

Advertising rules and Guidelines for Advocates, Law Firms and Chambers

Effective as of January 2026

Introduction

The Chamber acknowledges the balance required in the area of the supply and demand of legal services; the evolution of the profession from the provision of what are best termed as traditional legal services to a wider and broader array of legal services provided by advocates and law-firms, the technologies available today in the provision of those services – in brief, a radically changed environment in the provision of legal services that requires, amongst others, a re-think of the manner in which advocates manage and promote the provision of their services.

The Chamber does not subscribe to the school of thought that the provision of legal services is merely a commodity in the market and that they accordingly need to be addressed exclusively in economic terms as any other commodity by applying the same rules of demand and supply applied to other services and commodities.

The matter is somewhat more complex than that – and the ethical rules that regulate the profession, the trust placed by consumers of legal services in their legal counsel and which characterises the client-attorney relationship – places the relationship beyond the simple commodity or service that can be viewed in simplistic economic terms. This notwithstanding, the Chamber acknowledges that there is merit in the view that as advocates we also need to be sensitive to the manner in which clients perceive the market for legal services and we simply cannot just be guided by the manner in which we, as a profession, perceive ourselves and what we do.

This calls for a balanced approach to the regulation of the profession, including in areas such as promotion and publicity. As a profession, we need to take stock of all that is happening around us and to evaluate whether long-standing and time honoured rules are still as cogent or even relevant in today's environment as they were when originally contemplated.

The Chamber trusts that in regulating the publicity and marketing of legal services, the aim is really to balance competing goals. On the one side is the need to promote access to legal services and to ensure the benefits of competition within the market for legal services, by those authorised to provide such services and covered by the code of ethics and conduct for advocates. On the other side is the need to maintain the standing and decorum of the profession, to prevent unfair tactics which may harm other members of the profession, and to prevent the public from being misled or exploited.

In a competitive market for legal services, it is only right that advocates are permitted to market themselves, using such media as may be available to them, including through websites, social media or other digital platforms. In many cases, lay and professional clients are likely to be interested in researching advocates – by understanding who they are, or who they are considering, instructing – or advocates who are known to be on the other side of the case or transaction. This public interest however can only be truly and properly served if advocates are able to promote the services they provide in full respect of the dignity, decorum and professionalism that is expected of them, in full respect therefore of the core values that distinguish them as an important pillar within the society in which they operate and exercise their profession. To consider the provision of legal services as any other commodity would be to dismiss or discard the significance and importance that ethical rules and rules of conduct still play and indeed should play in advocates and legal practitioners performing their duties to their clients.

It is in this context that the Chamber is revising its rules and guidelines for the profession to market and promote its services.

The Rules

Definitions

Terms used in these rules shall, unless the context otherwise requires or are otherwise defined in these rules, have the meanings assigned to them in the Code of Ethics for advocates (the “Code”). In these rules the term advocate shall, unless otherwise specified, include Chambers and Law Firms.

Rule 1- Promotion

- (1) Advocates may only publicize or promote their practices, firms, chambers and/or their professional services to provide public awareness of the services they offer and to enable the general public and prospective clients to make an informed choice in engaging the services of an advocate.
- (2) Any promotional or publicity activity by advocates must be conducted in full respect and compliance of the core values of the profession and in strict compliance with the provisions of the Code and as hereinafter provided for, or otherwise with the approval of the Chamber.

