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the legal profession®

The IBA Global Cross Border Legal Services in the Middle East Report 2019

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INTRODUCTION

This database was produced for the IBA Bar Issues Commission Trade in Legal Services Committee. It is an extract from a larger Global Crossborder Legal Services database which covers over 140 countries, and more than 220 jurisdictions worldwide. Given the growth of crossborder activity amongst lawyers in the Middle East, this extract, covering only the Middle Eastern jurisdictions in the database, may be a useful tool for Bar Associations and others interested in looking at how cross border legal services works in different jurisdictions on the continent.

How the database was compiled

The IBA Global Crossborder Legal Services database is available in full on the IBA's website. The jurisdictions covered in this extract have been compiled using the same methodology. This is as follows:

- First desk research was undertaken to find relevant statutory, regulatory and, where appropriate, judicial or Common Law provisions governing the regulation and supply of legal services in the various countries covered in the database.
- These initial results were then sent to the responsible competent authority for verification and if this was not possible, confirmation of the regulatory position was sought from local practising lawyers. The organisation undertaking this verification is mentioned at the end of each jurisdiction's entry, where applicable

Sources used

Wherever possible primary sources have been used. Answers to questions on lawyers' titles, basic qualification requirements, reserved areas of work and responsible competent authorities are drawn in most cases from primary legislation or government gazettes. Competent authorities, who are responsible for the admission and registration of lawyers are the most common source for information on codes of conduct and requirements in relation to practice, including corporate forms in which lawyers may practise, the ability to practise in partnership with host country lawyers or to employ host country lawyer and the existence of other restrictions. Links to the sources used on a country by country basis are included in the body of the database. The World Trade Organisation services database (www.wto.org) has been used as the main source of information on countries' market access commitments for legal services and horizontal commitments and its Regional Trade Agreement database for information on the coverage of legal services in RTAs and bilateral trade agreements. Information on the commercial presence of foreign legal providers has been obtained from published commercial sources, such as Chambers and Partners website (www.chambersandpartners.com) or Legal 500 (www.legal500.com), where possible this has also been verified with registration data held by competent authorities. Information on general investment restrictions has been derived from a variety of sources, including individual government investment agencies and the World Bank's 'Doing Business' website (www.doingbusiness.com). Information on visas and work permits has come from both the horizontal commitments notified to the WTO and from commercial visa procurement agencies.

Notes on Interpretation

Legal services are defined for the purposes of this database as in UN CPC 861 and arbitration and mediation services, which are frequently conducted by lawyers are also considered. Many countries define the 'practice of law' within their own jurisdictions differently from the UN CPC classification and many also distinguish between services which are regulated and therefore restricted to qualified lawyers (often only locally qualified lawyers) and those services which are unrestricted, subject only to immigration and work permit requirements. The broad approach taken by this database allows us to reflect a fairer picture of overall market access offered by host countries.

Certain terminology has been used throughout this database, such as 'licensing', 'foreign legal consultant rules' and 'fly in fly out'. Many countries do not use this terminology themselves and may, for example, permit foreign lawyer establishment without having a formal FLC regime, but in order to obtain a basis for comparison, we have described arrangements that are considered to have equivalent effect in these sections even if they would not be described locally as such.

There are missing elements in this database which could usefully be added in future. We have not, for example, included any information about disciplinary arrangements, however most of the authorities who are responsible for issuing licences are also the authorities responsible for issuing certificates of good standing to individuals wishing to move across borders.

Bahrain

Is there legislation governing the legal sector

The Legal Profession Act of 17 January 1981 and the Legal Practice Act 1980

Under what title do lawyers practise?

Bahraini lawyers practise under a single title: 'Advocate'.

How does an individual lawyer obtain a "licence" to practise law? How often must this be renewed?

According to the Legal Profession Act 1981, a person practising the legal profession before the Bahraini courts must have his name registered in the table of advocates. Registration requires a person: 1. To be of Bahraini nationality; 2. To have full civil capacity; 3. To hold the degree of Bachelor in Law from a recognised University. This degree must have included the study of Islamic Law and if not, the applicant must pass an exam prepared by the Ministry of Justice and Islamic Affairs or must have obtained an equivalent certificate in Islamic Law from one of the recognized Islamic law universities; 4. To be of good character and conduct and to have no outstanding criminal or disciplinary ruling against them. Advocates must renew their registration annually.

Does this entitle the holder to practise throughout the country? If the law license only permits one to practice on a sub-national level, please explain the jurisdictional limits

The Bahraini licence entitles advocates to practise in courts throughout the country.

Are there certain activities that are "reserved" to those who are licensed to practise law in the jurisdiction?

According to the Legal Profession Act, only Bahraini advocates have the right to appear before courts and tribunals, in front of police, administrative and judicial committees. Non-lawyers are prohibited from giving legal advice or performing any legal act.

Do you need to hold local nationality to be eligible to practise law?

Only Bahraini nationals may practise law in Bahrain (subject to the exceptions outlined below).

What legal forms can lawyers work in? (e.g. self-employment, partnership, limited liability partnership, multi-disciplinary partnership, incorporation)

There are no restrictions on the legal form in which an advocate can work.

What other ethical or regulatory requirements must a licensed lawyer comply with?

