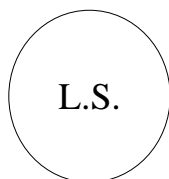


Legal Notice No. 6 of 2025

ST HELENA



COURTS (APPEALS AND RULES) ORDINANCE, 2017

**COURTS (RIGHTS OF AUDIENCE AND ENROLMENT)(AMENDMENT)
RULES, 1992**

In exercise of the powers conferred by section 8 of the Courts (Appeals and Rules) Ordinance, 2017, the Chief Justice makes the following rules.

Citation and commencement

1. These Rules may be cited as the Courts (Rights of Audience and Enrolment)(Amendment) Rules, 2025, and come into force on 1 July 2025.

Amendment of the Courts (Rights of Audience and Enrolment) Rules 1992

2. (1) The Courts (Rights of Audience and Enrolment) Rules, 1992ⁱ are amended as follows.
- (2) For rules 2 to 11 substitute—

“Rights of Audience

2. The following persons are entitled to appear and be heard as advocates (“a right of audience”) before the Supreme Court, wherever it is sitting, and the Magistrates’ Court—
 - (a) members of the Bar of England, Scotland or Northern Ireland who are enrolled as an advocate of the St Helena Supreme Court,
 - (b) solicitors of the Supreme Court in England or Northern Ireland and law agents admitted to practise in Scotland who are enrolled as an advocate of the St Helena Supreme Court,
 - (c) lawyers qualified to practise in any jurisdiction who enjoy the right to appear before the High Court in England or the Court of Session in Scotland or to practise as solicitors in England or Scotland who are enrolled as an advocate of the St Helena Supreme Court, and
 - (d) any other persons entitled to appear and be heard as advocates before any court of unlimited jurisdiction or to carry on practise as solicitors (by whatever name called), if licensed in that behalf by the Chief Justice.

Other licensed persons

3. (1) A person who is undertaking or who has completed a course of legal study who is being supervised by the Attorney General or the Public Solicitor as a component of the course of legal study or following the completion of the course of legal study may, subject to paragraphs (2), (3) and (5), apply, while under the supervision of the Attorney General or the Public Solicitor, to be licensed by the Chief Justice to appear and be heard as an advocate before the Supreme Court, wherever it is sitting, and the Magistrates' Court.

(2) A person submitting an application under paragraph (1) must deliver to the Registrar an application addressed to the Chief Justice in form RA2 in Schedule 1 and the application must be accompanied by such written certification of the Attorney General or the Public Solicitor that the Attorney General or the Public Solicitor considers appropriate in the circumstances that the person making the application is competent to be heard as an advocate before the Supreme Court, wherever it is sitting, and the Magistrates' Court.

(3) The Chief Justice may upon receipt of an application made under paragraph (1) request such further proof of competence that the Chief Justice considers necessary in respect of the application.

(4) The Chief Justice may grant the person a licence and may attach any conditions that the Chief Justice considers appropriate to the licence granted in respect of that application, including compliance with some or all of the Basic Principles and Code of Practice contained in the Schedule to the Courts (Rights of Practising and Representation of Persons in Proceedings) Rules, 2025.

(5) Nothing in this rule applies to, affects, or in any way substitutes a requirement under these Rules for an application to be made under rule 2, and a licence granted pursuant to an application made under this rule is not a substitute for a licence granted pursuant to an application made under rule 2.

Applications for licences

4. (1) A person seeking to be licensed under rule 2(d) must deliver to the Registrar an application addressed to the Chief Justice, in whichever of the forms numbered RA1 and RA2 in Schedule 1 is appropriate.

(2) An application in the form RA1 must be filed not less than 14 days before the day set down for the hearing at which the applicant wishes to be heard, or any shorter period as the Chief Justice allows.

(3) An application under paragraph (1) must be accompanied by any prescribed fee.

(4) The Chief Justice may, upon receipt of an application made under rule 2(d), request such further information from the applicant that they consider necessary in respect of the application including, but not limited to, proof of the person having professional insurance, competence and good standing.

(5) The Chief Justice may grant the person a licence and may attach any conditions that they consider appropriate to the licence granted in respect of that application, including compliance with some or all of the Basic Principles and Code of Practice contained in the Schedule to the Courts (Rights of Practising and Representation of Persons in Proceedings) Rules, 2025.