Rule 2 – General Principles on promotion and publicity

- (1) Advocates may engage in any publicity or promotion of their practice, which conforms to the rules in the Code of Ethics and these rules and such publicity or promotion must at all times be:
 - a. an accurate description of the service;
 - b. lawful;
 - c. decent;
 - d. truthful;
 - e. honest; and
 - f. socially responsible (not encouraging illegal, unsafe or anti-social behaviour).
- (2) Advocates may not use publicity or promotion which:
 - a. is either misleading or inaccurate in any respect, or which is likely to be misleading;
 - b. is likely to diminish public confidence in the legal profession or the administration of justice or otherwise bring the legal profession into disrepute;
 - c. makes direct comparisons in terms of quality with or criticisms of other identifiable persons (whether they be advocates or members of any other profession);
 - d. includes statements about the advocates’s success rate;
 - e. indicate or imply any willingness to accept instructions or any intention to restrict the persons from whom instructions may be accepted otherwise than in accordance with the Code;
 - f. indicate or imply a certain structure or set up that gives a misleading impression of its actual set up or structure;

- g. is so frequent or obtrusive as to cause annoyance to those to whom it is directed.
- (3) Publicity and promotion of an advocate's practice may, subject to all the other rules of this Code, include:
- a. photographs or other illustrations of the advocate;
 - b. statements of rates and methods of charging;
 - c. statements about the nature and extent of the advocate's services;
 - d. information about any case or transaction in which the lawyer has appeared (including the name of any client for whom the lawyer acted) only with the express prior written consent of the lay client.
- (4) Practitioners must not publicize their practices by making unsolicited visits; telephone calls or electronic communication to a member of the public or a person who they know is the client of another advocate.
- (5) **"Member of the public"** does not include:
- a. a current or former client;
 - b. another advocate;
 - c. an existing or potential professional or business connection; or
 - d. a commercial organisation or public body.

Rule 3- Prohibited Publicity

- (1) No advocate, chambers or law firm shall, without the consent of the Chamber:
- (a) use or allow the use of its name to appear or to be used, on a permanent or continuous basis, on any brochure, website, letter headed paper or other medium intended to promote or publicise the provision of legal services in conjunction or in association with the names of other entities when those other entities are not themselves advocates, chambers or law-firms;
 - (b) use, on a permanent or continuous basis, the name of any other person or entity, not being an advocate, chambers or a law firm, in conjunction or in association with its own name on any brochure, website, letter headed paper or other medium intended to promote or publicise the provision of services other than legal services.
 - (c) use a logo or other distinctive brand or mark for the publicity or promotion of the provision of legal services that is also used for the provision of services other than legal services and which is likely to mislead a reader as to the nature of the services that are provided by the entity or other person using that logo, or other distinctive brand or mark.
- (2) The practices mentioned below do not respect the integrity and decorum of the profession and do not add any value to the information of the public on the provision of legal services by advocates, accordingly they shall constitute a breach of the rules:
- (a) any advertising on broadcast media, including television, radio and other forms of broadcast media (save for what is stated in Rule 5); billboards whether electronic or otherwise;
 - (b) any advertising campaigns promoting the marketing of a practitioner's services on any medium;

- (c) the use of offensive, uncouth, or vulgar language;
- (d) publicity on vehicles intended for public transport, including buses, coaches and taxis;

Rule 4 - Permitted Publicity

- (1) Advocates, Chambers and Law Firms may undertake any of the following activities in full respect of the provisions of the Code and these rules:
 - (a) publicise vacancies in their firm or office,
 - (b) publicise any changes in their organisational structure;
 - (c) sponsor and promote events, such as conferences, seminars, workshops provided they concern matters of academic or professional interest, promote cultural or artistic activities or sporting events; sponsorship of charitable activities;
 - (d) insert entries in legal directories or other publications whether such entries are paid for or not;
 - (e) publish articles of a professional or academic interest, including write-ups about the advocate or law firm publishing the article;
 - (f) publish interviews of an academic or professional content or about the services provided by the advocate or law firm on any medium;
 - (g) use social media to post matters of a professional or academic interest and to promote the legal services provided by such advocate or law firm.