The Legal Profession Act lays out a number of ethical requirements that Bahraini lawyers must comply with.

Do law firms need to receive a "license" (or permission/approval) to practice law?

The requirement for the owners of law firms to register with the Ministry of Justice is in effect licensing for a law firm. Some local law firms have additionally chosen to register in the Bahrain Commercial Register in order to enable them to undertake certain tasks such as company formation.

Bahrain

<i>Which authority issues licences? Are there different authorities for individuals and firms?</i>	Bahraini advocates must be licensed by the Ministry of Justice if they are sole practitioners or head up a partnership of law firm. Other lawyers working for them do not need to be individually licensed by the Ministry of Justice but must have a licence from the MOIC instead
<i>Is the jurisdiction a member of the WTO?</i>	Bahrain joined the WTO on 1 January 1995
<i>Has it made any WTO commitments on legal services?</i>	Bahrain has not scheduled any commitments on legal services under the GATS.
<i>Is the jurisdiction party to bilateral agreements which offer special treatment to businesses or individuals from particular countries?</i>	Bahrain is a party to the trade agreement of the Gulf Cooperation Council and signed a bilateral trade agreement with the USA in 2006.
<i>Do these currently include legal services or are there plans to include them in future?</i>	No
<i>Are foreign lawyers from different jurisdictions treated differently as a result of any such agreements?</i>	No apart from the exemption on visa requirements for GCC lawyers.
<i>Are there any 'foreign law' firms present in this jurisdiction?</i>	There are at least eight foreign law firms, from the US, UK and Canada, with offices in Bahrain
<i>Are there any explicit rules or restrictions other than visas on fly in fly out practice of law? I.e. Do you need to obtain a licence for temporary practice?</i>	There are no rules on temporary practice.
<i>Can a foreign lawyer obtain a visa to visit clients or to market, even if they are not permitted to practise law?</i>	Business visas can be obtained for varying periods. Visas are not required by citizens of the Gulf Cooperation Council (Kuwait, Oman, Qatar, Saudi Arabia, United Arab Emirates).
<i>Can a foreign lawyer obtain a licence to establish and practise as a foreign legal consultant and what is the scope of this limited licence?</i>	The 2007 amendment of the Legal Practice Act 1980 allows foreign law firms to open branches in Bahrain. However, the role of foreign firms is limited to consulting in international law, and in fields not adequately available locally, thus protecting Bahraini advocates from competition by such firms. The law requires that no opinion or advice by a foreign law firm on a matter directly related to the laws of the Kingdom of Bahrain may be upheld unless reviewed by a Bahraini advocate licensed to practice before the Court of Appeals.
<i>Are there any conditions that must be fulfilled once a foreign lawyer has</i>	There are no special provisions applying to lawyers.

Bahrain

been granted a limited licence (e.g. residency requirement)

Are there any conditions that must be fulfilled for a foreign lawyer to qualify for a limited licence? (e.g. prior practice)

Foreign lawyers must be licensed by the Ministry of Industry and Commerce

Are foreign lawyers permitted to undertake arbitration and mediation?

There are no restrictions on the participation of foreign lawyers in arbitration and mediation proceedings.

Are foreign lawyers allowed to appear in court under any circumstances?

No

Can foreign lawyers requalify as local lawyers?

Requalification is not possible due to the nationality provision in the law

Can a foreign law firm obtain a licence to open an office?

The Director General of Legal Affairs in the Bahrain Ministry of Justice issues licences to foreign law firms to establish offices.

Even if a foreign law firm does not require a legal licence must they register in some form in order to set up an office? (E.g. with a ministry of company affairs etc.)

In addition to its legal licence a foreign legal consultancy will need to comply with the general requirements governing foreign investment in Bahrain

Are there different types of foreign law firm 'licence' (e.g. Joint Law Venture, stand alone foreign licence etc.?)

Law firms may choose an appropriate vehicle for investment in Bahrain.

Is there a quota on the number of licences available?

No

Are there geographical restrictions on foreign firm licences or on the number of branches a foreign firm can have?

No

Are there "scope of practice" rules that apply directly to foreign law firms (as opposed to lawyers themselves)? (E.g. home, host, international law), if so, what are they?

Foreign law firms are limited to the practice of international and foreign law and areas of law not adequately covered locally.

Are there restrictions on the corporate form a foreign law firm can take?

Foreign law firms may form partnerships or companies as provided for under the Law on Commercial Registration (1961), the Commercial Companies Law (2001) and the Commercial Law (1987)

Are there rules about the name a foreign law firm can take?

Law firms are subject to the general requirements on company names.

Bahrain

What entity grants a 'license' to foreign law firms? If that entity is on the Internet, please provide the URL

The Ministry of Justice is the licensing authority:
www.moj.gov.bh

Are there restrictions on the ownership share of foreign lawyers in a law firm?

Bahrain permits 100% foreign ownership of a law firm but that law firm is then limited in its practice areas and may not conduct litigation or appear before the courts.

May a domestic lawyer be employed by a foreign lawyer or law firm?

No

Can a domestic lawyer enter into partnership with a foreign lawyer?

No

Can a domestic lawyer or domestic law firm employ a foreign lawyer?

