

AD15 Guidance Notes



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The Establishment of Lawyers Directive 98/5/EC

The European Parliament and Council passed the Establishment of Lawyers Directive 98/5/EC (the Directive). Its main purpose is to help lawyers from one member state to practise in another member state (in this case, England and Wales). This Directive was adopted into English and Welsh law within the European Communities (Lawyer's Practice) Regulations 2000.

Becoming a registered European lawyer (REL) entitles EU lawyers to practise law on a permanent basis in the UK, under their home state professional title, provided that they register with the Solicitors Regulation Authority.

Lawyers registered under the Directive have the right, after three years practice of UK law, to apply for admission as a solicitor without having to pass an examination.

Who can take advantage of this route to admission?

You can only apply for admission as a solicitor in England and Wales by this route if:

- you are a member of one of the legal professions listed in the Directive
- you are an EU national
- you are currently registered with us as a REL
- you have been registered with us as a REL for three years or more
- as an established EU lawyer you have been practising as a lawyer in the law of the UK on a permanent basis* in the UK for three years or more.

*For details on what practising on a permanent basis means please see our website: www.sra.org.uk/solicitors/code-of-conduct/guidance/the-establishment-directive-and-rels.page#part2.

For this application and guidance notes, reference to 'UK law' can be construed to mean:

- the law of England and Wales
- the law of Scotland
- the law of Northern Ireland.

First steps – have you done the pre-admission screening?

If you have lived in the UK continuously for 12 months or more, during the last five years, you must complete a screening process before admission. This helps us to assess your character and suitability to be a solicitor. Screening is carried out by Atlantic Data Ltd and includes the following checks:

- identity;
- financial- covering bankruptcy, insolvency and county court judgments;

- standard criminal records check issued by the Disclosure and Barring Service (DBS).

You need to contact us to arrange for the screening details to be sent to you.

When you have done the screening

The DBS will send you a Standard Certificate. If there are disclosures we will need the original. We advise that you send this by secure post. We will not need the document if there are no disclosures.

Have you lived outside of the UK?

If you have lived in the UK for less than 12 months, during the last five years, you will not need to do the screening.

We will check your name and current address by documents instead. You must provide two forms of identification, one for your name and another for your address.

For example, if you provide your driving licence as proof of your name you must provide another form of identification for your address, such as a utility bill.

Please do not send original documents. The documents on this list are acceptable:

Identity documents	Proof of address documents
Passport	Utility bill
Driving licence	Driving licence
Birth certificate	Bank statement
Marriage certificate	Council tax bill
ID card	NHS medical card

Overseas criminal records check

You must provide an original criminal records check from any country you have lived in continuously for 12 months or more during the last five years. The check(s) must be less than six months old and include an official translation if not in English.

You may find the following helpful if you need an overseas check:

www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants.

These documents should be sent with your AD15.

Next step – complete the AD15

You can use this to apply for:

- admission to the roll of solicitors of England and Wales, and
- your first practising certificate (PC)

Completing the form

Section 1 - Personal details

Names

You must be registered with us under your legal name, as it appears on your identity documents. If you have changed your name, please update your details through your mySRA account.

SRA ID

Every individual has a unique SRA ID, please add this to the form.

Nationality

Please enter your nationality as it appears on your passport or birth certificate. If you have a dual-nationality, please detail every country you are a citizen of.

Section 2 - Your eligibility

You can apply for admission under Article 10.1 or 10.3 of the Directive.

Applying under Article 10.1

You must show that you have “effectively and regularly” pursued in the UK, for a period of at least three years, an activity in UK law including Community law. These activities include:

- the conduct of any matter which could proceed before any court, tribunal or inquiry, whether or not proceedings are commenced
- advocacy before any court, tribunal or inquiry
- instructing counsel
- acting as a professional executor or trustee in England and Wales
- drafting any will or trust deed
- giving legal advice
- any activity reserved to solicitors (whether solely or together with other persons) by the Solicitors Act 1974 or any other statute
- drafting any legal documents not covered in the points above.

Applying under Article 10.3

If you have not practised UK law “effectively and regularly” for three years you can apply under Article 10.3. This allows us to take into account your effective and regular professional activity over the three year period, together with any knowledge and professional experience of UK law. This may have been gained through attending lectures or seminars, including the rules regulating professional practice and conduct.

Some period of effective and regular practise of UK law including Community law must be shown to satisfy Article 10.3. Normally we would expect this to be a least two years.

Professional activities under Article 10.3 include the activities listed under Article 10.1 and:

- similar activities in non-UK law;
- “(wo)man of affairs” activities coming within the scope of practising solicitors and RELs such as Investment Business or Estate Agency.

Section 3 - Employment address

We need the name and address of your current employer and your position at the organisation.

If this information is not up to date on your mySRA account please update your profile.

Section 4 - Home address

We need your current home address.