Rule 5 – Appearance on broadcast media

- (1) Any advocate who appears on any television, radio or other broadcast (including a broadcast over the internet) shall at all times conduct himself or herself with circumspection.
- (2) The obligations of integrity and honesty require that such advocate states clearly whether his or her appearance on TV, or participation in a radio or other form of broadcast is because he or she has been invited to appear on the programme or broadcast by the producers with a view to provide generic advice and information to the public as a public service or whether he or she is participating in the programme or broadcast as a means of publicity or promotion of the legal services he or she provides, including whether he/she has paid or will pay any compensation for such appearance.

Rule 6 – Digital Platforms and Websites

Websites

- (1) Advocates may lawfully have and maintain their own websites as part of providing the public with information about who they are and the legal services they offer. Websites shall be subject to these rules and the guidance provided in these rules.
- (2) In addition, websites shall conform to the following requirements:
 - (a) indicate the persons who are responsible for any data or information contained on the website;
 - (b) indicate at least one physical address from where the advocate practices his profession and provides his services;
 - (c) no indication is to be made to the provision of services which are or may be provided by the advocate (including through a different entity owned by the advocate or principals or partners in a law firm or member of chambers) but which are not legal services.

Other Digital Promotion

- (3) Advocates shall be generally allowed to promote or publicise their practice through digital and social media, provided that at all times the provisions of these rules are fully complied with.

Rule 7 – Role of the Chamber

- (1) In all instances where an advocate, chambers or law firm is unsure on the manner in which it may proceed with respect to promotion, it is highly recommended that practitioners should seek the advice of the Chamber, failing which, the Chamber reserves the right to take any action it may deem fit in accordance with the provisions of article 84A(4) of Cap.12 of the Laws of Malta .
- (2) The Chamber reserves the right to alter and modify these guidance notes as may be necessary from time to time, and to issue guidelines to supplement and clarify these rules.
- (3) The Guidance Notes appended to these rules shall be construed as one with these rules.

Guidance Note 1 on Rule 1

You should note that promoting or publicising your practice is intended, principally, to serve the purpose of allowing prospective clients to make an informed decision before engaging an advocate or law-firm, whether with respect to dispute resolution services, advisory, or transactional services.

The Chamber accepts however that in a competitive market for legal services, prospective clients are likely to be interested in researching advocates and law firms - who they are, or who they are considering, instructing – or advocates/law firms who are known to be on the other side of a case or transaction.

In all instances, any promotional or publicity activity is to be conducted in line with the requirements of the rest of the Code and the Rules. Nothing in these rules allowing you to publicise your practices exempt you from compliance with all the other core values and all other principles in the Code. These include, in particular, but without limitation:

- Rule 4 of Part One - Chapter I of the Code;
- Rule 1 of Part Three – Chapter I of the Code;
- Rule 1 of Part Three – Chapter II of the Code

Guidance Note 2 – Rule 2

GN2.1 You ought to exercise great care in the application of this rule. If you knowingly or recklessly publish publicity or promotional material which is inaccurate or likely to mislead, this could also result in a breach of the Rule. Accordingly, you should be particularly careful about making comparisons with other persons as these may often be regarded as misleading.

GN2.2 It would be misleading for a name or description of a practice to include the word “advocates” or “lawyers”, or terms that would imply a duly qualified legal practitioner if such person is not admitted to practice law in accordance with applicable law in Malta.

GN2.3 Likewise, it would be misleading for any advocate employed by a non-advocate or law-firm to allow his/her employer to (i) promote or publicize the provision of legal services, or (ii) to provide legal services; including those set out in Rule 6 of Chapter IV of Part ONE of the Code, simply by virtue of or through the employment of the advocate or lawyer.

GN2.4 It would also be misleading for you, if you are a sole practitioner, to use a firm name or terms such as "and partners" or "and associates", or terms of similar import, in a firm name unless the firm did formerly have more than one partner or practitioner.

GN2.5 It would likewise be misleading for any lawyer, advocate or law firm to publicise or promote the provision of legal services through the use of a limited liability company or commercial partnership. It is indeed unlawful for any company to provide legal services or for any law firm to take the form of a limited liability company or other commercial partnership and provide legal services through such an entity.