Non-Bahraini and non-GCC lawyers, resident in Bahrain, may be employed by a lawyer licensed to practice law in Bahrain and may supply legal services in the territory of Bahrain, other than representing clients before law courts and administrative commissions or tribunals of a judicial nature.

Other useful sources or comments or links

Ministry of Justice - www.moj.gov.bh

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Egypt

Is there legislation governing the legal sector

The Advocates Law 197/2008 (amending Law No 17/1983)

Under what title do lawyers practise?

Egyptian lawyers practise under the title 'mohamy' which may be translated as 'avocat' or 'lawyer'.

How does an individual lawyer obtain a "licence" to practise law? How often must this be renewed?

Egyptian lawyers can only practise law after registering in the table of lawyers regulated by Law no.197, although lawyers employed by the state are exempt from registration. In order to register, the individual concerned must: 1. Have Egyptian nationality; 2. Have full civil capacity; 3. Possess a law degree from an Egyptian university or hold a certificate from a foreign university which is considered equivalent under Egyptian law; 4. Not have any outstanding disciplinary findings against them; 5. Be of good conduct and reputation, worthy of the respect required for the profession; 6. Pass a medical examination at a hospital determined by the Bar Council to make sure of his fitness for the practice of the profession; and 7. Pay the registration fees and annual subscriptions required by law. After obtaining a law degree, an Egyptian lawyer must undertake two years of training as an Avocat-Stagiaire and plead a minimum of twenty-five cases during this period. The lawyer will be fully admitted to practice in the lower courts on the recommendation of the president of the lowest court and members of the local bar association.

Does this entitle the holder to practise throughout the country? If the law license only permits one to practice on a sub-national level, please explain the jurisdictional limits

Licensed Egyptian lawyers are entitled to practise throughout the country

Are there certain activities that are "reserved" to those who are licensed to practise law in the jurisdiction?

According to the Advocates Law, only registered lawyers are allowed to practise law and call themselves lawyers.

Do you need to hold local nationality to be eligible to practise law?

Only Egyptian nationals may practise law in Egypt as of right. (Subject to the exceptions outlined below).

What legal forms can lawyers work in? (e.g. self-employment, partnership, limited liability partnership, multi-disciplinary partnership, incorporation)

Further to Article 4 of Law no.197, a lawyer can practise the legal profession on his own account, in partnership with other lawyers, or in a law firm. A lawyer may also practise law in social bodies, public and private sector companies, press institutions, private banks and companies and associations in accordance with the provisions of Law no.197.

Egypt

What other ethical or regulatory requirements must a licensed lawyer comply with?

The Advocates Law 197 contains a number of provisions relating to ethical conduct, including, inter alia: The need for a lawyer to take an oath to carry out his/her duties 'with honour and integrity'; 'to protect the ethics of the profession and its traditions and to respect the Constitution and the Law'; to provide legal aid; to avoid conflicts of interest and maintain client confidentiality. There is no separate code of conduct promulgated by the Bar Association

Do law firms need to receive a "license" (or permission/approval) to practice law?

Article No.5 of Law no.197 states that: Lawyers admitted before the Court of Cassation and the Courts of Appeal may establish between them a civil law firm with separate legal personality. The name of the law firm should include the name of one of the firm's original partners and this name may continue to be used even when that partner is deceased. The law firm must be registered with the Egyptian Bar in a special register. Egyptian law firms may participate before the initial courts.

Which authority issues licences? Are there different authorities for individuals and firms?

Lawyers and law firms must be registered with the Egyptian Bar

Is the jurisdiction a member of the WTO?

Egypt joined the WTO on 30 June 1995

Has it made any WTO commitments on legal services?

Egypt has scheduled no legal services commitments under the GATS

Is the jurisdiction party to bilateral agreements which offer special treatment to businesses or individuals from particular countries?

Egypt is a party to the Pan-Arab Free Trade Area and COMESA, it has bilateral free trade agreements with EFTA and Turkey. It also has an Association Agreement with the EU.

Do these currently include legal services or are there plans to include them in future?

No

Are foreign lawyers from different jurisdictions treated differently as a result of any such agreements?

No

Are there any 'foreign law' firms present in this jurisdiction?

There are a few international law firms with a presence in Egypt, mostly in association with local law firms but Trowers and Hamlin has an office which is fully integrated into the international firm's network of offices.

