

Registered Lawyer Qualifying Certificate Application 2019

for practice year ending 31 December 2019

George's Court, George's Lane, Dublin 7; DX1025 Four Courts Tel: 01 879 8700 Email: pc@lawsociety.ie



This form should be completed in conjunction with the related guidance notes. To access the guidance notes visit www.lawsociety.ie/pc-membership.

SECTION A – PERSONAL DETAILS

Registered Lawyer Name:
Organisation/Firm Name:
Organisation/Firm
Address:

Registered Lawyer
Number:

| | | | | | |
|---|---|---|--|--|--|
| R | E | L | | | |
|---|---|---|--|--|--|

Firm Number:

| | | | | | |
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| F | | | | | |
|---|--|--|--|--|--|

Email:

SECTION B – PROFESSIONAL STATUS

1. My current professional status in the State is (please tick as appropriate)

- Sole principal in registered lawyer firm Conveyancing-only registered lawyer employed by
Partner in solicitor firm non-solicitor
Employed in solicitor firm Employed by independent law centre
Employed by non-solicitor* Registered lawyer in full-time service of the State

Other (please specify):

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**Examples of non-solicitors include financial institutions, commercial entities and statutory bodies*

2. If your professional status has changed during the practice year 2018, state date of change:

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3.(a) My nationality is:

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(b) My home member state is:

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4. Name of any other firm(s) than that noted above:

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5. The following questions must be answered pursuant to the *Solicitors Acts 1954 to 2015* and apply to conduct in this jurisdiction and any other jurisdiction (please tick as appropriate). If the answer to any of the following is yes, you are required to provide full details in writing with your application.

- | | Yes | No |
|--|--------------------------|--------------------------|
| (a) Was your last qualifying certificate suspended, issued subject to conditions, or endorsed with conditions? | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Is this application following upon the expiration of a period of suspension from practice? | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) Is this application following upon any order permitting your re-admission as a lawyer by any body governing your practise as a lawyer? | <input type="checkbox"/> | <input type="checkbox"/> |

| Since your last qualifying certificate issued to you have you, in any jurisdiction: | Yes | No |
|---|--------------------------|--------------------------|
| (d) Failed to comply with the <i>Solicitors Acts 1954 to 2015</i> , or with any order or regulations made under those Acts? | <input type="checkbox"/> | <input type="checkbox"/> |
| (e) Failed to comply with any legislation or with any order, direction or regulation in respect of your practice as a lawyer in any other jurisdiction? | <input type="checkbox"/> | <input type="checkbox"/> |
| (f) Been notified by any body governing your practice as a lawyer that you have failed to exercise adequate personal supervision over any office or place of business? | <input type="checkbox"/> | <input type="checkbox"/> |
| (g) Been notified that you have failed to give any body governing your practice as a lawyer an explanation which that body regards as sufficient or satisfactory in respect of any matter affecting your conduct? | <input type="checkbox"/> | <input type="checkbox"/> |
| (h) Had an order of attachment or committal made against you? | <input type="checkbox"/> | <input type="checkbox"/> |
| (i) Been adjudicated bankrupt? | <input type="checkbox"/> | <input type="checkbox"/> |
| (j) Entered into a composition with, or deed of arrangement for the benefit of, your creditors including any debt arrangements under the Personal Insolvency Act 2012 (as amended by the Personal Insolvency (Amendment) Act 2015) or similar legislation in other jurisdictions? | <input type="checkbox"/> | <input type="checkbox"/> |
| (k) Failed to comply with any order(s) of the High Court or any other court(s)? | <input type="checkbox"/> | <input type="checkbox"/> |
| (l) Failed to comply with any determination, requirement or direction of any body governing your practice as a lawyer in any jurisdiction? | <input type="checkbox"/> | <input type="checkbox"/> |
| (m) Been sentenced to a term of imprisonment? | <input type="checkbox"/> | <input type="checkbox"/> |
| (n) Failed to satisfy the any body governing your practice as a lawyer that you are fit to carry on the practice of a lawyer having regard to the state of your physical or mental health? | <input type="checkbox"/> | <input type="checkbox"/> |
| (o) Failed to satisfy any body governing your practice as a lawyer that, having regard to all circumstances including the financial state of your practice, you should be issued with an unrestricted qualifying certificate? | <input type="checkbox"/> | <input type="checkbox"/> |
| (p) Had any unsatisfied judgements, either registered or unregistered? | <input type="checkbox"/> | <input type="checkbox"/> |
| | Yes | No |
| 6. Did you hold a qualifying certificate in 2018? | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Are you authorised as a personal insolvency practitioner in accordance with the provisions of the Personal Insolvency Act 2012? | <input type="checkbox"/> | <input type="checkbox"/> |

