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STATUTORY INSTRUMENTS

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**2020 No. 1342**

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

**Transitional provision: disciplinary proceedings**

8.—(1) This regulation applies in the situations described in paragraphs (2) to (4).

(2) The first situation is where an appropriate authority has commenced disciplinary proceedings before IP completion day, in relation to an individual who—

- (a) was a registered European lawyer (within the meaning of regulation 2(1) of the 2000 Regulations as it had effect immediately before IP completion day) at a time before IP completion day; but
- (b) is not an individual to whom regulation 6 applies,

and those proceedings have not been determined before IP completion day.

(3) The second situation is where any appeal against the determination of disciplinary proceedings commenced by an appropriate authority has not been finally determined or withdrawn before IP completion day, in relation to an individual who—

- (a) was a registered European lawyer (within the meaning of regulation 2(1) of the 2000 Regulations as it had effect immediately before IP completion day) at a time before IP completion day; but
- (b) is not an individual to whom regulation 6 applies.

(4) The third situation is where the time limit has not yet expired for bringing an appeal against the determination of disciplinary proceedings commenced before IP completion day by an appropriate authority in relation to an individual who—

- (a) was a registered European lawyer (within the meaning of regulation 2(1) of the 2000 Regulations as it had effect immediately before IP completion day) at a time before the proceedings were commenced; but
- (b) is not an individual to whom regulation 6 applies.

(5) Where this regulation applies, the provisions of the 2000 Regulations mentioned in paragraph (6) continue to have effect as if the 2000 Regulations had not been revoked by regulation 3, but subject to any modifications specified in paragraphs (6) and (7), until the disciplinary proceedings or any appeal have been finally determined or withdrawn.

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

- (a) regulation 2;
- (b) regulation 26, modified so that it has effect as if—
  - (i) in paragraph (1), reference to “fails” were a reference to “failed”, reference to “he is subject” were reference to “the registered European lawyer was subject” and reference to “is registered” were a reference to “was registered”,
  - (ii) paragraph (2) were omitted, and

- (iii) in paragraph (4), reference to “is registered”, in each place where it occurs, were a reference to “was registered”;
  - (c) regulation 27—
    - (i) paragraph (1)(c), modified so that it has effect as if reference to “that authority” were a reference to “the competent authority in the registered European lawyer’s home state”;
    - (ii) paragraph (4);
  - (d) regulation 37(3) and (4) in so far as it applies to sub-paragraphs (e) and (f) of this paragraph;
  - (e) paragraphs 7(2), 10 and 24 of Schedule 4; and
  - (f) paragraph 3 of Schedule 5.
- (7) Any reference to “registered European lawyer” in the provisions referred to in paragraph (6) has effect as if it were a reference to an individual who was formerly a registered European lawyer.
- (8) In this regulation “appropriate authority” has the same meaning as in regulation 26 of the 2000 Regulations as it had effect immediately before IP completion day.