Names of practices

GN2.6 Article 88B of Chapter 12 regulates the names of law firms. The names or brands used by Chambers or sole practitioners should follow the same rules.

To ensure that they do not breach the rule, sole practitioners are encouraged to practice the profession under their own personal names or any derivative thereof that clearly identifies the sole practitioner concerned and the fact that he/she is a sole practitioner.

GN2.7 Sole practitioners who engage other advocates in their employ may together with their own names use terms such as “and associates” or “and Co” or words of similar import.

GN2.8 A sole practitioner who practises the profession under a particular name that is likely to give an impression to the public that the practice is a law firm or chambers is considered as misleading. Where sole practitioners engage at least four (4) other advocates in their employ and wish to practice the profession under a firm name, the Chamber believes that, provided that the name is qualified by appropriate explanatory wording on letter-headed notepaper, emails, websites, bills or other media where the name under which the advocates practice their profession appears, it would be sufficient to provide consumers with adequate disclosure of the structure or set-up.

The Chamber considers the following be to appropriate explanatory wording:

[Name used] is the name under which [name of principal] and other lawyers engaged by him/her practices the profession of advocate.

Use of the term “Partner”

GN2.8 In the context of a civil partnership, it is permitted, and desired, to refer to members of the partnership as "partners", provided the firm complies with the provisions of the Civil Code (Cap.16 of the Laws of Malta) with respect to civil partnerships.

GN2.9 The names of partners must appear on the firm's notepaper or in a statement that a list of partners is available from the address shown on the notepaper or from the firm's website (a link to the firm's website ought to be included).

GN2.10 Some firms are not organised as a civil partnership, accordingly calling its principals or members “partners” may well be misleading as it gives the impression that the firm is organised as a partnership when in actual fact it is not. Others that are organised as partnerships may wish to designate some non-members of the firm as "partners". This is also potentially misleading.

GN2.11 Where law firms are not organised as civil partnerships other terms may be used, such terms may include the word "members", “principals” or words having a similar meaning, otherwise the use of the term “partner” is considered as potentially misleading.

Designation of chambers

GN2.12 Where an association of advocates is organised or structured as a form of chambers, appropriate explanatory wording ought to appear on any letter headed paper, notepaper, brochure, publicity or promotional material, including any website or digital platform, that notwithstanding that a number of advocates practice under one name, there is no joint liability towards a client between each of the advocates practising under that name, and that each advocate is independent and has his own personal clients and is solely responsible for servicing those clients. Any material that projects chambers as a firm is considered to be misleading and in breach of this rule.

GN2.13 The Chamber considers the following to constitute appropriate wording that may be properly utilised on letter-headed notepaper, emails, websites, bills or other media where the name under which the advocates practice their profession:

[Name], is a grouping of independent lawyers. Whilst each lawyer practises law under the name of the group and from one office, each lawyer is responsible towards his/her own clients.

Naming non-partners

GN2.14 It is unusual for non-partners or non-members of a firm, or for advocates who are consultants or employees to be named on a partnership's or firm's letterhead or included in a list of partners or members. Likewise in the case of chambers, employees of any independent member should not be

included in letterheads of the chambers concerned. Any advocate, chambers or law firm wishing to do so ought to qualify their status in clear and unambiguous terms.

Cold Calling

GN2.15 This Rule prohibits advocates from making unsolicited approaches, either in person or by telephone, to a "member of the public". This is intended to protect the public from the intrusiveness and pressure of unsolicited telephone calls and approaches in person. This rule, therefore, bans what is often termed "cold calling" and prohibits, for example, knocking on doors, approaching people newly arrived at ports of entry, approaching someone in the street, in a hospital or at the scene of an accident, or handing out leaflets in the street. The rule also prohibits approaching a member of the public (either in person, e.g. in the street or by telephone) to conduct a survey which involves the collection of contact details of potential clients, or otherwise promotes your firm's practice. This rule also prohibits you from undertaking any unsolicited communications with a person, a prospective client, who you know is already the client of another member of the profession, with a view to soliciting that prospective client to engage you to provide legal services on a brief which are already being provided by another member of the profession on that same brief.

