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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make amendments in consequence of the Treaty concerning the accession of the Republic of Croatia to the European Union, signed at Brussels on 9th December 2011 (OJ No L 112, 24.04.2012).

### **Regulation 2**

Regulation 2 implements the adaptations to Article 1(2) of Council Directive [77/249/EEC](#) of 22 March 1977 to facilitate the effective exercise by lawyers of freedom to provide services (OJ No L 78, 26.03.77, p.17-18) made by Council Directive.

It amends the definition of “European lawyer” in the European Communities (Services of Lawyers) Order 1978 (“the 1978 Order”) to include a reference to Croatia and the national designations of lawyers in that country. The effect of the amendment is to confer certain rights to practise on a temporary basis as a lawyer on lawyers professionally qualified in Croatia.

### **Regulations 3 and 5**

Regulation 3 implements the adaptations to Article 1(2) of Directive [98/5/EC](#) of the European Parliament and of the Council of 16 February 1998 to facilitate practise of the profession of lawyer on a permanent basis in a Member State other than that in which the qualification was obtained (OJ No L 77, 14.03.98, p.36-43), made by Council Directive.

It amends the definition of “European lawyer” in the European Communities (Lawyer's Practice) (Scotland) Regulations 2000 (the “2000 Regulations”) to include a reference to Croatia and the national designations of lawyers in that country. The effect of the amendment is to confer certain rights to practise on a permanent basis as a lawyer on persons who are nationals of an EU or EEA State or Switzerland and who are authorised to practise in Croatia, and nationals of Croatia who are authorised to practise in one of those States.

Regulation 5 makes transitional provision as to the application of the 2000 Regulations as amended by regulation 3.

### **Regulation 4**

Regulation 4 gives effect to the further amendments made to primary and secondary legislation by the Schedule. Those amendments are made so as to ensure that certain definitions of “EEA State” which are used will incorporate a reference to Croatia following its accession to the European Union.

No business and regulatory impact assessment has been prepared for these Regulations as no impact upon business, charities or voluntary bodies is foreseen.

**Changes to legislation:**

There are currently no known outstanding effects for the The European Union (Amendments in respect of the Accession of Croatia) (Scotland) Regulations 2013.