You must confirm whether you have lived inside or outside of the UK continuously for 12 months or more in the last five years.

Section 5 - Details of home jurisdiction(s)

Provide the name and address of any Law Society, Bar, Chamber and/or Court where you are admitted. Also include your professional title and date of admission.

You must provide a copy of a certificate of attestation/good standing from each jurisdiction where you have been admitted. The certificate(s) must be less than three months old and confirm:

- your date of admission
- that you are in good standing

- that you have not been subject to any disciplinary proceedings
- that there are not any pending disciplinary proceedings against you
- that you are currently entitled to practise and have been since your date of admission.

Section 6 - Your experience in UK law

Under both Article 10.1 and 10.3 we will need to assess your experience of practising UK law. Your summary should refer to the professional activities you have done.

We will consider the percentage of time and the hours per week you have spent in UK law. The three year period must have been completed inside the UK. Time spent on UK law outside of the UK, for example on secondment, will not be considered.

Section 7 - Evidence of your experience in UK law

This should be verified by a referee, who should ideally be a solicitor of England and Wales.

If this is not possible, then a reference from a REL, registered foreign lawyer or barrister may be sufficient.

The reference should include, but is not limited to the following information:

- The dates of employment
- Whether you are full or part-time
- The percentage of time and hours per week spent practicing UK law
- Your role and responsibilities at the firm
- Any other information they consider relevant to your application.

We may validate these references with the referee directly and ask further questions to support our assessment of your application.

Section 8 - Article 10.3 – additional information

We will need more detailed information about your professional experience. You should provide:

- A list of all the continuous professional developments/continuing competence courses, conferences or seminars that you have attended as a REL together with dates of the course and contact hours
- A list of any other courses, conferences or seminars on UK law which you have attended
- Any other information which you feel needs to be considered
- Why you consider your professional activities over the relevant three year period have been effective and regular.

Section 9 - The Suitability Test

The questions in Section 9 are based on the SRA Suitability Test 2011 (the Test) www.sra.org.uk/solicitors/handbook/suitabilitytest/content.page. You must read this before you complete this section.

We must make sure you are suitable to be a solicitor. You need to tell us about anything which might affect your application. If we find out about an issue that you did not mention, this will be treated as prima facie evidence of dishonest behaviour.

If you answer "Yes" to any questions, please give us all the information we ask for. It's your responsibility to give us any evidence you think is relevant. We may carry out our own investigation and refuse your application if we think we do not have enough information. Help with what to provide is on our website: www.sra.org.uk/trainees/period-recognised-training.page#character.

You must tell us about all "spent convictions and cautions" unless they are protected. Section 8 of the Test will give you more information about protected convictions and cautions: www.sra.org.uk/solicitors/handbook/suitabilitytest/.

Section 10 - Regulation 3 of the SRA Practising Regulation 2011

Tell us if you are subject to any events detailed in Regulation 3.1(a) to (s) of the SRA Practising Regulations 2011.

These regulations can be found on our website: <http://www.sra.org.uk/solicitors/handbook/practisingregulations/part1/content.page>.

Section 11 - Welsh language admission and PC

Tick the box if you want your admission certificate and PC in Welsh. You will also receive an English version. Your certificates will be sent by email.

Section 12 - Membership

For entitlements of membership, please see the Law Society's webpage: www.lawsociety.org.uk/support-services/.

Section 13 - Fee

The fee for admission is £500, your first PC is free. This can be paid by cheque or bank transfer. We do not accept payment by credit or debit cards.

Paying by cheque

This should be made payable to The Law Society. Write your SRA ID on the back. We do not accept cheques drawn on non sterling or non UK bank accounts.

Paying by bank transfer

For details on how to make a transfer please download our methods of payment form from our website: www.sra.org.uk/mysra/fees/ways-to-pay.page.

Section 14 - Declaration

If the form is not signed/dated and/or the fee is not received your AD15 will be returned.

Sending your AD15

We accept receipt of these applications by email only (paper forms will be returned to applicants). Please scan in your application form along with all supporting documents and send to admissions@sra.org.uk

To send payment by cheque, please refer to the website: www.sra.org.uk/mysra/fees/ways-to-pay.page.

To send original documents, please post these to the address detailed below, including your SRA Number and contact details:

Admissions Team
Authorisation Directorate
Solicitors Regulation Authority
The Cube
199 Wharfside Street
Birmingham,
B1 1RN

Do you have a question?

This may be covered in our frequently asked questions www.sra.org.uk/trainees/admission/faqs.page. Please contact us using the telephone numbers below if the contents of this link does not answer your questions.

How to contact us

Call our Contact Centre on 0370 606 2555 (UK) or +44 (0)121 329 6800 (overseas). Calls may be recorded for training purposes.

Or you can email: contactcentre@sra.org.uk.

Our opening hours are:

08.00 to 18.00, Monday, Wednesday, Thursday, Friday
09.30 to 18.00, Tuesday