GN2.16 Attention is drawn to the section on "touting" in the code of Police laws (Cap10 of the Laws of Malta) as well the Code which prohibits, amongst others, having any financial arrangements with an introducer in respect of business which has been obtained (either by that introducer or through an intermediary) by way of unsolicited face-to-face or telephone "cold calling".

Guidance Note 3 on Rule 3

GN3.1 This rule is intended to ensure that advocates, chambers and law firms do not use means of promotion which may appear to be legitimate in order to avoid the application of these rules. For instance, advocates who may have an ownership interest in a corporate services provider ("CSP") may advertise the CSP and its services but cannot then make reference to the provision of legal services in the same advert or promotional material. Nothing in this rule however ought to be construed as prohibiting or otherwise limiting any law firm to place or allow its name to be used on publicity and promotional material together with a firm or other entity or person providing services other than legal services, if the promotional or publicity material is intended to promote or publicise a particular joint event or initiative, provided that such initiative does not fall foul of any other rule.

GN3.2 The Chamber has come across situations where a law firm forms part of a group of entities, owned and managed substantially by the same advocates and which provide services other than legal services through such entities. It is a common occurrence in such instances that the law firm uses a common logo or brand that is used for the promotion by that group or other entities within that group of services which are not legal services. At times, that common logo or brand may or may not be qualified by different nomenclatures of the different entities within the group, to the extent that it is not immediately clear which of the entities within the group is acting, or which services are being provided. This practice is considered to be a breach of the rule as generally, it has the ability to create confusion and can be misleading to the public in determining when that brand or logo is used for the provision of legal services and when it is used for the provision of other services. You are to exercise extreme care in the use of such brands or logos to ensure at all times that (i) the use of such logos or brands is not used or construed to be used as a means of evading these rules and guidelines; and (ii) consumers of legal services can easily identify the entity that is providing legal services without any reasonable doubt.

GN3.3 Promotion of law firms and services by advocates should therefore clearly indicate themselves as such and should not confuse the market as to the services really being offered.

Promotion of bundled services, where services that are not legal services are bundled with legal services are not only discouraged but will be considered a breach of these rules.

GN3.4 There are instances which are more evident than others that can fall foul of this rule. A website of an advocate promoting the provision of real estate management can hardly be considered as the provision of legal services; a website promoting the provision of legal and accounting and auditing services would also clearly fall foul of this rule¹.

GN3.5 In other instances, advocates may provide services which are objectively complementary to legal services, such as the provision of corporate support services. In these instances, advocates should be cautious as to the manner in which the provision of such services are promoted and ought to be clear and transparent, apart from being compliant with applicable CSP regulation.

1. For instance, if those services are provided by the advocate directly, then it is legitimate to promote them as part of the same publicity material, but if those services are provided by a separate company in which the advocate has an interest, then it should be made just as clear that the services are so provided.
2. A website or other digital platform, promoting the advocate's legal services should not itself promote the provision of such other services directly, unless those services are in actual fact provided by the advocate directly. In the event that those services are provided through a company or other entity, then the advocate's website or other publicity material may have a link directing the reader to the other website; or in the case of other publicity material may mention the link to the other entity and refer readers to where they can find materials explaining the services provided by such other entity.

GN3.6 Rule 4 (2) is intended to provide a non-exhaustive list of promotional activities that are prohibited, , since they are considered by their very nature to place the integrity and decorum of the profession at a disproportionately high risk, when compared to the real value that may be added to the provision of factual information to the public.

