

News release

SRA statement: Government technical notice of the implications of a 'no deal' EU exit for the legal sector

12 October 2018

The Government has published a technical notice [<https://www.gov.uk/government/publications/providing-services-including-those-of-a-qualified-professional-if-theres-no-brexit-deal/providing-services-including-those-of-a-qualified-professional-if-theres-no-brexit-deal>]- Providing services including those of a qualified professional if there's no Brexit deal - which covers how professions and services will be regulated if there is no deal.

This includes plans for the legal sector in the event of a 'no deal' EU exit scenario. It should be noted that the Government notice does not deal with any issues around European lawyers' right to practise permanently in the UK after an EU exit.

We are committed to working closely with government to understand the impact of leaving the EU on how we regulate solicitors, registered European lawyers (RELS), and law firms in England and Wales. We will continue to work with government and other interested parties to make sure any changes are managed as smoothly and effectively as possible both for the profession and the people who use the services of RELS.

One of the main potential implications for those we regulate in a 'no-deal' scenario is the end of the REL regime, subject to a transitional period lasting to the end of December 2020. The REL regime allows European Economic Area (EEA) lawyers to register with us and provide the full range of legal services on a permanent basis in England and Wales.

This includes the right to provide, subject to some restrictions, reserved legal services. They can also work as sole practitioners.

We have registered and currently regulate around 700 RELS. We want to help RELS and law firms understand the implications of the no-deal scenario outlined by government, and the approach we would take in response.

We will be writing directly to all the RELS we regulate to set out the information we have, the possible implications and the options open to them.

If there was a 'no-deal' EU exit it is likely that:

- those who have registered with us as RELS on exit day will be able to continue to practice as RELS until the end of December 2020
- there will be no new registrations of EEA lawyers as RELS from exit day, but those who have made an application to us for REL status before exit day can have a decision on that application after exit day and, if granted, continue to practice as an REL under the end of December 2020
- RELS will, subject to meeting the eligibility criteria, be able to seek admittance into the solicitor's profession under the 3-year 'integration route' during the transition period
- by 2021 the very small number of RELS who presently practise as a sole practitioner will need to seek to qualify as a solicitor or make alternative arrangements

There will be an alternative option for RELS to qualify as a solicitor through:

- the Qualifying Lawyer Transfer Scheme (QLTS)
- the new Solicitors Qualifying Examination, which is set to be introduced in autumn 2021. There would be the potential for exemptions for parts of the SQE, dependent on someone's qualifications and experience.

The technical notice also sets out the removal of the Directive that covers mutual recognition of professional qualifications. In the event of a no-deal exit, a future system for recognition of professional qualifications will be developed. As the regulator of solicitors in England and Wales, we will work closely with the Government as it takes this forward.

The technical notice also sets out the Government's plan to amend the Provision of Services Regulations so that EEA businesses will be treated like other third-country service providers.

We are still working through the implications of what the technical notice might mean for our regulation. We will continue to work with government and share relevant updates, including potential implications for RELs and law firms, on our website here:

Go to the guidance [\[solicitors/guidance/governments-technical-notice-impact-no-deal-eu-exit/\]](#)

If law firms or solicitors have any queries about the implications for them, they should contact our Professional Ethics Guidance helpline [\[/home/contact-us/\]](#).

This does not impact the registered foreign lawyer (RFL) regime. It will continue as now.