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LEGAL SERVICES ACT 2017 PASSED BY PARLIAMENT

HM Government of Gibraltar and the Bar Council are pleased to announce that the Bill for a new Legal Services Act was passed unanimously by Parliament on the 20th September 2017.

The Government had a long-standing commitment to review the current system of regulation of Legal Services in Gibraltar in order to achieve a modernised and comprehensive statutory framework. This would replace the existing legislation based on provisions that are 50 years old.

Once it is commenced, this Act will ensure that there will be a more comprehensive, modern and effective regulatory system. For the first time, a full definition of legal services will be provided under the new law. The Act provides for the registration of persons authorised to offer legal services and establishes an independent Legal Services Regulatory Authority. Further, the Act places the Bar Council on a statutory footing as Gibraltar's "Law Council".

The new law will apply to all persons providing legal services in Gibraltar and not just lawyers working in private practice. As such, in-house counsel in industry, Government lawyers, law-costs draftsmen, legal executives and law firms themselves, are specifically covered in law, also, for the first time.

Work is already underway on secondary legislation to ensure that the Act can fully achieve its objectives. This work included a recent consultation undertaken by the Bar Council for a Code of Conduct. It is expected that the legislation will be commenced in full in the early Spring of 2018.

The Chairman of the Bar Council, Keith Azopardi QC said:

"The passing of this Act by Parliament is a significant step in ensuring that Gibraltar achieves a more modern and comprehensive system of regulation for the provision of legal services in Gibraltar. The Bar Council warmly welcomes this and looks forward to working with the Government to ensure that all is in place to commence the legislation as soon as is practicable."

The Minister for Health, Care and Justice, the Hon N F. Costa MP, said:



“On behalf of HM Government of Gibraltar and as part of a wide ranging and long outstanding review of legislation in this area, I am delighted that this Act was passed unanimously by Parliament. This legislation represents the first major reform in this area for fifty years and ensures that our jurisdiction’s legal profession is subject to more effective regulation, which is fit for purpose. As I mentioned in Parliament when speaking on the merits of the Act, the new legislation has been a true team effort and one of which I am extremely proud to have been a part. I again wish to place on record my thanks to the Honourable the Chief Justice, the Bar Council, the Attorney General, my Ministry’s Legal Counsel, Kevin Warwick and all stakeholders who contributed.”