GN3.7 Running an advertising campaign for an advocate's practice using for instance buses, taxis or other forms of public transport or billboards, is considered as breaching the rules and is not to be conducted.

GN3.8 Publicity on certain websites which are typically known for highly questionable material or activity that may place the dignity and decorum of the profession in bad light is likewise susceptible to being considered in breach of the rules.

Guidance Note 4 on Rule 4

GN4.1 Practitioners should feel free to use any medium that modern technology places at their disposal to be able to promote their practices provided that the provisions of the Code of Ethics and these rules are properly observed. The activities mentioned in Rule 4 are not intended to be exhaustive but rather, to be used as a list of activities that shall not require any prior approval by the Chamber and where advocates may therefore feel at liberty to undertake any of the activities mentioned in the list.

GN4.2 Practitioners are also to note the provisions of Rule 6 in connection with the use of websites and digital media for promotion of publicity activities.

¹ This is also likely to fall foul of other provisions of the Code itself and article 42 of the code of police laws.

Guidance Note 5 on Rule 5

GN5.1 The appearance of members of the profession on TV and radio programmes has been a practice which has, over time, caused significant issues within the profession. In the light of the liberalisation of the principles on the promotion by advocates of their services, the general prohibition of participating on TV/radio programmes is being removed and substituted by a requirement based on full disclosure.

GN5.2 This, however, requires better and more stringent regulation of the practice in a manner that can be effectively monitored and enforced.

GN5.3 The Chamber notes the significant impact that a medium such TV or radio, as well as other media, may have on the general public – indeed it is designed to have such an impact. In this context, it finds that in the interest of honesty and integrity as underlying the core values of the profession – an advocate appearing on such programmes should not appear or be perceived as providing a public service when, in actual fact, the ultimate intention is to promote himself as an advocate, or to promote the legal services provided by such advocate. That would constitute deceitful conduct which is itself a breach of the Code of Ethics.

GN5.4 It is important that this rule is not to be confused with the prohibition in Rule 6 – which deals with publicity on a broadcast medium. This rule simply regulates the appearance by an advocate on broadcast media for the purpose of the rule and therefore only regulates such conduct without prejudice to the prohibition set out in Rule 6. Practitioners ought to exercise great care and circumspection in relying on the provisions of Rule 6 to create a “safe harbour” from the application of the provisions of Rule 5. There can be a very fine line that divides the two and this will normally depend on the overall impact and impression that an advocate’s appearance may have.

GN5.5 In this context, any advocate appearing on programmes on the media ought to state clearly whether he/she has been invited to provide generic advice or information as part of a public service, or whether he/she is promoting himself/herself and/or his/her services through that medium.

GN5.6 In the latter case, any additional visual or audio promotion or adverts complimenting or supporting what an advocate may say during a broadcast, will be considered as a prohibited activity under Rule 5.

GN5.7 The Chamber recommends that the following statement, or a statement similar in effect, is made, whether verbally, or in the case of visual communication made to appear on screen:

Dr [-] is participating in this programme/broadcast on an invitation by the producers and his/her appearance is not an advert or promotion of his/her services;

or

Dr [-] is participating in this programme/broadcast of his/her own initiative and constitutes an advert or promotion of his/her professional services. Dr [-] has paid for this appearance.

Guidance Note 6 on Rule 6

GN6.1 The Chamber is fully aware of the importance and significance of digital media as a form of providing information and for advocates to promote and publicise the provision of their services.

GN6.2 You should be cautious in the use of such digital media, given the international exposure that such media may have. The rules applicable to general publicity and promotion activities shall likewise apply to digital media. In addition, certain specific rules shall apply to digital media.

GN6.3 You are to be very cautious in the nature of the digital platforms that are used in order to publicise and promote your practice – sometimes the very platform used may well be considered to be likely to diminish public confidence in the legal profession or the administration of justice or otherwise, bring the legal profession into disrepute.