Egypt

<i>Are there any explicit rules or restrictions other than visas on fly in fly out practice of law? I.e. Do you need to obtain a licence for temporary practice?</i>	The Advocates Law sets out in article 13 that the Minister of justice, in coordination with the Bar, could license a foreign lawyer to work in a particular case or a particular topic in Egypt, provided reciprocal conditions exist.
<i>Can a foreign lawyer obtain a visa to visit clients or to market, even if they are not permitted to practise law?</i>	Business visas are available to foreign nationals for up to 90 days with a letter of invitation giving the purpose of the visit. Resident nationals in a number of Arab states do not require visas.
<i>Can a foreign lawyer obtain a licence to establish and practise as a foreign legal consultant and what is the scope of this limited licence?</i>	There is no foreign legal consultant regime.
<i>Are there any conditions that must be fulfilled once a foreign lawyer has been granted a limited licence (e.g. residency requirement)</i>	Not applicable
<i>Are there any conditions that must be fulfilled for a foreign lawyer to qualify for a limited licence? (e.g. prior practice)</i>	Not applicable
<i>Are foreign lawyers permitted to undertake arbitration and mediation?</i>	There are no restrictions on the participation of foreign lawyers in arbitration and mediation proceedings.
<i>Are foreign lawyers allowed to appear in court under any circumstances?</i>	There is a provision in the Advocates Law which would permit the Minister of Justice, in coordination with the Bar to give a license to foreign lawyers to work in a particular case or a particular topic in Egypt, provided that reciprocal arrangements exist in the foreign lawyer's home jurisdiction.
<i>Can foreign lawyers requalify as local lawyers?</i>	Requalification is not possible due to the nationality provision in the law
<i>Can a foreign law firm obtain a licence to open an office?</i>	A foreign firm can only open an office in association with local partners. There is no formal licensing regime for foreign law firms to regulate these arrangements.
<i>Even if a foreign law firm does not require a legal licence must they register in some form in order to set up an office? (E.g. with a ministry of company affairs etc.)</i>	Not applicable

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<i>Are there different types of foreign law firm 'licence' (e.g. Joint Law Venture, stand alone foreign licence etc.?)</i>	Not applicable
<i>Is there a quota on the number of licences available?</i>	Not applicable
<i>Are there geographical restrictions on foreign firm licences or on the number of branches a foreign firm can have?</i>	Not applicable
<i>Are there "scope of practice" rules that apply directly to foreign law firms (as opposed to lawyers themselves)? (E.g. home, host, international law), if so, what are they?</i>	Not applicable
<i>Are there restrictions on the corporate form a foreign law firm can take?</i>	Not applicable
<i>Are there rules about the name a foreign law firm can take?</i>	Not applicable
<i>What entity grants a 'license' to foreign law firms? If that entity is on the Internet, please provide the URL</i>	Not applicable
<i>Are there restrictions on the ownership share of foreign lawyers in a law firm?</i>	Not applicable
<i>May a domestic lawyer be employed by a foreign lawyer or law firm?</i>	Not applicable
<i>Can a domestic lawyer enter into partnership with a foreign lawyer?</i>	No
<i>Can a domestic lawyer or domestic law firm employ a foreign lawyer?</i>	A domestic lawyer or law firm may employ a foreign lawyer but they cannot hold themselves out as a lawyer given the nationality restrictions on the practice of law in Egypt. They may therefore be described as a legal consultant.
<i>Other useful sources or comments or links</i>	Egyptian Government Portal - www.egypt.gov.eg
<i>Verified by</i>	

Israel

Is there legislation governing the legal sector

BAR ASSOCIATION LAW, 5721 - 19611

Under what title do lawyers practise?

'Orech Din (Attorney)

*How does an individual lawyer obtain a "licence" to practise law?
How often must this be renewed?*

A person is qualified to be an attorney if –
He has higher legal education and is a graduate of a law faculty of an institution or of a college in Israel, recognized under the Council for Higher Education Law, 5718– 1958, as an institution of higher education; and (2) He has passed a qualifying period as a legal intern; and (3) He has passed the Bar examinations.

The following may also be recognised:

- A law graduate of an institution abroad recognized by the Hebrew University in Jerusalem, as an institution of higher education; or a person who has studied at such an institution and has passed examinations to an extent that, in the opinion of the Hebrew University in Jerusalem, he may suitably be regarded as granting him a higher legal education.
- A law graduate of an institution in Israel that is recognised and licensed under Section 25D or section 25I of the Council of Higher Education Law, 5718– 1958.
- A person qualified abroad as an attorney, and who has practised as an attorney or in a judicial function abroad, for at least two years, and a person who has served abroad, for at least two years, in a judicial function for which only a person with a legal education is qualified.
- A person who completed his studies at a Law College that for these purposes was recognized as per section 25B

Does this entitle the holder to practise throughout the country? If the law license only permits one to practice on a sub-national level, please explain the jurisdictional limits

Yes, although a lawyer must be registered in the district either in which they live or in which their practice is based and can only be registered in one district. The Districts are: (1) Jerusalem district court jurisdiction; (2) Tel Aviv district Court jurisdiction; (3) Haifa District Court jurisdiction; (4) Northern district, the area of jurisdiction of the Nazareth District Court; (5) Southern area, the area of jurisdiction of the Be'er Sheva District Court

Are there certain activities that are "reserved" to those who are licensed to practise law in the jurisdiction?

