

M O N T S E R R A T

LEGAL PROFESSION (AMENDMENT) ACT 2022

No. 5 of 2022

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Montserrat
Legal Profession (Amendment) Act, 2022
No. 5 of 2022

I ASSENT

(Sgd.) Andrew Pearce
Governor

DATE: 5/3/2022

M O N T S E R R A T

No. 5 of 2022

AN ACT TO AMEND THE LEGAL PROFESSION ACT (CAP. 2.21).

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Montserrat, and by the Authority of the same as follows:—

1. Short title

This Act may be cited as the Legal Profession (Amendment) Act, 2022.

2. Schedule 4 amended

Schedule 4 of the Legal Profession Act (Cap. 2.21) is amended—

(a) by deleting paragraph 1 and substituting the following—

“1. Constitution and membership

- (1) The Committee consists of five members appointed by the Chief Justice after consultation with the Council.
- (2) The five members of the Committee must be appointed as follows—
 - (a) one member of the Council;
 - (b) two persons who—
 - (i) are members of a Bar Association in an Organisation of Eastern Caribbean State member; and
 - (ii) have been attorneys-at-law in an Organisation of Eastern Caribbean States member
for no less than ten years; and
 - (c) a Chairperson and a Deputy Chairperson who have held judicial office or have been attorneys-at-law in an Organisation of Eastern Caribbean States member for no less than fifteen years.”; and
- (b) by deleting paragraph 8 and substituting the following—

“8. Proceedings at meetings

- (1) The Committee must meet as is necessary to expediently conduct the work of the Committee and a meeting of the Committee—
 - (a) must be held in private; and
 - (b) may be conducted in person or through the use of telecommunication or electronic means.
- (2) The Chairperson or, in his absence, the Deputy Chairperson, must preside at a

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meeting of the Committee.

- (3) If at any meeting of the Committee, the Chairperson or the Deputy Chairperson is unable to act, the members present may elect one of their members to preside at the meeting.
- (4) The quorum of the Committee for a meeting is three members.
- (5) The validity of any proceedings of the Committee is not affected by a vacancy in its membership or by a defect in the appointment of a member.
- (6) Subject to this Schedule and Schedule 5, the Committee has the power to regulate its own proceedings.”.

3. Schedule 5 amended

Schedule 5 of the Legal Profession Act (Cap. 2.21) is amended—

(a) by inserting the following as paragraph 1A—

“1A. Quorum for hearings

The quorum of the Committee for a hearing is three members and the Chairperson or, in his absence, the Deputy Chairperson, must preside at the hearing.”; and

(b) by deleting paragraph 12 and substituting the following—

“12. Applications to be heard in private and in person or electronically

- (1) The Committee must hear all applications in private.

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- (2) An application may be heard in person or through the use of telecommunication or electronic means.”

(Sgd.) Charliena White
SPEAKER

Passed by the Legislative Assembly this 23rd day of February,
2022.

(Sgd.) Judith Baker
CLERK OF THE LEGISLATIVE ASSEMBLY