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STATUTORY INSTRUMENTS

1978 No. 1910

The European Communities (Services of Lawyers) Order 1978

PROSPECTIVE

Representation in legal proceedings

5. No enactment or rule of law or practice shall prevent an EEC lawyer from providing any service in relation to any proceedings, whether civil or criminal, before any court, tribunal or public authority (including appearing before and addressing the court, tribunal or public authority) by reason only that he is not an advocate, barrister or solicitor;

provided that throughout he is instructed with, and acts in conjunction with, an advocate, barrister or solicitor who is entitled to practise before the court, tribunal or public authority concerned and who could properly provide the service in question.

Commencement Information

I1 [Art. 5](#) comes into operation at 1.3.1979, see [art. 1](#)

6. Nothing in this Order shall enable an EEC lawyer:—

- (a) if he is established in practice as a barrister in the Republic of Ireland, to provide in the course of any proceedings any service which could not properly be provided by an advocate or barrister;
- (b) if he is instructed with and acts in conjunction with an advocate or barrister in any proceedings, to provide in the course of those proceedings, or of any related proceedings, any service which an advocate or barrister could not properly provide;
- (c) if he is instructed with and acts in conjunction with a solicitor in any proceedings, to provide in the course of those proceedings, or of any related proceedings, any service which a solicitor could not properly provide.

Commencement Information

I2 [Art. 6](#) comes into operation at 1.3.1979, see [art. 1](#)

7. An EEC lawyer in salaried employment who is instructed with and acts in conjunction with an advocate or barrister in any proceedings may provide a service on behalf of his employer in those proceedings only in so far as an advocate or barrister in such employment could properly do so.

Commencement Information

I3 [Art. 7](#) comes into operation at 1.3.1979, see [art. 1](#)

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Changes and effects yet to be applied to :

- Regulations words substituted by [S.I. 2004/1117 art. 2](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Order revoked by [S.S.I. 2019/127 reg. 3\(a\)](#)
- Order revoked by [S.I. 2019/375 reg. 3\(a\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2019/375 revoked (24.11.2020) before it comes into force by S.I. 2020/1342, regs. 1(2), 3(c))
- Order revoked by [S.I. 2020/1342 reg. 3\(a\)](#)
- Order words substituted by [S.S.I. 2004/186 art. 3](#)
- Blanket amendment words substituted by [S.I. 2011/1043 art. 3-68-10](#)

Commencement Orders yet to be applied to the The European Communities (Services of Lawyers) Order 1978

Commencement Orders bringing legislation that affects this Instrument into force:

- [S.R. 2015/194 art. 2Sch.](#) commences ([S.I. 2003/435 \(N.I.\)](#))