SECTION C – INVESTMENT BUSINESS SERVICES OR INVESTMENT ADVICE

This section is required to comply with the *Solicitors Acts 1954 to 1994 (Investment Business and Investor Compensation) Regulations 1998 (S.I. No.439 of 1998)* as amended. See Section C of guidance notes for details. Tick yes if Part I applies.

Part I – I am a registered lawyer of the description set out in Section C Part I of the guidance notes who is an investment business firm or an investment firm within the terms of section 47(1)(a) or (b) of the Investor Compensation Act 1998 and I enclose evidence in writing as set out in Section C Part I of the guidance notes. Yes

Part II - I am not a registered lawyer who is an investment business firm or an investment firm within the terms of section 47(1)(a) or (b) of the Investor Compensation Act 1998. By signing the declaration on the last page of this form I undertake in the terms set out in Section C Part II of the guidance notes.

SECTION D – SOLICITORS ACCOUNTS REGULATIONS

Please tick yes if applicable – I am a registered lawyer employed or contracted in private practice, or a registered lawyer employed or contracted by a non-solicitor (e.g. financial institution, commercial entity, statutory body) who has not handled client moneys at any time during the practice year 2018 other than on behalf of my employer or the party with whom I have entered into a contract for services. Yes

SECTION E – PROFESSIONAL INDEMNITY INSURANCE

Registered lawyer who provides legal services for a non-solicitor (tick yes if applicable)

I provide legal services only as part of an employment within the State to provide legal services to and for my employer who is not a solicitor or a registered lawyer. I confirm that, for the duration of the current indemnity period, I have not and will not engage in the provision of legal services to and for any person other than my employer and I will notify the Society immediately in writing if I cease to provide legal services only on such basis.

Yes

SECTION F – CONTINUING PROFESSIONAL DEVELOPMENT (“CPD”)

The 2018 minimum CPD requirement for a solicitor who is NOT a sole practitioner or a compliance partner and/or an anti-money laundering compliance partner is 20 hours, to include a minimum of 3 hours management and professional development skills and a minimum of 2 hours regulatory matters. The 2018 minimum CPD requirement for a solicitor who IS a sole practitioner or a compliance partner and/or an anti-money laundering compliance partner is 20 hours, to include a minimum of 3 hours management and professional development skills and a minimum of 3 hours regulatory matters, of which at least 2 hours shall be accounting and anti-money laundering compliance. The relevant CPD requirement must be completed during the CPD cycle between 1 January 2018 and 31 December 2018 as per the CPD scheme provided for pursuant to the Solicitors (Continuing Professional Development) Regulations 2017.

Please tick either yes or no - I HEREBY CERTIFY that during the CPD cycle from 1 January 2018 to 31 December 2018, I am/was a Sole Practitioner or a Compliance Partner and/or an Anti-Money Laundering Compliance Partner:

Yes

No

Please tick only one of the following options which applies to you (see Section F in guidance notes for further details if you are unsure of the option appropriate to you) – I HEREBY CERTIFY as follows:

(a) I have completed the 2018 minimum CPD requirement (whether in full or as may be modified in accordance with the CPD scheme); or

Yes

(b) I have made an application to the Education Committee for special dispensation (for full or partial exemption or for an extension of time to complete the necessary CPD hours) on the basis of my certified long-term illness or other personal circumstances, and this application has already been granted; or

Yes

(c) I failed to complete the 2018 minimum CPD requirement (whether in full or as may be modified in accordance with the CPD scheme); or

Yes

(d) I am exempt from the 2018 minimum CPD requirement by reason of not having held a practising certificate (or not having been employed as a solicitor in the full-time service of the State, or not having been a European lawyer registered with the Society holding a qualifying certificate) at any time during 2018.