Form and duration of licences

5. (1) A licence issued pursuant to rule 2(d) must be in form RA3 or form RA4 set out in Schedule 1, whichever is appropriate.

(2) A licence issued pursuant to rule 3 must be in form RA4 set out in Schedule 1.

(3) A licence in the form RA3 is valid only for the proceeding to which it is expressed to relate, any application or counterclaim relating to it, any proceeding consolidated with it and any appeal arising from it.

(4) A licence in the form RA4 is valid—

- (a) until revoked, or
- (b) until such time or on the occurrence of such event as may be specified in the licence.

(5) A person's licence shall automatically expire if the licensed person fails to pay the annual fee referred to in rule 11 and provided in Schedule 2.

(6) Any licence issued under this rule must contain such conditions that have been attached.

(7) The condition that the person licensed shall comply with the Basic Principles and Code of Conduct in the Schedule to the Courts (Rights of Practising and Representation of Persons in Proceedings) Rules, 2025 shall apply to such persons who are licensed immediately before the coming into force of this paragraph.

(8) The Chief Justice may vary any conditions attached to a licence upon the application of the person so licensed.

(9) The Chief Justice may at the time a licence is issued, and from time to time thereafter, require those licensed to certify that they are in compliance with the conditions of the licence and may make such enquiry or require such evidence of compliance as the Chief Justice shall from time to time require.

HB 13 *No.6 Courts (Rights of Audience and Enrolment)(Amendment) Rules, 2025*

(10) A person who is so licensed who ceases to be in compliance with the conditions attached to the licence shall immediately notify the Chief Justice.

(11) The Chief Justice may direct the licence of any person be revoked or suspended who has—

- (a) ceased to be entitled to appear and be heard before the Supreme Court or who has been suspended from practice in any country or territory,
- (b) been guilty of professional misconduct,
- (c) failed to comply with any requirement made by the Chief Justice pursuant to paragraph (9),
- (d) failed to comply with any condition attached to the licence,
- (e) failed to comply with any rule issued under section 89(3)(d) of the Constitution of St Helena, Ascension and Tristan da Cunha,
- (f) not practised as a lawyer in St Helena for more than three years, or
- (g) applied to have their licence revoked.

Enrolment

6. (1) This rule applies to those persons who have a right of audience under rules 2(a)-2(c) so long as they are enrolled.

(2) The Registrar of the Supreme Court shall maintain a roll of advocates of the St Helena Supreme Court.

(3) A person who applies to be enrolled as an advocate of the St Helena Supreme Court in order to be granted a right of audience must provide to the Registrar—

- (a) a copy of the certificate evidencing their call to the Bar/admission as a solicitor or equivalent in the relevant jurisdiction;
- (b) a copy of their current practising certificate or equivalent from the relevant jurisdiction;
- (c) a certificate of good standing or equivalent from their professional body in the relevant jurisdiction without endorsement;
- (d) written evidence that they hold professional indemnity insurance which extends to practice before the courts in St Helena to the minimum value as provided for in the Code of Conduct in the Schedule to the Courts (Rights of Practising and Representation of Persons in Proceedings) Rules, 2025.

(4) A person who applies to be enrolled as an advocate of the St Helena Supreme Court in order to be granted a right of audience under rules 2(a)-2(c) may, in the discretion of the Chief Justice, be enrolled as an advocate of the St Helena Supreme Court.

(5) The Chief Justice may make such enquiries as they consider appropriate as to the good standing of any person seeking to be admitted to the roll.

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Rules, 2025

(6) The Chief Justice shall make it a condition of enrolment that the person enrolled shall comply with the Basic Principles and Code of Conduct contained within the Schedule to the Courts (Rights of Practising and Representation of Persons in Proceedings) Rules, 2025 subject to any exemptions made under paragraph (8).

(7) The condition that the person enrolled shall comply with the Basic Principles and Code of Conduct in the Schedule to the Courts (Rights of Practising and Representation of Persons in Proceedings) Rules, 2025 shall apply to such persons who are on the roll immediately before the coming into force of this paragraph.

