

No. 3 of 2016

VIRGIN ISLANDS

LEGAL PROFESSION (AMENDMENT) (NO. 2) ACT, 2016

ARRANGEMENT OF SECTIONS

1. Short title.
2. Section 15 amended.
3. Section 17 amended.
4. Section 65A inserted.
5. Part XI inserted.

I Assent

**(Sgd.) John S. Duncan, OBE,
Governor
29th January, 2016**

VIRGIN ISLANDS

No. 3 of 2016

An Act to amend the Legal Profession Act, 2015 (No. 13 of 2015).

[Gazetted 29th January, 2016]

ENACTED by the Legislature of the Virgin Islands as follows:

- Short title. **1.** This Act may be cited as the Legal Profession (Amendment) (No. 2) Act, 2016.
- Section 15 amended. **2.** Section 15 of the Legal Profession Act, 2015 (hereinafter referred to as the "principal Act") is amended by replacing subsection (6) with the following:
- "(6) A person to whom section 67 (3) applies shall be deemed to hold a valid practising certificate for the period(s) specified in that section."
- Section 17 amended. **3.** Section 17 of the principal Act is amended by inserting after subsection (3) the following subsection:
- "(4) The Council with the approval of Cabinet shall issue guidelines as to which documents and instruments shall, or shall not, constitute a legal document for the purposes of subsection (1)."
- Section 65A inserted. **4.** The principal Act is amended by inserting the following new section 65A:
- "Negative resolution. **65A.** Any regulations made under this Act shall be subject to a negative resolution of the House."
- Part XI inserted. **5.** The principal Act is amended by inserting after section 66 the following new Part:

**"PART XI
TRANSITIONAL PROVISIONS**

Application of
certain
provisions.

67. (1) Until the list of jurisdictions, regulatory bodies, institutions, courses of study and professional training in law specified in section 11(4) have been published

- (a) sections 10 to 13 and sections 45 to 47 shall not have effect; and
- (b) any application for admission to practise shall continue to be dealt with under Part IV of the Eastern Caribbean Supreme Court (Virgin Islands) Act as if that Part was not repealed.

(2) Section 16 shall not have effect until the regulations specified in section 16 (2) have been issued.

(3) Any person who immediately before the commencement of this Act was entitled to practice as a barrister, solicitor or an attorney at law before the High Court in the Virgin Islands, and any person who is admitted to practice under subsection (1) after this Act came into force, shall be deemed to hold a valid practising certificate

- (a) for the year during which this Act comes into force and for the month of January and February of the next year ensuing; and
- (b) subject to:
 - (i) registering with the Registrar and providing the information outlined in subsection (2); and
 - (ii) payment to the Registrar of the fee specified in subsection (4),

until the later of 31 January 2017 or date of issue of the regulations specified in section 16 (2).

(4) The fee referred to in subsection (3)(b)(ii) shall be \$1000 if a person is resident in the Territory and \$ 1500 if resident outside the Territory and the Council may, with the approval of Cabinet, by Order amend the fees.

(5) Section 17 shall not have effect until the guidelines specified in section 17(4) are issued.

(6) Paragraph 4(1) of Part B to Schedule 4 shall not have effect until the guidelines referred to in paragraph 4(2) of Part B to Schedule 4 are issued.”.

Passed by the House of Assembly this 28th day of January, 2016.

(Sgd) Ingrid Moses-Scatliffe,
Speaker.

(Sgd) Phyllis Evans,
Clerk of the House of Assembly.