Yes

SECTION G – PRIVACY STATEMENT SUMMARY

Pursuant to Regulation 9 of *Registered European Lawyers Qualifying Certificate Regulations 2018* it is necessary for the Society to collect and record certain personal data relating to each solicitor, including the practice address, personal correspondence address, telephone and fax number(s), email address and academic qualifications. This personal data may also include information concerning a solicitor arising from the carrying out by the Society of its regulatory functions under the Solicitors Acts 1954 to 2015 and regulations made thereunder, including sensitive or special categories of personal data such as health records, and information relating to the commission or alleged commission of a criminal offence. Your personal data may be used by the Society for administration, management, marketing, promotion of the solicitors' profession, and professional development purposes, as well as in pursuance of the Society's regulatory functions. See full Privacy Statement including examples of the actual or possible uses (and disclosures to third parties) of the personal data relating to a solicitor in Section G of the guidance notes.

Tick here to receive third party marketing information by post or email, pre-approved by the Society as beneficial to the profession:

Yes

SECTION H - DECLARATION

I confirm that I have provided, or will provide legal services in this jurisdiction in 2019 from the following date, and that if this date is earlier than the issue date on my qualifying certificate, I will apply to the High Court to backdate my qualifying certificate (see Section H in guidance notes for detail):

COMMENCEMENT DATE:

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I hereby declare that I have read and understood the contents of this application and the guidance notes and, to the best of my knowledge, information and belief, the information provided herein is true, complete and accurate. I confirm that I have read the Privacy Statement Summary and the Privacy Statement circulated with this form:

SIGNATURE:

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DATE:

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SECTION I – FEES AND MEMBERSHIP

To be completed in conjunction with Section I of the guidance notes. Fees (A), (B), (C) and (D) are mandatory. Please tick as appropriate:

| | I am admitted 3 years or more on 1 January 2019 | I am admitted less than 3 years on 1 January 2019 |
|---|---|---|
| (A) Registration fee | €1,393 <input checked="" type="checkbox"/> | €1,093 <input checked="" type="checkbox"/> |
| (B) Compensation Fund contribution | €720 <input checked="" type="checkbox"/> | €720 <input checked="" type="checkbox"/> |
| (C) Legal Services Regulatory Authority Levy Fund | €287 <input checked="" type="checkbox"/> | €287 <input checked="" type="checkbox"/> |
| (D) Solicitors Mutual Defence Fund contribution | €35 <input checked="" type="checkbox"/> | €35 <input checked="" type="checkbox"/> |

Tick to add Membership and Contributions

| | | |
|---|------------------------------|------------------------------|
| I hereby apply for membership of the Society for the year ending 31 December 2019 For details of member services and benefits see www.lawsociety.ie/memberbenefits | | |
| (E) Membership subscription; or | €85 <input type="checkbox"/> | €55 <input type="checkbox"/> |
| (F) Membership subscription if admitted during 2019; or | | €20 <input type="checkbox"/> |
| (G) Free membership if admitted over 50 years | €0 <input type="checkbox"/> | |
| Tick fees under (E) <u>or</u> (F) <u>or</u> (G) | | |

| | | |
|--|-------------------------------|------------------------------|
| (G) Solicitors Benevolent Association contribution | €100 <input type="checkbox"/> | €60 <input type="checkbox"/> |
| (H) Free Legal Aid Centres contribution | €15 <input type="checkbox"/> | €15 <input type="checkbox"/> |
| (I) Community Law Centres contribution | €15 <input type="checkbox"/> | €15 <input type="checkbox"/> |

TOTAL ENCLOSED REMITTANCE

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| € | | | | |
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| € | | | | |
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SECTION J – PAYMENT METHODS

Please tick chosen payment method as appropriate. If you are paying by Electronic Fund Transfer (“EFT”), the EFT payment form must be completed and returned with this form. If paying by cheque, draft or EFT, failure to include full payment or EFT payment form will result in the application being returned as incomplete. It is important to note that the Society will only accept payments in Euros. See Section J of the guidance notes for full details.

Cheque/Draft

Make payable to ‘Law Society of Ireland’

Electronic Fund Transfer

Bank of Ireland, 2 College Green, Dublin 2
A/C: Law Society of Ireland
Swift Code: BOFIIIE2D
IBAN: IE40BOFI 900017 30082086
Ref: [Solicitor name/number or Firm name/number]

Other (please specify)

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