(8) The Chief Justice may grant exemptions to any of the Basic Principles and Code of Conduct in the Schedule to the Courts (Rights of Practising and Representation of Persons in Proceedings) Rules, 2025 at the time of enrolment or at any time thereafter.

(9) The Chief Justice may at enrolment, and from time to time thereafter, require those on the roll to certify that they are in compliance with the conditions of enrolment and may make such enquiry or require such evidence of compliance as the Chief Justice shall from time to time require.

(10) A person on the roll who ceases to be in compliance with any conditions of their enrolment shall immediately notify the Chief Justice.

(11) The Chief Justice may direct the removal from the roll, whether indefinitely or for a specified period, of the name of any person who has—

- (a) ceased to be entitled to appear and be heard before the Supreme Court or who has been suspended from practice in any country or territory,
- (b) been guilty of professional misconduct,
- (c) failed to comply with any requirement made by the Chief Justice pursuant to paragraph (9),
- (d) failed to comply with any condition attached to enrolment,
- (e) failed to comply with any rule issued under section 89(3)(d) of the Constitution of St Helena, Ascension and Tristan da Cunha,
- (f) not practised as a lawyer in St Helena for more than three years, or
- (g) applied to be removed from the roll.

(12) An application for enrolment as an advocate of the St Helena Supreme Court must be in the form RA5 in Schedule 1 and accompanied by any prescribed fee.

(13) A certificate of enrolment must be in the form RA6 in Schedule 1.

(14) A certificate of enrolment must contain such conditions and exemptions that the Chief Justice imposes or allows.

(15) For the purposes of this rule, “the roll” means the Roll of Advocates containing the names of those persons who are for the time being enrolled as such pursuant to these Rules, compiled and maintained by the Registrar of the Supreme Court.

(16) A person's enrolment shall automatically expire if the enrolled person fails to pay the annual fee referred to in Rule 11 and provided for in Schedule 2.

Enrolment of Licensed Persons

7. (1) This rule applies to those persons who have a right of audience under rules 2(d) or 3 so long as they are licensed.

(2) A person who has a right of audience under rule 2(d) or rule 3 because they are licensed may also, in the discretion of the Chief Justice, be enrolled as an advocate of the St Helena Supreme Court.

(3) The Chief Justice may direct the removal from the roll of the name of any licensed person who has—

- (a) ceased to be entitled to appear and be heard before the Supreme Court or who has been suspended from practice in any country or territory,
- (b) been guilty of professional misconduct,
- (c) failed to comply with any rule issued under section 89(3)(d) of the Constitution of St Helena, Ascension and Tristan da Cunha,
- (d) not practised as a lawyer in St Helena for more than three years, or
- (e) applied to be removed from the roll.

(4) An application for enrolment as an advocate of the St Helena Supreme Court must be in the form RA5 in Schedule 1.

(5) For the purposes of this rule, "the roll" means the Roll of Advocates containing the names of those persons who are for the time being enrolled as such pursuant to these Rules, compiled and maintained by the Registrar of the Supreme Court.

Attorney General

8. (1) The Attorney General is entitled ex officio to appear and be heard before the Supreme Court, wherever it is sitting, and before the Magistrates' Court.

(2) The Attorney General may be enrolled or licensed in accordance with these rules.

Additional rights of audience - Public Officers employed and indemnified by St Helena Government and subject to alternative disciplinary procedures

9. (1) The Crown Prosecutor, any person appointed to be a public prosecutor pursuant to section 52 of the Criminal Procedure Ordinance, 1975 and the Public Prosecutor are entitled to appear and be heard as advocates in the same courts and in like manner as those persons, or classes of persons, who have such entitlement under either rule 2 or 8 of these Rules.

(2) For the purposes of paragraph (1), the right of audience of a person appointed to be a public prosecutor is subject to sections 52 to 55 of the Criminal Procedure Ordinance, 1975.

(3) In this rule, “Crown Prosecutor” and “public prosecutor” have the same meanings as in the Criminal Procedure Ordinance, 1975.

(4) Crown Counsel are entitled to appear and be heard as advocates in the same courts and in like manner as those persons, or classes of persons, who have such entitlement under either rule 2 or 8 of these Rules.

