



STATUTORY INSTRUMENTS.

S.I. No. 329 of 2014



SOLICITORS (CONTINUING PROFESSIONAL DEVELOPMENT)
(AMENDMENT) REGULATIONS 2014

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The Law Society of Ireland in exercise of the powers conferred on them by Sections 5 and 40 (as amended by Section 49 of the Solicitors (Amendment) Act 1994) of the Solicitors Act 1954 and with the concurrence of the Minister for Justice and Equality, hereby make the following Regulations:

Citation and commencement

1. (a) These Regulations may be cited as the Solicitors (Continuing Professional Development) (Amendment) Regulations 2014.

(b) These Regulations shall come into operation on the 1st day of January 2015.

Definitions

2. In these Regulations:—

“the Continuing Professional Development Regulations” means the Solicitors (Continuing Professional Development) Regulations 2012.

3. Regulation 8 of the Continuing Professional Development Regulations is amended by the insertion of the following paragraph after paragraph (b) thereof:—

“(c) Without prejudice to the generality of paragraph (a) of this Regulation and in the course of ensuring compliance with these Regulations the Society (acting through the Education Committee) may determine that a solicitor the subject of an investigation of an alleged breach of these Regulations has in the course of the investigation refused, neglected or otherwise failed, without reasonable cause, to respond appropriately in a timely manner, or at all, to a written request from the Society and the Society have incurred costs in consequence of the refusal, neglect or failure, and may require payment by the solicitor to the Society of a sum not exceeding €300 by way of contribution towards those costs and the solicitor shall comply with any such requirement.

(d) A determination under paragraph (c) of this Regulation shall not be made by the Society (acting through the Education Committee) unless the solicitor concerned has been duly notified by the Society in writing in advance that such a determination might subsequently be made if the solicitor continued to refuse or neglect or otherwise fail, without reasonable cause, to respond

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 18th July, 2014.*

appropriately in a timely manner to the written request or requests already made to the solicitor by the Society in the course of its investigation of an alleged breach of these Regulations.

- (e) The Society may recover any sum payment of which has been requested by the Society by way of contribution under paragraph (c) of this Regulation as a liquidated debt payable to the Society.”

Signed on behalf of the Law Society of Ireland pursuant to Section 79 of the Solicitors Act 1954.
26 June 2014.

JOHN P SHAW,
President of the Law Society of Ireland.

Pursuant to the provisions of Section 40 of the Solicitors Act 1954 (as amended by Section 49(e) of the Solicitors (Amendment) Act 1994) I concur in the making of the within Regulations.

7 July 2014.

FRANCES FITZGERALD TD,
Minister for Justice and Equality.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

The Solicitors (Continuing Professional Development) (Amendment) Regulations 2014 introduces a levy for failure to comply with the Law Society of Ireland's CPD audit. The levy will be justified in terms of the time spent dealing with a particular matter.

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