

Part 7 - Transferring Qualified Lawyers

7A: Types of transferring lawyers

This section includes information on the different types of qualified lawyer who may apply for admission to the Bar of England and Wales on the basis of prior qualification(s) and experience.

Overview

1 The rules regarding exemption from any of the individual components of Bar training are set out in the [BSB Handbook](#) at Rules Q7-Q12.

2 There are specific rules regarding exemptions granted to transferring lawyers.

For details of those individuals or groups that may be entitled to Full Exemption from the components of Bar training, please see Part 7B of the Bar Qualification Manual.

For details of those individuals or groups that may be entitled to Partial Exemption from the components of Bar training, please see Part 7C of the Bar Qualification Manual.

3 If you are approved by us as a transferring lawyer, you will normally be required to sit all (or part) of the Bar Transfer Test prior to Call to the Bar of England and Wales - please see Part 7D of this Bar Qualification Manual.

Application process – transferring lawyers

4 If you are seeking admission to the Bar of England and Wales as a transferring lawyer, you must submit a formal application to us, accompanied by the supporting documents specified in the application guidelines.

5 The different types of transferring lawyer are set out in the grid below, with links to the appropriate application forms and guidelines documents.

Qualified Foreign Lawyers (QFLs)	Online Application
A person who is a member of a regulated legal profession in a jurisdiction outside England and Wales and is entitled to practise as such.	Online Application Guidelines
Qualified European Lawyers (QELs)	Online Application
A person who is a national of a Member State and who is authorised in any Member State to pursue professional activities under any of the professional titles appearing in article 2(2) of the European Communities (Lawyer's Practice) Order 1999, but who is not any of the following:	Online Application Guidelines
a) a solicitor or barrister of England and Wales or Northern Ireland; or	
b) a solicitor or advocate under the law of Scotland.	
Registered European Lawyers (RELs)	Online Application
A person registered with us as a Registered European Lawyer who now wishes to be admitted to the Bar of England and Wales.	Online Application Guidelines
Transferring Solicitors	Online Application
A solicitor admitted and enrolled in England and Wales or Northern Ireland.	Online Application Guidelines
Law Teachers / Legal Academics	Online Application
A teacher of the law of England and Wales.	Online Application Guidelines
Person with rights of audience granted by another Approved Regulator	Online Application
a person who has been granted rights of audience by another Approved Regulator (as defined by Schedule 4 of the Legal Services Act 2007), other than the Solicitors Regulation Authority (SRA).	Online Application Guidelines

Temporary Call to the Bar

6 If you need to appear in court in England and Wales to conduct a specific case (or cases) as a qualified foreign lawyer (QFL), you may apply to us for Temporary Call to the Bar – please see Part 7E of this Bar Qualification Manual.

Registration as a Registered European Lawyer

7 As a European Lawyer, you may apply for a direction that you be registered by us and the Inn of Court of your choice as a [Registered European Lawyer](#). This is pursuant to the European Establishment Directive 98/5/EC of 16 February 1999.

8 As a Registered European Lawyer, you will practise under your home title while in England and Wales and will not be admitted to the Bar of England and Wales unless you submit a separate admission application, as shown in the grid above.

9 The rules regarding exemptions from the individual components of Bar training for Registered European Lawyers are set out in the [BSB Handbook](#) at Rules Q17-Q22.

Registered European Lawyers – ‘No Deal’ Brexit

NB. This notice was drafted on 9 October 2019 and updated on 22 January 2020. At the time of updating, “exit day” may occur on 31 January 2020 but this may be subject to change. In the event of agreement being reached on another position we will provide further advice.

EEA Lawyers – Those from the EU, Norway and Lichtenstein who intend to practise as barristers in England and Wales after Brexit

For EEA lawyers (including UK nationals holding EEA qualifications) who are already established and have received a recognition decision in the UK before exit day, this recognition decision will not be affected and will remain valid (ie you may continue to practise as barristers.)

EEA lawyers (including UK nationals holding EEA qualifications) who have applied for a recognition decision and are awaiting a decision on exit day will, as far as possible, be able to conclude their applications in line with the provisions of the relevant Directives.

EEA lawyers (including UK nationals holding EEA qualifications) who have not started an application for a recognition decision in the UK before exit will need to apply for admission to the Bar of England and Wales as a Qualified Foreign Lawyer (QFL). As a QFL, you will be entitled to practise as a barrister if you meet all relevant provisions of the [BSB Handbook](#). Details on how to apply to us can be found in this Bar Qualification Manual.

