**RESUMING PRACTICE APPLICATION DECLARATION AND UNDERTAKING**

To the Chief Executive of the General Council of the Bar of Northern Ireland (“the Bar Council”)

I, (full names[[1]](#footnote-1)) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

of (home address) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Email

Tel:

Gender:[[2]](#footnote-2) Male Female

Date of birth[[3]](#footnote-3)

Present occupation

For the purpose of resuming practice at the Bar of Northern Ireland do hereby **apply, declare and undertake** as follows:

**Practice history and application to resume practice**

1. I was admitted as a student into the Honorable Society of the Inn of Court of Northern Ireland in the Term 19/20 .
2. I was called to the Bar of Northern Ireland in the Term 19/20
3. I was called to the Inner Bar (if applicable) \_\_\_\_\_\_ in Term.
4. I have not practised since my Call to the Bar of Northern Ireland/since I ceased practice on the day of 20 and since then I have (insert below details as per footnote 4) [[4]](#footnote-4)
5. I wish to resume practice at the Bar of Northern Ireland on the day of 20 because (insert below

details as per footnote 5) [[5]](#footnote-5)

1. I informed the Chief Executive of the Bar Council (“the Chief Executive”) of my intention to resume practice at the Bar by way of letter dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ day of 20 .

**Declaration**

1. (a) I understand and appreciate that I owe a duty of candour when completing all sections of this application.
2. I confirm that the information provided in my First Schedule Memorial pursuant to Rule 1 of the Admission Rules[[6]](#footnote-6) for the purpose of my application to be admitted as a student of the Inn remains unchanged;
3. I have never been convicted of any criminal offence [[7]](#footnote-7);
4. There are no proceedings pending [[8]](#footnote-8) against me in the United Kingdom or elsewhere in respect of any criminal offence.
5. I have not:

 (i) received a caution or been bound over,

* + - 1. been the subject of a court injunction, or
			2. been the subject of an injunction/order in relation to harassment or anti-social behaviour at any time either in the United Kingdom or elsewhere.
1. I am not currently aware of any circumstances which might lead to me being or becoming the subject of an investigation relating to a criminal charge either in the United Kingdom or elsewhere.
2. I have never been convicted of a disciplinary charge by an employer or by a professional or regulatory body nor are there any disciplinary proceedings pending against me in the United Kingdom or elsewhere in respect of any such charge. I have never been the subject of any disciplinary penalty including a reprimand, censure or warning, nor have I received any advice from a professional or regulatory body concerning any professional conduct, service or behaviour.
3. I have never been found guilty of an academic charge by a higher education institution [[9]](#footnote-9).
4. I have never had any bankruptcy order[[10]](#footnote-10), debt relief order[[11]](#footnote-11), director’s disqualification order[[12]](#footnote-12), bankruptcy restrictions order[[13]](#footnote-13) or debt relief restrictions order made against me nor have I entered into any individual voluntary arrangement with creditors.
5. I have not previously been refused admission to or expelled from an Inn of Court in England and Wales, the Faculty of Advocates in Scotland or the King’s Inns in the Ireland or from any other similar body in any country in the world.
6. I do not suffer from serious incapacity due to mental disorder (within the meaning of the Mental Health (Northern Ireland) Order 1986), nor addiction to alcohol or drugs, nor from any other condition which might impair my fitness to become a practising barrister [[14]](#footnote-14).

**If any of the statements in paragraph 7(a)–(h) cannot truthfully be declared in full or in part please delete or amend the statements or relevant part of it as appropriate and provide an explanation for such deletion or amendment in the space below.**

1. Except as disclosed below, I am not aware of any other matter which might reasonably be thought to call into question my fitness to practise as a barrister[[15]](#footnote-15).

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**Undertaking**

1. I accept that honesty and integrity are at the heart of a barrister’s practice.
2. I understand that the Chief Executive of the Bar Council will assess the information in this Declaration and Undertaking before he/she determines whether to issue me with a practising certificate to resume practice.
3. I understand that the Chief Executive will make enquiries of the Professional Conduct Committee of the Bar Council in order to verify the declaration made by me in paragraph 7(g).
4. If requested by the Chief Executive, I will apply, or assist him/her in applying, to Access NI for disclosure about me.
5. I undertake that if there is any change to the matters declared and/or disclosed in response to sections 2 or 3 above between the date of signing and the issue of a practising certificate to me that I will promptly and completely inform the Chief Executive of the relevant information.
6. I will inform the Chief Executive of any change to my name, address, email or telephone contact details.

