



Solicitors  
Regulation  
Authority

**SRA Renewals**  
**Registered European Lawyers (REL) Guide**  
October 2018

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# 1. About registered European lawyer (REL) status

Under the [Establishment of Lawyers Directive 98/5/EC](#) (Establishment Directive) an individual must register with a competent authority (such as the SRA) if they:

- are a national of an Establishment Directive state (including the UK)
- are entitled to practise as a member of an Establishment Directive profession,
- intend to practise as a member of that Establishment Directive profession, on a permanent basis, in the UK, and
- are not a member of one of the UK Establishment Directive professions (ie Solicitor, Barrister or Advocate).

Please note, if your profession is not listed in the Establishment Directive (eg you are qualified in Romania as a Consilier Juridic, which is not listed) you cannot be registered. This is because only members of professions listed in the Directive can register.

## 1.1 Practising on a permanent basis

The phrase 'permanent basis' means that you intend to spend a substantial amount of time in the UK (eg two days a week or more). For further guidance, please see [this note](#) from our Professional Ethics team as well as the further guidance below.

If an individual does not intend to practise in the UK on a permanent basis, they do not need to register as an REL and cannot do so. Instead, an individual may either register as a registered foreign lawyer (RFL) or as an exempt European lawyer (EEL) – provided that they intend to be a manager of an authorised body. For further guidance on registration as a foreign lawyer, please see our separate RFL guide.

With regard to being an Exempt European Lawyer, you can apply for this if you qualified as a member of an Establishment Directive profession, and will be based entirely at an office outside England & Wales. To be approved as an Exempt European Lawyer, we will only need to receive an approval form (FA2). The FA2 form can be found on our website [here](#).

## 1.2 Rule 2.1 of the SRA Practice Framework Rules 2011

Once you are registered, you can only practise as an REL in accordance with Rule 2.1 of the [SRA Practice Framework Rules 2011](#). Please take time to review these rules before applying. If you have any queries regarding these rules, please contact our Professional Ethics team on 0370 606 2577.

## 1.3 How do I apply?

An application to be a REL is made through mySRA. The relevant regulation for a REL application is Regulation 2.3 of the [SRA Practising Regulations 2011](#).

We will need to receive with the application a certificate of attestation from the bar association or law society you are regulated by.

For a renewal application, the fee is £368. For an initial application, the fee is pro-rated throughout the practising year. For more information on pro-rated fees, please see our [Fee Policy](#).

We aim to review and make a decision on 95% of applications within 30 days of receipt.

If we require further information we will contact you. If we do not require further information you will only receive an automated email confirming your registration.

If you have queries regarding whether you need to register, please email the Registration team at [registration@sra.org.uk](mailto:registration@sra.org.uk).

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## 2. The form

If you are submitting an initial application, please make sure you have completed the following steps before completing the form:

- you have checked that you are able to register (please see the criteria under section 1);
- you have received a copy of your certificate of attestation;
- you have updated your mySRA account with your personal and professional details (nb: this should include your jurisdiction, as well as your place of work).

If you are submitting a renewal application you do not need to provide a certificate of attestation, unless you have qualified in a new jurisdiction.

### 2.1 Regulation in England and Wales

If any of the questions listed in this section of the application form apply to you, you must indicate this:

- Are you admitted as a solicitor of England and Wales, Scotland or Northern Ireland?
- Are you a barrister called to the bar of England and Wales, Northern Ireland or the Irish Republic or an advocate admitted as a member of the Scottish Faculty of Advocates?

- Have you ever been a member of an 'authorised body' other than the Bar or the Law Society, and entitled as a member of that body to exercise rights of audience in any higher court in England and Wales?
- Have you previously applied for registration as a European lawyer?
- Have you ever been struck off the register of European lawyers?
- Have you ever been subject to an order of the Solicitors Disciplinary Tribunal suspending your registration?
- Have you ever been subject to a direction of the Solicitors Disciplinary Tribunal prohibiting your restoration to the register?
- Are you registered with us as a registered foreign lawyer (RFL)?

We will expect you to indicate yes to these two questions:

- Do you intend to practise on a permanent basis in the United Kingdom?
- Are you legally entitled to practise in the United Kingdom?

For more information on the meaning of permanent basis and entitled to practise, please see the further guidance below.

## 2.2 Establishment Directive

We will expect you to indicate yes to all of the following questions:

- Are you a member of an Establishment Directive profession?
- Are you entitled to practise as a member of an Establishment Directive profession?
- Are you a national of an Establishment Directive state?

## 2.3 Certificate of Attestation

Please select whether you have uploaded a copy of your certificate or posted it directly to us.

A certificate of attestation should be a certificate from your bar association or law society which confirms you are:

- admitted as a member of your profession;
- entitled to practise as a member;
- of good standing (ie no disciplinary actions have been taken against you).

The certificate must be dated within the last 3 months.

## 2.4 Regulation 3 of the SRA Practising Regulations 2011

Please make sure you have read and understood Regulation 3 of the [SRA Practising Regulations 2011](#) (Regulation 3).

If any of the events or circumstances in Regulation 3 apply to you, please indicate this on the application form.

If you have a licence or practising certificate which is subject to a condition (for instance, you need to undertake a course in order to be a manager), we will need to make a decision on your application under Regulation 3.1(h). This means we will request more information from you, such as a copy of your practising certificate.

We aim to make decisions on applications within 120 days of receipt.