(5) In this rule, “Crown Counsel” are solicitors or barristers employed by or on behalf of the Attorney General and includes the Solicitor General.

(6) The Public Solicitor and solicitors or barristers employed by the Public Solicitors Office are entitled to appear and be heard as advocates in the same courts and in like manner as those persons, or classes of persons, who have such entitlement under rule 2 or 8 of these Rules.

(7) In this rule, “Public Solicitor” has the same meaning as in the Legal Aid, Assistance and Services Ordinance, 2017 and “Public Solicitors Office” means the office maintained under the direct supervision of the Public Solicitor.

(8) For the avoidance of doubt “employed by” does not have the same meaning as “instructed by”.

(9) Any person who holds a right of audience before the Supreme Court may apply to the Judicial Service Commission to be appointed as King’s Counsel (St Helena). The Judicial Service Commission may recommend to the Governor that the person be appointed as King’s Counsel (St Helena) on the basis they have demonstrated consistent excellence in advocacy before the Supreme Court.

(10) Any person may nominate a person to the Judicial Service Commission to be appointed as King’s Counsel (Honorary) on the basis they have made a major contribution to the law of St Helena in service to the Supreme Court. The Judicial Service Commission may recommend to the Governor that the nominated person be appointed King’s Counsel (Honorary). If so appointed, the person shall have a right of audience before the Supreme Court if they confirm in writing to the Registrar of the Supreme Court that they wish to hold one.

(11) Any person to whom this rule applies may be enrolled or licensed in accordance with these rules.

Removal from the Roll or Revocation of Licence

10. (1) The procedures for investigating complaints and removal from the roll or revocation of a licence are set out in Schedule 3 to these rules.

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(2) Any decision by the tribunal referred to in Schedule 3 to these rules that a person be removed or suspended from the roll or their licence be revoked or suspended or has effect as if it were a direction by the Chief Justice under rule 5(11) or 6(11) or 7(3) of these Rules.

Fees

11. (1) The fees set out in Schedule 2 are payable in respect of the matters to which they are expressed to relate.

(2) If the enrolled or licensed person fails to pay the annual fee when due then their enrolment or licence shall automatically expire.

Savings

12. (1) Nothing in these Rules applies to or in any way affects any person holding the office of Lay Advocate under the Legal Aid, Assistance and Services Ordinance, 2017.

(2) Nothing in these Rules affects the right of any party to appear in person and be heard in any proceedings in the Supreme Court, wherever it is sitting, and before the Magistrates' Court, or, with the leave of the court, to be represented by any other person not being an advocate or a Lay Advocate.

(3) The Supreme Court or Magistrates' Court may grant leave for any advocate to appear before the court when not enrolled or licensed for good reason and on such conditions as it directs. Any advocate to whom leave is granted under this subsection shall be deemed to be bound by the Basic Principles and Code of Conduct in the Schedule to the Courts (Rights of Practising and Representation of Persons in Proceedings) Rules, 2025."

(3) For Schedules 1 and 2 substitute—

“

SCHEDULE 1

FORM RA1

APPLICATION FOR A LICENCE

(Rule 4)

I, Name:

Address:.....

Professional qualification:

Apply for a licence to appear on behalf of..... before
the St Helena Supreme Court/Magistrates' Court in the case of

.....

Attached is:

- (1) A copy of the certificate evidencing my call/admission
- (2) A copy of my current practising certificate or equivalent
- (3) A certificate of good standing or equivalent from my professional body
- (4) A copy of my insurance certificate with confirmation that my insurance extends to St Helena

I confirm that I am compliant with the requirements for continuing professional development in the jurisdiction in which I practise.

I confirm that I have read the Basic Principles and Code of Conduct that applies to lawyers on St Helena found in the Schedule to the Courts (Rights of Practising and Representation of Persons in Proceedings) Rules, 2025. (If you seek any exemptions please attach a separate document outlining the reasons why).

I confirm that I have read the Courts (Rights of Audience and Enrolment) Rules, 1992.

I confirm that I have paid the appropriate fee.