"According to section 20 of the Bar Act, the following acts are reserved to attorneys: (1) The representation of another person, and any pleading or other act on behalf of another person, before the courts, tribunals or arbitrators or before any person or body having judicial or quasi-judicial authority; (2) The execution of documents of a legal nature for another person, including but not limited to the representation of another person in legal negotiations leading to the execution of such a document; (3) Giving

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	legal advice or a legal opinion; (4) Representation in front of various public offices or registration agencies."
<i>Do you need to hold local nationality to be eligible to practise law?</i>	Residency in Israel is required for membership of the Israel Bar
<i>What legal forms can lawyers work in? (e.g. self-employment, partnership, limited liability partnership, multi-disciplinary partnership, incorporation)</i>	Under section 59A of the Bar Act (a) An attorney shall not practice his profession as a member of a company of attorneys unless the following are satisfied: (1) The company is registered in Israel under the Companies Ordinance and the liability of its members is not limited. (2) The purposes of the company, according to its memorandum of association, are the incorporation of attorneys; activities ancillary to advocacy; activities pertaining to the management of the company and its property or to the investment of its profits and the necessary associated activities. In addition, the memorandum of association provides that the company shall not have the powers specified in the second addendum to the Companies Ordinance; (3) All the company's members and managers are members of the Bar. (b) An attorney shall not practice his profession as a member of more than one company of attorneys. Under section 58 an Israeli attorney may not practise in partnership with non-lawyers.
<i>What other ethical or regulatory requirements must a licensed lawyer comply with?</i>	In addition to provisions in the Bar Act, the ethical requirements on Israeli lawyers may be found in the Bar Association Rules (Professional Ethics), 5746-1986 (http://www.israelbar.org.il/uploadFiles/Bar_Association_Rules_Professional_Ethics__nov_2008.pdf)
<i>Do law firms need to receive a "license" (or permission/approval) to practice law?</i>	A law firm per se doesn't need a licence, however, most law firms in Israel operate as incorporated partnerships and therefore they are obliged to register as partnerships and to comply with the partnership ordinance of 1975. In addition, the law firm ensures that the lawyers will adhere to requirements under Article 59A of the Act: (a) An attorney shall not practice his profession as a member of a company of attorneys unless the following are satisfied: (1) The company is registered in Israel under the Companies Ordinance and the liability of its members is not limited. (2) The purposes of the company, according to its memorandum of association, are the incorporation of attorneys; activities ancillary to advocacy; activities pertaining to the management of the company and its property or to the investment of its profits and the necessary associated activities. In addition, the memorandum of association provides that the company shall not have the powers specified in the second addendum to the Companies Ordinance; (3) All the

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	company's members and managers are members of the Bar. (b) An attorney shall not practice his profession as a member of more than one company of attorneys.
<i>Which authority issues licences? Are there different authorities for individuals and firms?</i>	Unlike an individual lawyer, a law firm does not need a licence from the bar to operate. The Israeli Bar admits lawyers and may refuse to do so if the applicant has been convicted of an offense involving moral turpitude, or if certain facts are revealed while providing a basis to deem the candidate as an unfit lawyer. Such decision is also subject to scrutiny by the Supreme Court.
<i>Is the jurisdiction a member of the WTO?</i>	Israel joined the WTO on 21 April 1995
<i>Has it made any WTO commitments on legal services?</i>	No
<i>Is the jurisdiction party to bilateral agreements which offer special treatment to businesses or individuals from particular countries?</i>	Israel has bilateral trade agreements with Canada, the EU, EFTA, Mexico, Turkey and the US.
<i>Do these currently include legal services or are there plans to include them in future?</i>	Israel's agreements predominantly deal with trade in goods. However, the agreement with the EU reaffirms the commitment to MFN status and states that the agreement will be widened to include more explicit coverage of services.
<i>Are foreign lawyers from different jurisdictions treated differently as a result of any such agreements?</i>	No
<i>Are there any 'foreign law' firms present in this jurisdiction?</i>	Three foreign law firms have taken advantage of the recent relaxation of Israel's rules- Berwin Leighton Paisner, ALO-Asserson and Greenberg Traurig and DLA Piper.
<i>Are there any explicit rules or restrictions other than visas on fly in fly out practice of law? I.e. Do you need to obtain a licence for temporary practice?</i>	In order to practise law in Israel a foreign lawyer must be registered with the Israeli Bar. However article 98D of the Bar Act provides that "an individual licensed to practice law overseas, is entitled, if he received permission to do so from the Central Committee or from whoever the Central Committee authorized to do so in this respect, to render a legal service pertaining to the foreign law in Israel despite the fact that he is not an attorney or foreign attorney, provided that the centre of his activities within the framework of his business practicing law is overseas and the legal service pertaining to the foreign law is rendered other than through his business". The Central Committee is the Central Committee of the Bar Association. (b) The Central Committee will inform the permit applicant of its decision within 30 days of the date the application

