

**ORDINANCE**  
**OF THE STATES OF DELIBERATION**

ENTITLED

**The Bar Ordinance, 1949 <sup>a</sup>**

*[CONSOLIDATED TEXT]*

**NOTE**

*This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.*

© States of Guernsey

---

<sup>a</sup> Recueil d'Ordonnances Tome X, p. 39; Tome XX, p. 269; Ordinance No. XV of 1996; No. IV of 2002; No. IX of 2003; No. XXII of 2004; No. II of 2005; No. XV of 2006; No. XXXV of 2006; No. XXIII of 2010; and the Bar (Examination Fee) Regulations, 2011 (O.R.C. No. I of 2011).

## **The Bar Ordinance, 1949**

**THE STATES**, on the representations of the States Legislation Committee, hereby order:-

### **Repeals.**

1. The following Ordinances are hereby repealed -
  - (1) Ordonnance provisoire relative au Barreau of the 29<sup>th</sup> day of October, 1938;
  - (2) Ordonnance provisoire modifiant l'Ordonnance provisoire relative au Barreau (1946);
  - (3) Ordonnance provisoire modifiant l'Ordonnance provisoire relative au Barreau (1948).

### **Number of Advocates not limited.**

2. There shall be no limit on the number of Advocates entitled to practise before the Royal Court.

### **Qualifications for admission as Advocate.**

3. Every person who has been ordinarily resident in the Bailiwick of Guernsey for at least two years after attaining the age of sixteen years may be admitted as an Advocate of the Royal Court if he -

- (1) is either -

*Consolidated text*

- (a) a member of the Bar of England and Wales, of the Bar of Northern Ireland, or of the Faculty of Advocates in Scotland, or
  - (b) a Solicitor of the Supreme Court of England and Wales, of the Supreme Court of Judicature of Northern Ireland, or in Scotland;
- (2) holds either -
- (a) a Licence or Maîtrise en Droit of one of the Universities of France, or
  - (b) a "Certificat d'Études Juridiques Françaises et Normandes" from Caen University or such other qualification from that University as the Royal Court considers to be equivalent to such a Certificat;
- (3) has undertaken pupillage in Guernsey whilst accredited to an Advocate of the Royal Court of at least five years' standing<sup>b</sup>,
- (a) in the case of a member of the Bar of England and Wales, the Bar of Northern Ireland, or the Faculty of Advocates in Scotland, who is unable to satisfy the Royal Court that he has completed at least six months' pupillage within the jurisdiction concerned, for a period of not less than twelve months, or

---

<sup>b</sup> For specific pupillage requirements see Practice Direction of the 29<sup>th</sup> July, 2011 (No. 2 of 2011) which replaced that of the 11<sup>th</sup> July, 1988 (No. VI of 1988).

(b) in any other case, for a period of not less than six months;

(4) has passed an examination conducted by a Committee (hereinafter called "the Committee") under the authority of the Royal Court.

**Candidate not successfully passing examination.**

4. The Committee may in the case of a candidate who has not successfully passed the examination conducted by the Committee require either that such candidate shall take again either the whole examination or such part or parts thereof as the Committee shall direct and in either case may fix a period before the expiration of which the candidate shall not be re-examined.

**Examination fee.**

5. A candidate shall pay in advance to the Committee in respect of an examination a fee of [£600]<sup>c</sup> save that where the Committee require a candidate to be re-examined, the fee payable for such re-examination shall be [£100] for each part of such re-examination.

**Application for admission and oath of office.**

6. Every application for admission to the Bar must be made by the candidate to the Law Officers of the Crown and submitted by them to the Royal Court and at the admission of a candidate he shall take the oath of office of Advocate of the Royal Court.

---

<sup>c</sup> Now £1,000 and £200 respectively pursuant to the Bar (Examination Fee) Regulations, 2011 (O.R.C. No. I of 2011) with effect from the 10<sup>th</sup> January, 2011.

**Crown Officers.**

7. Notwithstanding the provisions of the preceding sections hereof, every person nominated by His Majesty to be His Majesty's Procureur or His Majesty's Comptroller if he has not already been admitted as an Advocate of the Royal Court shall have the right on presenting the Royal Mandate nominating him to his office to take the oath of an Advocate of the Royal Court, and subject to the rules existing in respect of his office, to practise as such so long as he shall be a Law Officer of the Crown.