

NO. 77/1999

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Entered into effect 1 January 1999. Amended by Act No. 36/1999 (entered into effect 1 May 1999), and Act No. 93/2004 (entered into effect 1 November 2004), The EEA Agreement: Annex VII, Directives 77/249/EEC and 98/5/EC.

Chapter I.

General provisions.

Article 1.

[The term “lawyer” in this Act refers to any person who is licensed as a representative in litigation before the Supreme Court or the district courts.

The Act shall also apply, as applicable, to lawyers licensed to practice in Iceland using the professional titles of their home countries in accordance with the provisions of the European Economic Area or the Agreement Establishing the European Free Trade Association. The Minister of Justice shall issue rules¹⁾ in further detail on the registration, duties, rights and practice of such lawyers in Iceland, including

their participation in operating law offices jointly with others.

Lawyers are public functionaries and subject to rights and duties as such.][2)

1) Regulation 896/2004. 2)Act No. 93/2004, § 1.

Article 2.

Subject to the provisions of the third paragraph, if a party in litigation does not represent himself on his own in court, or is represented by a person who by law has a right to represent him, his representation there shall only be entrusted to a lawyer.

The provisions of the first paragraph shall apply in criminal cases, subject to the limitations that may follow from legal provisions permitting other persons than lawyers to appear in court as defence counsels, agents or spokesmen for suspects or [victims).1)

Notwithstanding the provisions of the first paragraph a party in litigation may entrust any person practising as a lawyer in any other member state of the European Economic Area, who has the right to represent litigants in

court, with his representation in a corresponding Icelandic court, provided that person is, during court sessions, assisted by a lawyer practising in Iceland. ?2)

1) Act No. 36/1999, § 48. 2) Act No. 93/2004, § 2.

Chapter II.

The Icelandic Bar Association and the Resolution Committee of Professional Lawyers.

Article 3.

Lawyers shall maintain an association among themselves, named the Icelandic Bar Association. They all have the duty of being its members.

The Icelandic Bar Association shall issue statutes governing its activities. Subject to the fifth paragraph, the Association's activities shall be limited to the functions expressly provided for by law.

[An independent Resolution Committee shall be active under the auspices of the Icelandic Bar Association, to resolve the cases referred to it in accordance with the provisions of this Act. The Resolution Committee shall have jurisdiction over lawyers practising in Iceland in accordance

with the provisions of Article 1, the second paragraph. The Committee shall be composed of three members, with three alternates. Each member shall have a seat on the Committee for three years at a time, subject however to one seat becoming vacant each year. One member shall be appointed by the Icelandic Bar Association in accordance with provisions in further detail laid down in its statutes, one shall be appointed by the Minister of Justice, and one shall be appointed by the Supreme Court of Iceland from among lawyers engaged in independent practice, and shall fulfil the requirements set for the office of a Supreme Court judge. The Committee shall elect a chairman for itself for a term of one year at a time.]1)

The Icelandic Bar Association shall bear the costs the functions committed to the Association and to the Resolution Committee by law. The Association may charge an annual due from its members in order to meet this cost. The Icelandic Bar Association may, for purposes other than those referred to above, maintain one or more separate social sections, to which membership by lawyers shall be

optional. The finances of such social sections shall be kept separate from the Association's finances.

1) Act No. 93/2004, § 3.

Article 4.

Procedure within the Resolution Committee of Professional Lawyers shall be governed by the Administrative Practices Act, unless a different arrangement follows from the provisions of Chapter 5. Within this framework, the Committee shall lay down rules in further detail concerning procedure within particular categories of cases.

The decisions of the Resolution Committee of Professional Lawyers shall neither be subject to administrative appeal nor to appeal within the Icelandic Bar Association.

Article 5.

The Icelandic Bar Association shall represent lawyers to judicial and administrative authorities as regards matters pertaining to the legal profession.

The Icelandic Bar Association shall issue a Code of Ethics for lawyers.

The Icelandic Bar Association shall seek to ensure that any