Swiss lawyers who intend to practise in England and Wales after Brexit

If you have a UK qualification and professional title

Swiss lawyers who have registered in England and Wales or who transferred to the Bar of England and Wales before Brexit do not need to take any action to continue to practise after Brexit as long as they remain registered in England and Wales.

If you have a Swiss qualification and professional title

Swiss lawyers using a Swiss qualification or title, or those in the process of qualifying, will need to start their application to register in England and Wales, within 4 years after Brexit. Once registered, Swiss lawyers can continue to practise after Brexit as long as they remain registered in England and Wales.

Swiss lawyers using a Swiss qualification or title, or those in the process of qualifying, who wish to transfer to the Bar England and Wales under existing routes, need to do so within 4 years after Brexit.

‘No Deal’ Brexit - What it means for the Registered European Lawyers (REL) scheme

The UK Government states that there will be no system of recognition of professional qualifications between the remaining EEA States (EU Member States, Norway, Iceland and Lichtenstein) and the UK from the date on which the UK leaves the EU (currently scheduled to be 31 January 2020). This means that [Registered European Lawyer](#) (REL) status will cease on this day.

There will be no new REL registrations from ‘exit day’, although those who have applied for REL status before ‘exit day’, will be entitled to receive a decision on that application after ‘exit day’.

Your status as a Registered European Lawyer (REL)

If you are a European Lawyer who registered after 1 February 2017, you will have less than **three years’** regular and effective practice of activities in the law of England and Wales (under your Home Professional Title) on the scheduled exit date. This ‘three years’ experience’ is currently a requirement by us for admission to the Bar. If you fall into this category, please contact the Authorisations team to discuss how we can help you with an application.

Details on how to apply to us can be found in this Bar Qualification Manual.

UK Lawyers in the EEA (EU, Norway and Lichtenstein)

Individuals with UK qualifications seeking recognition to offer legal services in the EEA should check the host state national policies. The EU Commission has

stated that decisions on the recognition of UK qualifications in EU countries before exit day are not affected.

The UK Government has published further information [Guidance for lawyers with further information](#).

UK lawyers practising in Switzerland

If you have a UK qualification and professional title

UK lawyers registered and working in Switzerland on a permanent basis under their home professional title before Brexit do not need to take any action to continue to practise after Brexit as long as they remain registered in Switzerland. UK lawyers or those in the process of qualifying will need to start their application to register to work in Switzerland under their UK professional title on a permanent basis or to transfer to the Swiss professional title, within 4 years of Brexit.

If you have a Swiss qualification and professional title

UK lawyers who have transferred to the Swiss professional title before Brexit do not need to take any action to continue to practise after Brexit as long as they remain registered in Switzerland.

Leaving the EU with a deal – What it may mean

If the UK leaves the EU with a Withdrawal Agreement along the lines of that previously negotiated, an implementation period will run from 'exit day' (ie. currently scheduled for 31 January 2020) until the end of December 2020 for RELs. We have developed compensatory measures for RELs who have registered during 2018 and 2019, and who will not have met the BSB's 'three years' experience' requirement by the end of December 2020 and encourage RELs to contact us to discuss their application.

A REL in practice during the implementation period would continue to build up experience which may contribute towards a future application for admission to the Bar as a QFL. This will be subject to the condition that the REL's practice meets the standards for 'authorised persons' set out in the BSB's [Professional Statement](#).

Further enquiries can be made by contacting authorisations@barstandardsboard.org.uk.

This notice was updated on 22 January 2020. At the time of updating, "exit day" and may be subject to change. In the event of agreement being reached on another position we will provide further information.

7B: Transfer route (full exemption)

This section includes information on transferring lawyers who apply for admission to the Bar of England and Wales and receive full exemption from the components of Bar training.

Bar Qualification Rules

1 The rules regarding full exemption from the individual components of Bar training are set out in the [BSB Handbook](#) at Rules Q13-Q16.

Overview

2 If you are seeking admission to the Bar of England and Wales as a transferring lawyer, you will be required to make an application for exemption from the three components of Bar training: the academic component, the vocational component, and the work-based learning (pupillage) component (see [Part 2](#), [Part 3](#) and [Part 4](#) of this Bar Qualification Manual). The outcome of your application will be dependent on your prior qualifications and experience.

3 Certain categories of transferring lawyers may be entitled to full exemption from the individual components of Bar training, as set out at Rule Q14, below.