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	was received; whereupon the said date has passed and the Central Committee's decision has yet to be rendered, it will be deemed to have granted permission.
<i>Can a foreign lawyer obtain a visa to visit clients or to market, even if they are not permitted to practise law?</i>	Lawyers may visit under a B/2 visitor's visa which allows the holder to enter for periods of up to three months and includes permission to hold business meetings etc. He can't practise law in full range unless he address to the requirement of amendment to 33 specified here under.
<i>Can a foreign lawyer obtain a licence to establish and practise as a foreign legal consultant and what is the scope of this limited licence?</i>	Amendment No. 33 of the Bar Association Law, 5721-1961 allows foreign lawyers and foreign law firms to Provide legal services concerning foreign law. "Legal services" under the law includes 1. Legal advice regarding the law applicable to the country in which the foreign lawyer accredited 2. Preparation of legal documents under the foreign law. "Legal Service" under this law does not include representation in court
<i>Are there any conditions that must be fulfilled once a foreign lawyer has been granted a limited licence (e.g. residency requirement)</i>	Foreign lawyers must register and pay a fee every year and every three years must submit documentation confirming that they are still registered as lawyers in their home jurisdictions. (See the Rules of the Bar Association (Registration and Supervision over Foreign Attorneys and Fees), 5772 – 2012)
<i>Are there any conditions that must be fulfilled for a foreign lawyer to qualify for a limited licence? (e.g. prior practice)</i>	In order to register as a Foreign Lawyer one must meet the following basic requirements: In order to register as a foreign lawyer in Israel, an individual must have: a) a valid license to practice law in a foreign country, b) Five years of professional experience as a lawyer in the same foreign country. c) a passing grade on the Israeli Ethics Exam for Foreign Lawyers; d) Professional liability insurance in Israel compliant with the Israeli Bar Association Order (Securities for a Foreign Lawyer), 5772 – 2012. Or a deposit of \$50,000.
<i>Are foreign lawyers permitted to undertake arbitration and mediation?</i>	A foreign lawyer may participate in an arbitration proceeding involving foreign law. The parties have to agree that the arbitration will be conducted according to foreign law. Foreign lawyers are not permitted to advise or provide representation on issues relating to the Israeli Arbitration Law.
<i>Are foreign lawyers allowed to appear in court under any circumstances?</i>	Under section 23 of the Bar Act a foreign lawyer may obtain special permission to appear in court to defend a non-Israeli citizen accused under the Genocide Law (1950) or the Nazis and Nazi Collaborators Law (1950)

Israel

Can foreign lawyers requalify as local lawyers?

Only citizens or residents of Israel may requalify as Israeli lawyers.

Can a foreign law firm obtain a licence to open an office?

A foreign law firm planning to open a branch in Israel is required to notify the Israel Bar Association within 30 days of opening. The branch must employ at least one lawyer who is already registered with the Israel Bar Association as an Israeli Lawyer or as a Foreign Lawyer.

Even if a foreign law firm does not require a legal licence must they register in some form in order to set up an office? (E.g. with a ministry of company affairs etc.)

Foreign firms establishing will also need to comply with business, tax and employment registration requirements.

Are there different types of foreign law firm 'licence' (e.g. Joint Law Venture, stand alone foreign licence etc.?)

Foreign law firms may establish in different forms, including as corporations, provided that this corporation was established outside Israel and its purpose is the provision of legal services.

Is there a quota on the number of licences available?

No

Are there geographical restrictions on foreign firm licences or on the number of branches a foreign firm can have?

No

Are there "scope of practice" rules that apply directly to foreign law firms (as opposed to lawyers themselves)? (E.g. home, host, international law), if so, what are they?

The permitted practice for a foreign lawyer is limited to providing legal opinion and counselling regarding the foreign laws which apply in the foreign country in which the lawyer is certified, and the drafting of legal documents which the foreign law (non-Israeli) apply to them, including the representation of a client in a negotiation towards such drafting of legal documents. A foreign law firm may comprise Israeli qualified as well as foreign lawyers and the former are permitted to conduct a practice in Israeli law.

Are there restrictions on the corporate form a foreign law firm can take?

A "Foreign Attorneys Firm" must be: (1) A corporation incorporated overseas and all of the following must apply: (a) Its purpose is to render legal services; (b) All or some of the members or partners therein are licensed to practice law overseas; (c) The centre of its activities is overseas. In addition, it must not take a corporate form, including limited liability forms and all the partners or members must be lawyers.

Are there rules about the name a foreign law firm can take?

Article 98J of amendment 33 provides that "The name of an Israeli branch of a foreign attorney's office can be the same as the foreign attorneys firm provided that everywhere that mentions the branch's name also states

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What entity grants a 'license' to foreign law firms? If that entity is on the Internet, please provide the URL

that it is a branch of a foreign attorneys firm and the name of the country in which its primary activities are executed."

The Israel Bar Association - www.israelbar.org.il

Are there restrictions on the ownership share of foreign lawyers in a law firm?

There must be at least one foreign partner or member in the foreign firm and it must have its seat of operations overseas.

May a domestic lawyer be employed by a foreign lawyer or law firm?

Yes

Can a domestic lawyer enter into partnership with a foreign lawyer?

Yes although only in a foreign firm and an Israeli lawyer may only be a partner in one foreign firm.

Can a domestic lawyer or domestic law firm employ a foreign lawyer?

A foreign lawyer may not work in a local firm as a lawyer but may only be employed as a consultant.

Other useful sources or comments or links

Israel Bar Association:
<http://www.israelbar.org.il/english.asp?catid=372>

Verified by

Levitan, Sharon & Co, Advocates and Notaries
www.levitansharon.co.il (January 2014)

Jordan

Is there legislation governing the legal sector

Jordanian Bar Association Law no.11/1972 as amended by Law no.51/1985

Under what title do lawyers practise?

Lawyers in Jordan practise under a single title, 'mohamy', which may be translated as 'lawyer' or 'advocate'.

How does an individual lawyer obtain a "licence" to practise law? How often must this be renewed?

