lines 11 to 14, to delete subsection (2).

—Niall Collins, Pádraig Mac Lochlainn.

SECTION 24

**71b.** In page 29, lines 19 to 22, to delete subsection (2).

—Niall Collins, Pádraig Mac Lochlainn.

[ *SECTION 25* ]

SECTION 25

**73a.** In page 30, lines 24 to 26, to delete subsection (3).

—Pádraig Mac Lochlainn.