BSB Handbook

Rule Q14

- .1 an individual who has been granted rights of audience by an approved regulator and who is entitled to exercise those rights in relation to all proceedings in all courts of England and Wales;
- .2 subject to Rule Q15, an individual who has been granted rights of audience by an approved regulator and who is entitled to exercise those rights in relation to either all proceedings in the High Court or all proceedings in the Crown Court of England and Wales (but not both);
- .3 a barrister of Northern Ireland who has successfully completed pupillage in accordance with the rules of the Bar of Northern Ireland;
- .4 subject to Rule Q16, a Qualified European Lawyer.

4 Subject to the exceptions stated at Rule Q15 and Rule Q16 of the [BSB Handbook](#), if you receive full exemption as a transferring lawyer you will be granted authorisation to practise as a barrister once you have been admitted to an Inn and Called to the Bar.

5 For further information on transferring lawyers who may be entitled to partial exemption from the individual components of Bar training, please Part 7C of this Bar Qualification Manual.

Registered European Lawyers

6 The rules regarding exemptions from the individual components of Bar training for Registered European Lawyers are set out in the [BSB Handbook](#) at Rules Q17-Q22.

Registered European Lawyers – ‘No Deal’ Brexit

NB. This notice was drafted on 9 October 2019 and updated on 22 January 2020. At the time of updating, “exit day” may occur on 31 January 2020 but this may be subject to change. In the event of agreement being reached on another position we will provide further advice.

EEA Lawyers – Those from the EU, Norway and Lichtenstein who intend to practise as barristers in England and Wales after Brexit

For EEA lawyers (including UK nationals holding EEA qualifications) who are already established and have received a recognition decision in the UK before exit day, this recognition decision will not be affected and will remain valid (ie you may continue to practise as barristers.)

EEA lawyers (including UK nationals holding EEA qualifications) who have applied for a recognition decision and are awaiting a decision on exit day will, as far as possible, be able to conclude their applications in line with the provisions of the relevant Directives.

EEA lawyers (including UK nationals holding EEA qualifications) who have not started an application for a recognition decision in the UK before exit will need to apply for admission to the Bar of England and Wales as a Qualified Foreign Lawyer (QFL). As a QFL, you will be entitled to practise as a barrister if you meet all relevant provisions of the [BSB Handbook](#). Details on how to apply to the BSB can be found in the [Bar Qualification Manual](#).

Swiss lawyers who intend to practise in England and Wales after Brexit

If you have a UK qualification and professional title

Swiss lawyers who have registered in England and Wales or who transferred to the Bar of England and Wales before Brexit do not need to take any action to continue to practise after Brexit as long as they remain registered in England and Wales.

If you have a Swiss qualification and professional title

Swiss lawyers using a Swiss qualification or title, or those in the process of qualifying, will need to start their application to register in England and Wales, within 4 years after Brexit. Once registered, Swiss lawyers can continue to practise after Brexit as long as they remain registered in England and Wales.

Swiss lawyers using a Swiss qualification or title, or those in the process of qualifying, who wish to transfer to the Bar England and Wales under existing routes, need to do so within 4 years after Brexit.

‘No Deal’ Brexit - What it means for the Registered European Lawyers (REL) scheme

The UK Government states that there will be no system of recognition of professional qualifications between the remaining EEA States (EU Member States, Norway, Iceland and Lichtenstein) and the UK from the date on which the UK leaves the EU (currently scheduled to be 31 January 2020). This means that [Registered European Lawyer \(REL\)](#) status will cease on this day.

There will be no new REL registrations from ‘exit day’, although those who have applied for REL status before ‘exit day’, will be entitled to receive a decision on that application after ‘exit day’.

Your status as a Registered European Lawyer (REL)

If you are a European Lawyer who registered after 1 February 2017, you will have less than **three years’** regular and effective practice of activities in the law of England and Wales (under your Home Professional Title) on the scheduled exit date. This ‘three years’ experience’ is currently a requirement by the BSB for admission to the Bar. If you fall into this category, please contact the Authorisations team to discuss how we can help you with an application.

Details on how to apply to the BSB can be found in this Bar Qualification Manual.

UK Lawyers in the EEA (EU, Norway and Lichtenstein)

Individuals with UK qualifications seeking recognition to offer legal services in the EEA should check the host state national policies. The EU Commission has stated that decisions on the recognition of UK qualifications in EU countries before exit day are not affected.

The UK Government has published further information [Guidance for lawyers](#) with further information.

UK lawyers practising in Switzerland

If you have a UK qualification and professional title

UK lawyers registered and working in Switzerland on a permanent basis under their home professional title before Brexit do not need to take any action to continue to practise after Brexit as long as they remain registered in Switzerland. UK lawyers or those in the process of qualifying will need to start their application to register to work in Switzerland under their UK professional title on a permanent basis or to transfer to the Swiss professional title, within four years of Brexit.