## 2.5 Continuing Competence

Please disregard this section if you are submitting an initial application.

On the renewal application, the following question will appear:

Have you reflected on your practice and addressed any identified learning and development needs.

For more information on Continuing Competence, please see our guide [here](#).

## 2.6 Reduced registration fees

For more information on fees, please see our Fee Policy [here](#).

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# 3. Further guidance

## 3.1 Certificates of attestation

### What do you mean by a certificate of attestation?

A certificate of attestation should be a certificate from your bar association or law society which confirms you are:

- admitted as a member of your profession;
- entitled to practise as a member;
- of good standing (ie no disciplinary actions have been taken against you).

The certificate must be dated within the last 3 months.

## 3.2 Continuing Competence

### What do I need to do for continuing competence?

Continuing competence only applies to you if you are currently registered and are looking to renew. For guidance on continuing competence, as well as what you need to do before making the annual declaration, please see the information available on our website [here](#).

## 3.3 Practising on a permanent basis

### What do you mean by 'intend to practise on a permanent basis'?

Under regulation 2.3(a)(iv) of the SRA Practising Regulations 2011, in order to be eligible to be an REL you must intend to practise permanently in the UK and be legally entitled to do so.

Practising on a permanent basis in the UK does not mean that you must be settled in the UK indefinitely. It means, broadly, that you have a base as a lawyer at a regular and long-term establishment in the UK. It would be an indication that you are practising on a permanent basis in the UK if you are:

- ordinarily resident in the UK and practising as a lawyer or
- maintaining a regular practice as a lawyer in the UK, (which includes maintaining an office, branch or agency of your practice in the UK, through which you carry on your professional activities and at which you maintain a regular personal presence) or
- employed as a lawyer, and your ordinary place of employment is in the UK.

Practice as a lawyer in the UK can mean participation as a principal in private practice or employment by a law firm, or employment as the in-house lawyer of a non-lawyer business or organisation.

## 3.4 Entitlement to practise

### What do you mean by 'entitled to practise'?

Entitled to practise means that you are able to practise as a member of your profession without any restrictions and hold the correct qualifications, registrations or licences.

If you must hold a licence or practising certificate in order to practise as a member of your profession, we will need you to maintain this while you are registered. For instance, if you are qualified in Spain and need to be on the practising register or 'ejerciente', we will need you to have this status in order to register you.

If your licence or practising certificate expires or is revoked while you are registered as a REL, your REL status will expire in accordance with Regulation 10.1(b)(ii) of the SRA Practising Regulations 2011.

Please note, if you do not hold a licence or practising certificate you must apply for one in order to register.

### 3.5 Admission as a Solicitor under the Establishment Directive

**I'm looking to be admitted as a Solicitor under the Establishment of Lawyers Directive, what criteria must I meet?**

For information purposes, you can apply for admission as Solicitor in the future under Article 10 of the [Establishment of Lawyers Directive 98/5/EC](#) if:

- you are a member of one of the legal professions listed in the Directive; and
- you are an EU national; and
- as an established EU lawyer you have been practising as a lawyer in the law of the United Kingdom "on a permanent basis" in the UK for three years or more; and
- you have been registered with the SRA as a Registered European Lawyer for 3 years.

For further information, please see the following guidance notes [here](#).

Please contact [admissions@sra.org.uk](mailto:admissions@sra.org.uk) if you have any queries relating to admission as a Solicitor in this way.

**I'm looking to be admitted as a Solicitor as above. However, I have been working for a law firm for a year but have not registered as an REL with the SRA, can you backdate my REL registration?**

No. We are unable to backdate REL registration.

### 3.6 Applications in advance of securing employment

**Can I apply if I am looking for work?**

Yes, you can apply if you are looking for employment. We will however need you to provide a UK address for our register.



### 3.7 Establishment Directive lawyers based entirely outside the UK

#### **I'm qualified as a member of an Establishment Directive profession but will be a manager who is based entirely outside the UK, what should I apply as?**

You can apply as an RFL, and will pay the overseas fee of £190. If your application is granted without any conditions you will automatically be deemed approved as a manager under Rule 13.2 of the [SRA Authorisation Rules 2011](#).

However, you can also apply for approval as a manager as an exempt European lawyer. There is no fee for this and we will need to receive an approval application (FA2), which is available on our website [here](#).

### 3.8 Scottish and Northern Irish Solicitors

#### **I'm admitted as a Scottish/Northern Irish Solicitor, do I need to register?**

If you answer 'Yes' to being admitted as a solicitor of England and Wales, Scotland or Northern Ireland, then you do not need to be registered because you are already a member of a UK profession. The UK is a single member state for the purpose of the Establishment Directive and does not refer to England and Wales, Scotland or Northern Ireland as three separate jurisdictions.

If you intend to become a manager of an authorised body, and are qualified either in Northern Ireland or Scotland, you will need to register as a registered foreign lawyer. For more information, please see our separate RFL guide.

### 3.9 Reasonable adjustments

#### **How do I apply for a reasonable adjustment?**

If you require a reasonable adjustment, please contact us by:

Email – [renewals@sra.org.uk](mailto:renewals@sra.org.uk)

Telephone – 0370 606 2555

Post – Renewals Team, Solicitors Regulation Authority, The Cube, 199 Wharfside Street, Birmingham, B1 1RN

DX – 720293 BIRMINGHAM 47