According to article 7 of Law no.11/1972 anyone who wants to practise as a lawyer in Jordan must be registered in the table of Lawyers , and in order to be registered, the individuals concerned must: 1. Have held Jordanian nationality for at least 10 years, unless the applicant was a national of an Arab Country before acquiring Jordanian nationality, in which case the cumulative period of holding the two nationalities must not be less than ten years; 2. Be at least 23 years of age; 3. Enjoy full civil capacity; 4. Be a permanent and current resident of the Kingdom of Jordan; 5. Be of good character and conduct and not have been convicted or sentenced of a criminal or disciplinary offence. 6. Hold a Certificate in Law from a recognized university or law college; 7. Have completed the required training period (usually two years but a candidate with a Master's degree or PHD in law may only be required to complete one year of training); 8. Not be an employee with the government or municipalities.

Does this entitle the holder to practise throughout the country? If the law license only permits one to practice on a sub-national level, please explain the jurisdictional limits

Jordanian lawyers are entitled to practise law throughout the country

Are there certain activities that are "reserved" to those who are licensed to practise law in the jurisdiction?

According to article 38 of the Jordanian Bar Association law, the practice of law is reserved for lawyers registered with the Bar.

Do you need to hold local nationality to be eligible to practise law?

The practice of law in Jordan is reserved to Jordanian nationals. Article 10 of the Jordanian Bar Association law however provides that an Arabic Lawyer (i.e. a legally qualified national of one of the member countries of the Union of Arab States) has the right to plead in Jordanian courts in conjunction with a Jordanian lawyer in a particular case. Permission must be granted by the Chair of the Bar Association after verifying the status of the lawyer who has asked to plead and given that reciprocal conditions apply in the applicant lawyer's home country.

Jordan

What legal forms can lawyers work in? (e.g. self-employment, partnership, limited liability partnership, multi-disciplinary partnership, incorporation)

Jordanian lawyers may work as sole practitioners or establish a law firm with other Jordanian lawyers (Article 53).

What other ethical or regulatory requirements must a licensed lawyer comply with?

In addition to some further requirements on conduct (e.g. 'to behave with dignity and honour', maintain client confidentiality etc.) contained in the Bar Association Law, a licensed Lawyer must comply with the 1980 Code of Conduct issued by the Jordanian Bar. The Bar Code of Conduct sets out in more detail requirements on confidentiality and the handling of conflicts of interest.

Do law firms need to receive a "license" (or permission/approval) to practice law?

A Jordanian law firm must send written notification to the Bar Association within a month of its formation.

Which authority issues licences? Are there different authorities for individuals and firms?

Both law firms and individuals must be registered with the Jordanian Bar association.

Is the jurisdiction a member of the WTO?

Jordan joined the WTO on 11 April 2000

Has it made any WTO commitments on legal services?

Jordan has scheduled full GATS commitments (i.e. no restrictions in modes 1-3) on advisory services in foreign law (i.e. excluding Jordanian law). Representation in Jordanian courts is reserved to Jordanian nationals.

Is the jurisdiction party to bilateral agreements which offer special treatment to businesses or individuals from particular countries?

Jordan is a party to the Pan Arab Free Trade Area and has bilateral or regional free trade agreements with the following countries: the EU, EFTA, Turkey, Singapore and the US. Negotiations on a free trade agreement with Canada are underway.

Do these currently include legal services or are there plans to include them in future?

The text of the agreement with Singapore reiterates Jordan's GATS commitments. Its agreement with the EU contains a negative list of sectors in which investment in either direction is restricted or prohibited - legal services are not included on this negative list.

Are foreign lawyers from different jurisdictions treated differently as a result of any such agreements?

As Jordan's commitments in the WTO are quite comprehensive there are no major differences in the treatment of foreign lawyers arising from bilateral trade treaties.

Are there any 'foreign law' firms present in this jurisdiction?

A number of foreign firms from the UK and the UAE have a presence in Jordan through associations with local firms.

Jordan

Are there any explicit rules or restrictions other than visas on fly in fly out practice of law? I.e. Do you need to obtain a licence for temporary practice?

Jordan permits fly in fly out legal consultancy as a result of its GATS commitments but has no special licensing arrangements for temporary practice.

Can a foreign lawyer obtain a visa to visit clients or to market, even if they are not permitted to practise law?

Any non-Arab visitor to Jordan entering for business requires an entry visa

Can a foreign lawyer obtain a licence to establish and practise as a foreign legal consultant and what is the scope of this limited licence?

Foreign lawyers are permitted by Jordan's commitments under the WTO to establish and offer foreign legal advisory services, however no specific licensing arrangements appear to exist.

Are there any conditions that must be fulfilled once a foreign lawyer has been granted a limited licence (e.g. residency requirement)

There are no explicit conditions laid down for foreign lawyers beyond those that would apply to any business person establishing in Jordan.

Are there any conditions that must be fulfilled for a foreign lawyer to qualify for a limited licence? (e.g. prior practice)

Not applicable

Are foreign lawyers permitted to undertake arbitration and mediation?

There are no restrictions on the participation of foreign lawyers in arbitration and mediation proceedings.

Are foreign lawyers allowed to appear in court under any circumstances?