If you have a Swiss qualification and professional title

UK lawyers who have transferred to the Swiss professional title before Brexit do not need to take any action to continue to practise after Brexit as long as they remain registered in Switzerland.

Leaving the EU with a deal – What it may mean

If the UK leaves the EU with a Withdrawal Agreement along the lines of that previously negotiated, an implementation period will run from 'exit day' (ie. currently scheduled for 31 January 2020) until the end of December 2020 for RELs. We have developed compensatory measures for RELs who have registered during 2018 and 2019, and who will not have met the BSB's 'three years' experience' requirement by the end of December 2020 and encourage RELs to contact us to discuss their application.

A REL in practice during the implementation period would continue to build up experience which may contribute towards a future application for admission to the Bar as a QFL. This will be subject to the condition that the REL's practice meets the standards for 'authorised persons' set out in the BSB's [Professional Statement](#).

Further enquiries can be made by contacting authorisations@barstandardsboard.org.uk.

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7C: Transfer route (partial exemption)

This section includes information on transferring lawyers who apply for admission to the Bar of England and Wales and receive partial exemption from the components of Bar training.

Bar Qualification Rules

1 The rules regarding full exemption from the individual components of Bar training are set out in the [BSB Handbook](#) at Rules Q23-Q24.

Overview

2 If you are seeking admission to the Bar of England and Wales as a transferring lawyer, you will be required to make an application for exemption from the three components of Bar training: the academic component, the vocational component, and the work-based learning (pupillage) component (see [Part 2](#), [Part 3](#) and [Part 4](#) of this Bar Qualification Manual). The outcome of your application will be dependent on your prior qualifications and experience.

3 Certain categories of transferring lawyers may not be entitled to full exemption but may be entitled to partial exemption from the individual components of Bar training as set out at Rule Q24, below.

BSB Handbook

Rule Q24

.1 an individual who has been granted rights of audience by another Approved Regulator and is entitled to exercise those rights in relation to any class of proceedings in any of the Senior Courts or all proceedings in county courts or magistrates' courts in England and Wales;

.2 a Qualified Foreign Lawyer who has for a period of at least three years regularly exercised full rights of audience in courts which administer law substantially similar to the common law of England and Wales;

.3 a teacher of the law of England and Wales of experience and academic distinction.

4 If you receive partial exemption as a transferring lawyer, you may be required to complete part (or all) of the Bar Transfer Test before you are admitted to an Inn and Called to the Bar. For further information on the Bar Transfer Test, please see [Part 7D](#) of this Bar Qualification Manual.

5 If you receive partial exemption as a transferring lawyer, you may also be required to complete a period of work-based learning (pupillage) before you are granted authorisation to practise as a barrister.

6 For further information on transferring lawyers who may be entitled to full exemption from the individual components of Bar training, please Part 7B of this Bar Qualification Manual.

Registered European Lawyers

7 The rules regarding exemptions from the individual components of Bar training for Registered European Lawyers are set out in the [BSB Handbook](#) at Rules Q17-Q22.

Registered European Lawyers – ‘No Deal’ Brexit

NB. This notice was drafted on 9 October 2019 and updated on 22 January 2020. At the time of updating, “exit day” may occur on 31 January 2020 but this may be subject to change. In the event of agreement being reached on another position we will provide further advice.

EEA Lawyers – Those from the EU, Norway and Lichtenstein who intend to practise as barristers in England and Wales after Brexit

For EEA lawyers (including UK nationals holding EEA qualifications) who are already established and have received a recognition decision in the UK before exit day, this recognition decision will not be affected and will remain valid (ie you may continue to practise as barristers.)

EEA lawyers (including UK nationals holding EEA qualifications) who have applied for a recognition decision and are awaiting a decision on exit day will, as far as possible, be able to conclude their applications in line with the provisions of the relevant Directives.

EEA lawyers (including UK nationals holding EEA qualifications) who have not started an application for a recognition decision in the UK before exit will need to apply for admission to the Bar of England and Wales as a Qualified Foreign Lawyer (QFL). As a QFL, you will be entitled to practise as a barrister if you meet all relevant provisions of the [BSB Handbook](#). Details on how to apply to the BSB can be found in the [Bar Qualification Manual](#).

Swiss lawyers who intend to practise in England and Wales after Brexit

If you have a UK qualification and professional title

Swiss lawyers who have registered in England and Wales or who transferred to the Bar of England and Wales before Brexit do not need to take any action to continue to practise after Brexit as long as they remain registered in England and Wales.

