SCOTTISH STATUTORY INSTRUMENTS

2004 No. 186

LEGAL PROFESSION

The European Communities (Services of Lawyers) Amendment (Scotland) Order 2004

Made - - - -	*14th April 2004*
Laid before the Scottish Parliament - - - -	*26th April 2004*
Coming into force - -	*17th May 2004*

At the Court at Windsor Castle, the 14th day of April 2004

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(**1**) and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

Citation, commencement and extent

1.—(1) This Order may be cited as the European Communities (Services of Lawyers) Amendment (Scotland) Order 2004 and shall come into force on 17th May 2004.

(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(**2**) is amended in accordance with the following articles.

3. For "an EEC lawyer" wherever it occurs, and "the EEC lawyer's" where it occurs in article 16(1)(a), substitute "a European lawyer" and "the European lawyer's" respectively.

4. In article 2(**3**)–

(a) after the definitions of "advocate", "barrister" and "solicitor" insert–

(**1**) 1972 c. 68. Section 2(2) was amended by the Scotland Act 1998 (c. 46), Schedule 8, paragraph 15(3).
(**2**) S.I. 1978/1910, amended by S.I. 1980/1964 and 1981/228.
(**3**) Article 2 was amended by S.I. 1980/1964, which inserted a reference to the Hellenic Republic.

""country of origin", in relation to a European lawyer, means the country or countries in which he is established";

(b) for the definition of "EEC lawyer" substitute–

""European lawyer" means a person entitled to pursue his professional activities in a state in column 1 using the designation referred to in column 2–

State	*Designation(s)*
Austria	Rechtsanwalt
Belgium	Avocat/Advocaat
Cyprus	Δικηγόρος
Czech Republic	Advokát
Denmark	Advokat
Estonia	Vandeadvokaat
Finland	Asianajaja/Advokat
France	Avocat
Germany	Rechtsanwalt
Hellenic Republic	Dikegoros
Hungary	Ügyvéd
Iceland	Lögmaður
Republic of Ireland	Barrister/solicitor
Italy	Avvocato
Latvia	Zvērinãts advokãts
Liechtenstein	Rechtsanwalt
Lithuania	Advokatas
Luxembourg	Avocat
Malta	Avukat/Prokuratur Legali
Netherlands	Advocaat
Norway	Advokat
Poland	Adwokat/Radca prawny
Portugal	Advogado
Slovakia	Advokát/Komerčný právnik
Slovenia	Odvetnik/Odvetnica
Spain	Abogado/Advocat/Avogado/Abokatu
Sweden	Advokat
Switzerland	Avocat/Advokat/Rechtsanwalt/Anwalt/ Fürsprecher/Fürsprech/Avvocato"

and