

BERMUDA STATUTORY INSTRUMENT

SR&O 45/1975

BERMUDA BAR ASSOCIATION (ORGANIZATION) RULES 1975

*[made under section 9 of the Bermuda Bar Act 1974 [title 30 item 3]
and brought into operation on 3 May 1975]*

ARRANGEMENT OF RULES

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Interpretation

1 In these Rules—

"Act" means the Bermuda Bar Act 1974 [*title 30 item 3*];

"financial member" means a member of the Bermuda Bar Association who at the relevant time has duly paid all fees payable by him under these Rules.

[Rule 1 amended by BR52/1994 effective 2 December 1994]

Number of elected members of Council

2 For the purposes of section 3 of the Act, the number of elected members of the Bar Council is hereby specified as nine, including the officers.

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Annual general meeting of Association

3 The meeting of the Association provided for by section 5(1) of the Act (hereafter in these Rules referred to as the "annual general meeting") shall be held in the month of February in each year unless the Bar Council otherwise determines.

Notice of meetings

4 (1) At least ten days notice of the date and place of every annual general meeting, and at least seven days notice of the date and place of any special meeting of the Association requisitioned under section 6 of the Act shall be given by the Secretary.

(2) Notices under this rule shall be sent to every financial member resident in Bermuda.

(3) Any notice under this rule—

(a) shall be in writing; and

(b) may be sent by pre-paid post addressed to the member at the address for the time being notified to the Secretary pursuant to rule 6, and when so sent shall be deemed to have been received at the time when it would be delivered in the ordinary course of post.

Agenda for meetings

5 (1) Every notice of a meeting of the Association—

(a) shall give notice of the matters to be considered at the meeting (except that a notice of an annual general meeting need not specify the matters specified at paragraphs (a) to (e) of subsection (2) of section 5 of the Act);

(b) where the business of the meeting includes the election of the Bar Council, shall have attached to it a list of the names of all the candidates nominated for election, as well as the summary described in paragraph (4) of rule 8 in respect of each such candidate;

(c) where a resolution is to be considered at the meeting, shall include a copy of the resolution.

(2) A resolution shall not be moved, nor shall any business be considered, at a meeting of the Association unless either notice has been given of it in accordance with paragraph (1) or the President or other person presiding at the meeting gives express approval for the purpose.

[Rule 5 replaced by BR52/1994 effective 2 December 1994, and amended by BR48/1996 effective 26 July 1996]

Address for receipt of notices

6 (1) Every member of the Association who is in active private or other practice as a barrister or registered associate in Bermuda shall notify the Secretary of—

- (a) an address in Bermuda for the receipt of notices to be addressed to that member in connection with the affairs of the Association; and
- (b) any change in that address.

(2) A member of the Association who is not in active practice as mentioned in paragraph (1) may choose to comply with that paragraph voluntarily.

[Rule 6 replaced by BR52/1994 effective 2 December 1994; and amended by 1997:26 effective 15 August 1997]

Restriction on non-financial members

7 A person other than a financial member may not—

- (a) address a meeting, or move or second a resolution at a meeting, of the Association; or
- (b) vote at any such meeting; or
- (c) nominate, or second the nomination of, a person for election to the Council.

[Rule 7 replaced by BR52/1994 effective 2 December 1994]

Election to the Bar Council

8 (1) The Council shall, not less than twenty-eight days before the date of each annual general meeting, send to each member of the Association a notice informing him of his right to nominate one or more financial members of the Association for election to the Council.

(2) The Council shall attach to each such notice a nomination form which makes provision for—

- (a) the name and signature, or the names and signatures, of the person or persons nominated for election;
- (b) the name and signature of the member making each nomination; and
- (c) the name and signature of the member seconding each nomination.

(3) A person is not eligible for election to the Council unless there have been delivered to the Secretary not less than fourteen days before the date of the meeting in respect of him—

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(a) a nomination form fully completed in accordance with the intent of paragraph (2); and

(b) a summary which complies with paragraph (4).

(4) The summary referred to in paragraph (3), in relation to a candidate for election, is a written statement of not more than 150 words by the person nominating him setting forth the candidate's education, qualifications and experience at the Bar.

[Rule 8 replaced by BR52/1994 effective 2 December 1994]

Voting

9 Voting at a meeting of the Association shall be by each individual voting on a show of hands or by ballot in writing, as the case may require.

[Rule 9 replaced by BR52/1994 effective 2 December 1994]

Annual fees

10 (1) Subject to paragraph (2), each member shall pay to the Secretary on the date on which he becomes a member of the Association, and on every 30 November thereafter, an annual fee in accordance with the following Table—

Fee Table		
	2008	2009
1 Members of less than 10 years admission to the Bar and Registered Associates who have been registered for under 10 years (on 30 November of the current year).	\$700.00	\$850.00
2 Members of 10 years or more but less than 20 years admission to the Bar (on 30 November of the current year) and Registered Associates who have been registered for 10 years or more but less than 20 years (on 30 November of the current year).	\$800.00	\$950.00
3 Members of 20 years or more admission to the Bar (on 30 November of the current year) and Registered Associates who have been registered for more than 20 years (on 30 November of the current year).	\$900.00	\$1,050.00

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- 4 Members who (on 30 November of the current year) have worked 500 hours for legally aided clients in the previous 12 months. \$750.00 \$750.00

(2) Where a person becomes a member of the Association on 1 June or 30 November, or any date between those dates, in a year, the first annual fee payable by him is one-half of the annual fee that would have been payable by him had he been a member of the Association on the 30 November then last past.

[Rule 10 replaced by BR 52/1994 effective 2 December 1994; Fee Table substituted by BR 50/2000 effective 7 July 2000; item 5 of Fee Table amended by BR84/2006 effective 15 December 2006; Fee Table substituted by BR7/2007 effective 23 February 2007; Fee Table substituted by BR 89/2007 effective 12 October 2007]

[Amended by:

- BR 50/1981
- BR 7/1983
- BR 2/1984
- BR 52/1994
- BR 48/1996
- 1997 : 26
- BR 50/2000
- BR 84/2006
- BR 7/2007
- BR 89/2007]