

2007 No. 359

LEGAL PROFESSION

**The European Communities (Services of Lawyers) Amendment
(Scotland) Order 2007**

Made - - - - - *25th July 2007*

Laid before the Scottish Parliament *1st August 2007*

Coming into force - - - *25th September 2007*

At the Court at Buckingham Palace, the 25th day of July 2007

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 2(2) of the European Communities Act 1972(a) and all other powers enabling Her to do so, is pleased, by and with the advice of Her Privy Council, to order as follows.

Citation, commencement and extent

1.—(1) This Order may be cited as the European Communities (Services of Lawyers) Amendment (Scotland) Order 2007 and shall come into force on 25th September 2007.

(2) This Order extends to Scotland and insofar as it extends beyond Scotland it does so only as a matter of Scots law.

Amendments to the European Communities (Services of Lawyers) Order 1978

2. The European Communities (Services of Lawyers) Order 1978(b) is amended in accordance with article 3.

3. In the table in article 2 (definition of European Lawyer)(c)—

(a) after the entry relating to Belgium, insert—

“Bulgaria Адвокат”; and

(a) 1972 c.68. Section 2(2) was amended by the Scotland Act 1998 (c.46), Schedule 8, paragraph 15(3).

(b) S.I. 1978/1910, amended by S.I. 1980/1964, 1981/228 and 2004/1117 and S.S.I. 2004/186.

(c) The table in article 2 was substituted by S.S.I. 2004/186, article 4(b).

(b) after the entry relating to Portugal, insert—
“Romania Avocat”.

Judith Simpson
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the European Communities (Services of Lawyers) Order 1978 (“the 1978 Order”) in consequence of the Treaty concerning the accession of Bulgaria and Romania to the European Union, signed at Luxembourg on 25th April 2005 (O.J. No. L 157, 21.6.2005, p.11). The 1978 Order implements Council Directive 77/249/EEC, dated 22nd March 1977, to facilitate the effective exercise by lawyers of the freedom to provide services.

This Order implements the adaptations to Article 1(2) of that Directive made by Council Directive 2006/100/EC (O.J. No. L 363, 20.12.2006, p.141).

Article 3 extends the definition of “European Lawyer” in the 1978 Order to refer to Bulgaria and Romania and the national designations of lawyers in those countries. This confers certain rights to practise as a lawyer on nationals of, and lawyers professionally qualified in, Bulgaria and Romania.

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