



The Law Society of Ireland, in exercise of the powers conferred on them by section 5 of the Solicitors Act, 1954 and section 71 (as amended by section 69 of the Solicitors (Amendment) Act, 1994) of the Solicitors Act, 1954 hereby make the following Regulations:

1. (a) These Regulations may be cited as the Solicitors (Professional Practice, Conduct and Discipline) Regulations 1997
- (b) These Regulations shall come into force on the first day of April 1997
2. (a) In these Regulations:
 - ‘related to the purchaser’ means related by blood, adoption or marriage
 - ‘residential unit’ means a house or apartment intended for use as a residence
 - ‘solicitor’ has the meaning assigned to it in section 3 of the Solicitors (Amendment) Act, 1994 and includes two or more solicitors acting in partnership or association
- (b) Other words and phrases in these Regulations shall have the meanings assigned to them by the Solicitors Acts, 1954 to 1994
3. The Interpretation Act, 1937 shall apply for the purposes of the interpretation of these Regulations, as it applies for the purpose of the interpretation of an Act of the Oireachtas, except insofar as it may be inconsistent with the Act of 1954, the Act of 1960, the Act of 1994 or these Regulations
4. (a) A solicitor shall not act for both vendor and purchaser in the sale and purchase for value of a newly constructed residential unit or a residential unit in course of construction, where the vendor is the builder of that residential unit or is associated with the builder of that residential unit
- (b) The prohibition in sub-clause (a) of this Regulation shall not apply in the following situations unless there is a conflict of interest between the vendor and the purchaser:
 - i) where the vendor and the purchaser are associated companies or the purchaser is a member, director or employee of the vendor or an associated company of the vendor
 - ii) where the vendor or, where the vendor is a corporate entity, any member or director of the vendor, is related to the purchaser.
5. Without prejudice to the generality of section 3 (as amended by section 24 of the Act of 1994) of the Act of 1960, any breach of these Regulations may, upon due enquiry by the Disciplinary Tribunal pursuant to section 7 (as substituted by section 17 of the Act of 1994) of the Act of 1960, be found by the Disciplinary Tribunal to be misconduct within the meaning of section 3 (as amended by section 24 of the Act of 1994) of the Act of 1960.

STATUTORY

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(PROFESSIONAL

PRACTICE,

CONDUCT AND

DISCIPLINE)

REGULATIONS

1997