Signed

Dated

HB 19 *No. 6 Courts (Rights of Audience and Enrolment)(Amendment) Rules, 2025*

FORM RA2

APPLICATION FOR A LICENCE TO APPEAR AND BE HEARD GENERALLY
(Rule 4)

I, Name:

Address:.....

(1) Professional qualification (rule 2(d)).

(2) Being a person being supervised by the Attorney General/Public Solicitor (rule 3).

(delete as appropriate)

Apply for a licence to appear generally before the St Helena Supreme Court and Magistrates' Court.

Attached is *(delete where not applicable)*:

(Rule 2(d))

(1) A copy of the certificate evidencing my call/admission

(2) A copy of my current practising certificate or equivalent

(3) A certificate of good standing or equivalent from my professional body

(4) A copy of my insurance certificate with confirmation that my insurance extends to St Helena

(Rule 3)

(5) Certification of my supervision from the Attorney General/Public Solicitor.

I confirm that I am compliant with the requirements for continuing professional development in the jurisdiction in which I practise (not applicable to those supervised by the Attorney General/Public Solicitor who fall within rule 3).

I confirm that I have read the Basic Principles and Code of Conduct that applies to lawyers on St Helena found in the Schedule to the Courts (Rights of Practising and Representation of Persons in Proceedings) Rules, 2025. (If you seek any exemptions please attach a separate document outlining the reasons why).

I confirm that I have read the Courts (Rights of Audience and Enrolment) Rules, 1992.

I confirm that I have paid the appropriate fee.

Signed

Dated

FORM RA3

LICENCE
(Rule 5)

Name:

Address:.....

Being a:

is licensed to appear on behalf of..... before the St
Helena Supreme Court/Magistrates' Court in the case of

.....

and any application or counterclaim relating to it and any proceedings consolidated with it or
any appeal arising from it.

This licence is subject to the conditions and exemptions in the Schedule below.

Chief Justice

Dated

HB 21 *No. 6 Courts (Rights of Audience and Enrolment)(Amendment)
Rules, 2025*

FORM RA4

LICENCE TO APPEAR AND BE HEARD GENERALLY
(Rule 5)

Name:

Address:.....

Being a:

is licensed to appear and be heard as an advocate before the St Helena Supreme Court and Magistrates' Court.

This licence will continue until revocation, or expiry on.....

This licence is subject to the conditions and exemptions in the Schedule below.

Chief Justice

Dated

FORM RA5

APPLICATION FOR ENROLMENT
(Rule 6)

I, Name:

Address:.....

Professional qualification:.....

Apply to be enrolled as an advocate of the St Helena Supreme Court.

Attached is:

- (1) A copy of the certificate evidencing my call/admission
- (2) A copy of my current practising certificate
- (3) A certificate of good standing or equivalent from my professional body
- (4) A copy of my insurance certificate with confirmation that my insurance extends to St Helena

Courts (Rights of Audience and Enrolment)(Amendment) No. 6 **HB 22**
Rules, 2025

I confirm that I am compliant with the requirements for continuing professional development in the jurisdiction in which I practise.

I confirm that I have read the Basic Principles and Code of Conduct that applies to lawyers on St Helena found in the Schedule to the Courts (Rights of Practising and Representation of Persons in Proceedings) Rules, 2025. (If you seek any exemptions please attach a separate document outlining the reasons why).

I confirm that I have read the Courts (Rights of Audience and Enrolment) Rules, 1992.

I confirm that I have paid the appropriate fee.

Signed

Dated

FORM RA6
CERTIFICATE OF ENROLMENT
(Rule 6)

Name:

Address:.....

Being a:

is enrolled as an advocate of the St Helena Supreme Court.

Enrolment is subject to the conditions and exemptions in the Schedule below.

Chief Justice

Dated

SCHEDULE 2

FEES
(Rule 11)

1. On filing an application for a licence under rule 4 (rule 3 applicants): £20.00
2. On filing an application for enrolment under rule 6 or a licence under rule 4 (rule 2(d) applicants): £200.00
3. Half the level of the relevant application fee is payable on the 1st of December of each year as an annual fee.
4. The Registrar of the Supreme Court may reduce or waive fees in their discretion on application by the enrolled or licensed person.

