
STATUTORY INSTRUMENTS

2020 No. 1342

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

Transitional provision: duty of co-operation

11.—(1) This regulation applies to a professional body in relation to a solicitor or barrister in the situations described in paragraphs (2) or (3).

(2) The first situation is where the barrister or solicitor has a pending application under Article 10(1), (3) and (4) of the Directive as referred to in Article 28 of the withdrawal agreement or Article 27 of the EEA EFTA separation agreement (as those agreements are defined in section 39(1) of the European Union (Withdrawal Agreement) Act 2020).

(3) The second situation is where Article 30(2), 31(1) (to the extent it applies Articles 2 and 10 of the Directive) or (2), or 32(3) or (4) of the Swiss citizens' rights agreement (as that agreement is defined in section 39(1) of the European Union (Withdrawal Agreement) Act 2020) applies to the barrister or solicitor.

(4) Where this regulation applies, the provisions of the 2000 Regulations mentioned in paragraph (5) continue to have effect as if they had not been revoked by regulation 3, but with the modifications specified in that paragraph.

(5) The provisions referred to in paragraph (4) are—

- (a) regulation 2;
- (b) regulation 4(d) and Schedule 2;
- (c) regulation 5, modified so that it has effect as if—
 - (i) for paragraph (1) there were substituted—

“(1) In order to facilitate compliance with Article 29 of the withdrawal agreement, Article 28 of the EEA EFTA separation agreement and Article 33 of the Swiss citizens' rights agreement (as those agreements are defined in section 39(1) of the European Union (Withdrawal Agreement) Act 2020), a professional body must cooperate with any authority in any of the States listed in regulation 2(4) which has been designated under the Directive by that State as a competent authority in that State and may supply to or receive from any such authority, information relating to a solicitor or barrister, or to any person with whom that solicitor or barrister jointly practises.”, and

(ii) in paragraph (2) the reference to “European lawyer” were a reference to “solicitor or barrister”;

(d) regulation 28.

(6) In this regulation the terms “barrister”, “Directive”, “professional body” and “solicitor” have the same meaning as in regulation 2(1) of the 2000 Regulations as it had effect immediately before IP completion day.