 **Signature**

1. I have read and understood the terms of this Application, Declaration and Undertaking.
2. I understand that if this Application, Declaration or Undertaking is found to be false in any material respect or there is a breach of the Declaration or Undertaking, such falsification or breach shall itself constitute professional misconduct. [[16]](#footnote-16)

Dated day of 20

Signature:

NAME:

**(BLOCK CAPITALS)**

**DATA PROTECTION ACT 2018**

The General Council of the Bar of Northern Ireland takes your privacy seriously and will only use the Personal Data you provide in this form to process your application for a practising cerificate.

Personal Data given on this form will only be processed by the Bar Council of Northern Ireland and Bar Library Services Limited.

Personal Data will be kept on file for while you are a Practising Barrister and a further defined period as dictated by organisational data retention policy.

1. Give your name as shown on your passport [↑](#footnote-ref-1)
2. This information is collected for monitoring purposes only [↑](#footnote-ref-2)
3. This information is collected for monitoring purposes only [↑](#footnote-ref-3)
4. It is essential that you provide full and detailed answers here. Use a separate sheet if necessary. Inadequate detail may lead to a delay in assessing and determining your application if it is necessary to obtain relevant information from you, in order to do so or may lead to a refusal of your application. Your answers should include details of the following;

Precisely how long you were in practice for.

The areas of practice that you engaged in prior to ceasing practice.

The precise period of time during which you had not been in practice.

The precise reasons for your absence from practice.

What you have been doing in the intervening period, including detail about what, if any, legal work you have been engaged in, providing a schedule of that work, if relevant. [↑](#footnote-ref-4)
5. It is essential that you provide full and detailed answers here. Use a separate sheet if necessary. Inadequate detail may lead to a delay in assessing and determining your application tif it is necessary to obtain relevant information from you in order to do so, or may lead to a refusal of your application. Here you should make it clear precisely why you seek to resume practice, and you should include details as to whether you seek to resume practice for a specific case, or cases, or seek a full return to practice. If you seek to resume practice for a specific case or cases provide details of those, to include, where applicable, the precise or approximate dates for hearing. If you seek a full return to practice provide details of your proposed areas of practice. [↑](#footnote-ref-5)
6. Rules of the Honorable Society of the Inn of Court of Northern Ireland [↑](#footnote-ref-6)
7. For this purpose a “criminal offence” means any offence including an offence relating to the non-payment of tax or VAT, wherever and whenever committed, under the criminal law of any jurisdiction except (i) an offence for which liability is capable of being discharged by payment of a fixed penalty; and (ii) an offence which has as its main ingredient the unlawful parking of a vehicle. Any conviction which is spent is nevertheless required to be disclosed by virtue of the Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979. Details of a criminal conviction should specify the sentence given. [↑](#footnote-ref-7)
8. Proceedings are pending if (i) you are currently charged with, or (ii) you are on bail or in detention or custody (or have failed to surrender to custody) in connection with any criminal offence. [↑](#footnote-ref-8)
9. If you were found guilty, but subsequently successfully appealed against that finding, there is no need to declare it. [↑](#footnote-ref-9)
10. For this purpose a “bankruptcy order” includes a bankruptcy order made pursuant to the Insolvency

 (Northern Ireland) Order 1989 and any such similar order made in any jurisdiction in the world. [↑](#footnote-ref-10)
11. For this purpose, a “debt relief order” includes a debt relief order made pursuant to the Insolvency

 (Northern Ireland) Order 1989 and any similar order made in any jurisdiction in the world. [↑](#footnote-ref-11)
12. For this purpose, a “director’s disqualification order” includes a disqualification order made by a court or disqualification undertaking accepted by the Secretary of State, pursuant to the Company Directors’ Disqualification (Northern Ireland) Order 2002 and any similar order or undertaking made or given in any jurisdiction in the world. [↑](#footnote-ref-12)
13. For this purpose, a “bankruptcy restrictions order” includes a bankruptcy restrictions order made by a court or a bankruptcy restrictions undertaking accepted pursuant to the Insolvency (Northern Ireland) Order 1989 and any similar order or undertaking made or given in any jurisdiction in the world. [↑](#footnote-ref-13)
14. If you are a disabled person within the meaning of the Mental Health (Northern Ireland) Order 1986 or the Disability Discrimination Act 1995 and are unable to make this declaration then, on application to the Inn, consideration will be given as to whether reasonable adjustments can be made. [↑](#footnote-ref-14)
15. This includes any incident or behaviour which, if known to the Bar Council, might cause your application to be assessed and determined more carefully. If in doubt, disclose the incident/behaviour. [↑](#footnote-ref-15)
16. The Chief Executive will assess and determine each application on its own merits. Each applicant owes a duty of candour when completing all sections of this application. [↑](#footnote-ref-16)