SCHEDULE 3

COMPLAINTS, INVESTIGATIONS AND REMOVAL FROM THE ROLL OR
REVOCATION OF LICENCE
(Rule 10)

1. Any person ('a complainant') may make a written complaint to the Registrar of the Supreme Court that a person enrolled or licensed under these rules has been guilty of professional misconduct by failing to comply with a condition of their enrolment or licence including that they have breached any of the Basic Principles and Code of Practice contained in the Schedule to the Courts (Rights of Practising and Representation of Persons in Proceedings) Rules, 2025.
2. The Registrar of the Supreme Court shall refer the complaint for investigation. Before making such a referral the Registrar of the Supreme Court must, unless there is good reason, require the complainant to utilise any complaints procedure the lawyer complained of is subject to. The Registrar may also seek further particulars or further evidence from the complainant regarding the nature and circumstances of the complaint before making any referral.
3. The Registrar of the Supreme Court may, without receipt of a complaint and on their own initiative, refer any matter for investigation.
4. Referrals for investigation are made in the first instance to the Chief Magistrate, or if that person is unable to hear the complaint, then to some such other suitably qualified person as the Chief Justice may direct. Any reference in this schedule to the 'Chief Magistrate' includes any such person appointed pursuant to this paragraph.

5. Upon receipt of the referral the Chief Magistrate may dismiss the complaint without investigation if they consider the complaint is without merit or refer the matter to an independent person (the ‘investigator’), who should be a lawyer who is enrolled as an advocate of the St Helena Supreme Court or barrister or solicitor in England and Wales, for investigation.
6. If a complaint is dismissed without investigation, the Chief Magistrate must give reasons for their decision and provide these to the Chief Justice and any other person the Chief Magistrate considers has an interest in the outcome of the complaint. The Chief Justice may, upon receipt of the reasons from the Chief Magistrate, make such enquiries as they see fit and may direct that the matter be referred for investigation.
7. The investigator shall, within 30 days or such longer time as may be allowed by the Chief Magistrate, obtain such evidence as the investigator considers to be relevant to the complaint from the complainant, the person complained of and any relevant witnesses. The investigator may recommend that the complaint be dismissed without a hearing.
8. Upon completion of the investigation the evidence shall be presented to the Chief Magistrate who may dismiss the complaint whether such a recommendation has been made or not. If the complaint has not been dismissed, then the matter shall be referred for a full hearing before the Chief Magistrate sitting with two Justices of the Peace, at least one of whom who has been in office for at least 5 years (the “tribunal”).
9. If a complaint is dismissed following the investigation without the matter being referred to a tribunal, the Chief Magistrate must give reasons for their decision and provide these to the Chief Justice and any other person the Chief Magistrate considers has an interest in the outcome of the complaint. The Chief Justice may, upon receipt of the reasons from the Chief Magistrate, make such enquiries as they see fit and may direct that the matter be referred to the tribunal.
10. Hearings before the tribunal shall take the form of and follow the procedures for adversarial civil proceedings held before the courts of St Helena. All matters are to be decided on the civil standard of proof. Parties to the proceedings may be represented by a person who has a right of audience in St Helena or, with the leave of the tribunal, may be assisted by any person.
11. The complaint shall be presented to the tribunal by a lawyer appointed by the investigator who should be enrolled as an advocate of the St Helena Supreme Court or is a barrister or solicitor in England and Wales. The person presenting the complaint to the tribunal shall act independently of the investigator. The tribunal may regulate its own proceedings, including whether to hear the matter wholly or partly in private, and make such decisions as to admissibility of evidence that it considers just and fair.
12. The Clerk of the Peace, or such other suitably qualified person as may be directed by the Chief Magistrate, shall be the clerk to the tribunal.

