
STATUTORY INSTRUMENTS

2020 No. 1342

**The Services of Lawyers and Lawyer's Practice
(Revocation etc.) (EU Exit) Regulations 2020**

Transitional provision: the 1978 Order and Switzerland

- 5.—(1) This regulation applies to—
- (a) a European lawyer who is—
 - (i) a national of the United Kingdom or a Swiss national, and
 - (ii) established in Switzerland; or
 - (b) a European lawyer who is integrated into the regular labour market of Switzerland and who is posted for the provision of carrying on services in professional activities in England and Wales or Northern Ireland by their employer who is established in Switzerland.
- (2) For the purposes of this regulation, “European lawyer” has the same meaning as in article 2 of the 1978 Order as it had effect immediately before IP completion day.
- (3) Subject to paragraph (4), the 1978 Order continues to have effect in relation to a European lawyer to whom this regulation applies as if the Order were not revoked by regulation 3, but were subject to the modifications specified in paragraph (5), until the later of—
- (a) the end of the period of 5 years beginning with IP completion day; or
 - (b) if the period referred to in sub-paragraph (a) is extended in accordance with Article 23(2) of the Swiss citizens’ rights agreement (as that agreement is defined in section 39(1) of the European Union (Withdrawal Agreement) Act 2020), the end of that period as extended.
- (4) A European lawyer may only carry on professional activities in accordance with the 1978 Order—
- (a) on the basis of a written contract or contracts which were concluded, and the performance of which started, before IP completion day; and
 - (b) for a period not exceeding 90 days in total in a calendar year.
- (5) The modifications to the 1978 Order referred to in paragraph (3) are that article 2 of that Order has effect as if—
- (a) for the definition of “country of origin” there were substituted—
 - ““country of origin”, in relation to a European lawyer, means the state listed in column 1 of the table in the definition of “European lawyer” in which that lawyer acquired authorisation to pursue professional activities and if the lawyer is authorised in more than one of those states, it means any of those states;”;
 - (b) in the definition of “own professional authority”—
 - (i) after “means an authority” there were inserted “in Switzerland”, and
 - (ii) “in his member state of origin” were omitted.