If you have a Swiss qualification and professional title

Swiss lawyers using a Swiss qualification or title, or those in the process of qualifying, will need to start their application to register in England and Wales, within 4 years after Brexit. Once registered, Swiss lawyers can continue to practise after Brexit as long as they remain registered in England and Wales. Swiss lawyers using a Swiss qualification or title, or those in the process of qualifying, who wish to transfer to the Bar England and Wales under existing routes, need to do so within four years after Brexit.

‘No Deal’ Brexit - What it means for the Registered European Lawyers (REL) scheme

The UK Government states that there will be no system of recognition of professional qualifications between the remaining EEA States (EU Member States, Norway, Iceland and Lichtenstein) and the UK from the date on which the UK leaves the EU (currently scheduled to be 31 January 2020). This means that [Registered European Lawyer \(REL\)](#) status will cease on this day.

There will be no new REL registrations from ‘exit day’, although those who have applied for REL status before ‘exit day’, will be entitled to receive a decision on that application after ‘exit day’.

Your status as a Registered European Lawyer (REL)

If you are a European Lawyer who registered after 1 February 2017, you will have less than **three years’** regular and effective practice of activities in the law of England and Wales (under your Home Professional Title) on the scheduled exit date. This ‘three years’ experience’ is currently a requirement by the BSB for admission to the Bar. If you fall into this category, please contact the Authorisations team to discuss how we can help you with an application.

Details on how to apply to the BSB can be found in this [Bar Qualification Manual](#).

UK Lawyers in the EEA (EU, Norway and Lichtenstein)

Individuals with UK qualifications seeking recognition to offer legal services in the EEA should check the host state national policies. The EU Commission has stated that decisions on the recognition of UK qualifications in EU countries before exit day are not affected.

The UK Government has published further information [Guidance for lawyers with further information](#).

UK lawyers practising in Switzerland

If you have a UK qualification and professional title

UK lawyers registered and working in Switzerland on a permanent basis under their home professional title before Brexit do not need to take any action to continue to practise after Brexit as long as they remain registered in Switzerland. UK lawyers or those in the process of qualifying will need to start their application to register to work in Switzerland under their UK professional title on a permanent basis or to transfer to the Swiss professional title, within 4 years of Brexit.

If you have a Swiss qualification and professional title

UK lawyers who have transferred to the Swiss professional title before Brexit do not need to take any action to continue to practise after Brexit as long as they remain registered in Switzerland.

Leaving the EU with a deal – What it may mean

If the UK leaves the EU with a Withdrawal Agreement along the lines of that previously negotiated, an implementation period will run from 'exit day' (ie. currently scheduled for 31 January 2020) until the end of December 2020 for RELs. We have developed compensatory measures for RELs who have registered during 2018 and 2019, and who will not have met the BSB's 'three years' experience' requirement by the end of December 2020 and encourage RELs to contact us to discuss their application.

A REL in practice during the implementation period would continue to build up experience which may contribute towards a future application for admission to the Bar as a QFL. This will be subject to the condition that the REL's practice meets the standards for 'authorised persons' set out in the BSB's [Professional Statement](#).

Further enquiries can be made by contacting authorisations@barstandardsboard.org.uk.

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7D: The Bar Transfer Test (BTT)

This section is under review. New guidance for Transferring Qualified Lawyers with outstanding BTT requirements will be published shortly.

7E: Temporary Call to the Bar

This section includes information for qualified foreign lawyers (QFLs) seeking temporary Call to the Bar for the purpose of conducting a specific case (or cases).

Overview

1 Qualified Foreign Lawyers (QFLs) may apply to us for admission to the Bar of England and Wales. The application form and guidelines for this purpose can be found on our [waivers, exemptions and other applications page](#).

2 If you need to appear in court in England and Wales to conduct a specific case (or cases) as a Qualified Foreign Lawyer, you may apply to us for Temporary Call to the Bar rather than full admission.

3 The rules regarding Temporary Call to the Bar are set out in the [BSB Handbook](#) at Rules Q25-Q28.

Application process – Temporary Call to the Bar

4 You must be able to identify the cases for which Temporary Call is sought. It is therefore helpful if the solicitors who wish to instruct you give that information as part of your application for Temporary Call.

5 If your application is successful, we will issue you with a Temporary Qualification Certificate (Rule Q26 of the [BSB Handbook](#)), which you should present to your chosen Inn when seeking to be Called.

6 Temporary Call to the Bar ends automatically on conclusion of the case (or cases) for which you were temporarily called.

7 The application form and guidelines for Temporary Call to the Bar can be found on our [waivers, exemptions and other applications page](#).