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Rules, 2025*

13. Upon hearing the evidence and any submissions made, the tribunal may dismiss the complaint or uphold it in full or in part. If the tribunal upholds the complaint in full or in part it must go on to find whether the person enrolled or licensed has been guilty of professional misconduct, i.e. breached any of the Basic Principles and Code of Practice contained in the Schedule to the Courts (Rights of Practising and Representation of Persons in Proceedings) Rules, 2025.
14. The tribunal shall give written reasons for making any findings and its decision.
15. If the tribunal has found that the person has been guilty of professional misconduct, after hearing such other submissions and evidence that it considers necessary, it may make one or more of the following decisions in respect of the person enrolled or licensed:
 - a. to take no further action,
 - b. to issue a formal reprimand,
 - c. to impose a financial penalty not in excess of £5000 to be paid to the Legal Assistance Fund. If such penalty shall remain unpaid after 42 days the person enrolled or licensed shall be suspended from the roll, or have their licence suspended, until such time as the monies are paid in full,
 - d. be suspended from the roll, or have their licence suspended, for a defined period or until that person has complied with any conditions that may be set for readmission to the roll or for their licence to be granted again, or
 - e. be removed from the roll or have their licence revoked.
16. In addition to making any of the above orders the tribunal may direct that the person enrolled or licensed shall pay such compensation to their client as may be reasonable and pay the costs of any investigation or the costs of any party or witness to the tribunal proceedings. If such costs or compensation shall remain unpaid after 42 days the person enrolled or licensed shall be suspended from the roll, or have their licence suspended, until such time as the monies are paid in full. Costs or compensation may be enforced as if they are civil debt under the Civil Procedure Ordinance, 1968.
17. The tribunal must give its findings, decision and reasons in writing within 21 days of the conclusion of the hearing.
18. Upon completion of the proceedings, including the making of the tribunal's decision, the clerk to the tribunal shall, within 21 days thereafter, cause a record of the proceedings with copies of all evidence received and decision made by the tribunal to be sent to the Chief Justice.
19. The Registrar of the Supreme Court shall communicate the decision of the tribunal to such persons as the Registrar considers are interested parties, including and not limited to any complainant.
20. Where there is no appeal of the tribunal's decision within 28 days, the findings, decisions and sanctions of the tribunal, except dismissal of a complaint, are to be recorded on the roll or on the person's licence. If after 28 days there is no appeal from the tribunal's findings, decisions and sanctions, then the Chief Justice has the power of their own

initiative to vary or revise any decision to suspend, revoke or remove a person's enrolment or licence.

21. An interested party, the complainant or the person in respect of whom the tribunal has made any findings or decisions may appeal any findings, decisions and sanctions by notice in writing to the Chief Justice within 28 days of being sent the written decision. The Chief Justice may extend the time to appeal in his discretion, whether the time limit for appeal has passed or not, and in such circumstances may direct that the decisions and sanctions of the tribunal shall cease to have effect until the conclusion of the appeal.
22. On appeal the Chief Justice shall hear the matter afresh and may make any of the findings and decisions or impose any of the sanctions that the tribunal may have made or imposed. The Chief Justice may regulate the proceedings before them in any manner that they consider just and fair and may decide the matter on the papers should the evidence be agreed and the parties consent.
23. The Chief Justice shall issue reasons for the findings, decisions and sanctions made and must do so within 21 days of any hearing. The Chief Justice may, on application, suspend any decision to remove or suspend from the roll or revoke or suspend a licence pending a further appeal.
24. A further appeal on a point of law from any finding, decision or sanction made by the Chief Justice may be made by any party to the Court of Appeal within 28 days of the reasons for the decision of the Chief Justice being issued. If no appeal is made in that time, the findings, decisions and sanctions made by the Chief Justice shall be entered in the roll or endorsed on the relevant licence.
25. Should the appeal to the Court of Appeal be dismissed, then the findings, decisions and sanctions made by the Chief Justice shall have effect and be entered in the roll or endorsed on the relevant licence.”

Made this 7th day of April 2025.

Judge Rupert Jones
Chief Justice

EXPLANATORY NOTE
(This note is not part of the Rules)

**HB 27 No. 6 Courts (*Rights of Audience and Enrolment*)(*Amendment*)
*Rules, 2025***

These Rules amend the Courts (Rights of Audience and Enrolment) Rules, 1992, and provide for the circumstances in which individuals are able to appear as advocates and be licensed as such, and to be entered on to the roll of advocates.

¹ Legal Notice 4/1992, as amended by L.N. 14/1999, L.N. 21/2008, L.N. 7/2015, L.N. 28/2019