An Arab Lawyer, who is a national of a member country of the Arab Union, has the right to plead before the Jordanian courts in conjunction with a registered Jordanian lawyer. Permission must be granted by the President of the Bar Association after verification of the status of the lawyer that has asked to plead and under the condition that reciprocal rights exist in the Arab lawyer's home jurisdiction.

Can foreign lawyers requalify as local lawyers?

Requalification is not possible due to the nationality provision in the law

Can a foreign law firm obtain a licence to open an office?

Foreign law firms are permitted by Jordan's GATS commitments to establish offices although there is no explicit licensing regime for foreign law firms.

Even if a foreign law firm does not require a legal licence must they register in some form in order to set up an office? (E.g. with a ministry of company affairs etc.)

The Jordanian Investment Board's website sets out the requirements for foreign investors:
www.jordaninvestment.com

Are there different types of foreign law firm 'licence' (e.g. Joint Law Venture, stand alone foreign licence etc.?)

Not applicable

Is there a quota on the number of licences available?

Not applicable

Jordan

<i>Are there geographical restrictions on foreign firm licences or on the number of branches a foreign firm can have?</i>	Not applicable
<i>Are there "scope of practice" rules that apply directly to foreign law firms (as opposed to lawyers themselves)? (E.g. home, host, international law), if so, what are they?</i>	Foreign law firms are limited to legal advisory work outside of Jordanian law.
<i>Are there restrictions on the corporate form a foreign law firm can take?</i>	Not beyond the rules that apply to any foreign business.
<i>Are there rules about the name a foreign law firm can take?</i>	Not applicable
<i>What entity grants a 'license' to foreign law firms? If that entity is on the Internet, please provide the URL</i>	Legal licences are not specifically issued, so foreign law firms should contact the Jordanian Investment Board for details of general foreign business licensing requirements: www.Jordaninvestment.com
<i>Are there restrictions on the ownership share of foreign lawyers in a law firm?</i>	Law firms can only be owned by registered Jordanian lawyers, there are no restrictions on the ownership of legal consultancies.
<i>May a domestic lawyer be employed by a foreign lawyer or law firm?</i>	According to the lawyers' Code of Conduct, Jordanian lawyers are not permitted to hold any other employment or conduct any other business other than their legal practice. This would suggest that a Jordanian lawyer could not be employed by a foreign firm.
<i>Can a domestic lawyer enter into partnership with a foreign lawyer?</i>	Domestic and foreign lawyers may form associations.
<i>Can a domestic lawyer or domestic law firm employ a foreign lawyer?</i>	A Jordanian lawyer could employ a foreign lawyer but that individual would only be able to practise as a legal consultant.
<i>Other useful sources or comments or links</i>	Ministry of Justice - www.moj.gov.jo , Jordanian Bar Association - www.jba.org.jo
<i>Verified by</i>	

Kuwait

Is there legislation governing the legal sector

Law on the Organization of the Legal Profession before the Courts no. 42 of 1964

Under what title do lawyers practise?

In Kuwait, lawyers practise under a single title, mohamy, which may be translated as 'lawyer' or 'advocate'.

How does an individual lawyer obtain a "licence" to practise law? How often must this be renewed?

Law 42/64 stipulates that in order to practise as a lawyer in Kuwait, an individual must be registered in the table of practising lawyers. In order to be registered, an individual must comply with the following conditions: 1) Be of Kuwaiti nationality 2) Have full civil capacity, 3) be of good conduct, have a good reputation and have no judicial or disciplinary convictions, 4) Have obtained a law degree from the University of Kuwait, from a recognized university, or have a licence from a college of Islamic law in one of the Arab League countries. Kuwaiti lawyers who are registered in the table under the law No. 21 of 1960 are exempt from this requirement. A newly qualified lawyer will need to demonstrate that he has completed the prescribed two years of training.

Does this entitle the holder to practise throughout the country? If the law license only permits one to practice on a sub-national level, please explain the jurisdictional limits

Kuwaiti lawyers are entitled to practise throughout the country

Are there certain activities that are "reserved" to those who are licensed to practise law in the jurisdiction?

According to article 17 of law no.42 on the Organisation of the Legal Profession before the courts, only registered lawyers have the right to plead in front of the courts, although it is possible for litigants to appoint a relative to plead on their behalf. The Law further sets down that working as a lawyer without proper authorisation is a criminal offence under the penal code.

Do you need to hold local nationality to be eligible to practise law?

The practice of law in Kuwait is reserved to Kuwaiti nationals, in accordance with article 2 of the Law on the Organisation of the Legal Profession before the Courts.

What legal forms can lawyers work in? (e.g. self-employment, partnership, limited liability partnership, multi-disciplinary partnership, incorporation)

Kuwaiti lawyers are not restricted in the legal form in which they can work but can only have one office

What other ethical or regulatory requirements must a licensed lawyer comply with?

The Law on the Organisation of the Profession before the Courts contains some further ethical requirements on Kuwaiti lawyers relating in particular to client relations and fees.

Kuwait

Do law firms need to receive a "license" (or permission/approval) to practice law?

Lawyers must inform the Lawyers Association of the address from which they practice.

Which authority issues licences? Are there different authorities for individuals and firms?

Both individuals and lawyers wishing to open law firms must register with the Kuwaiti Lawyers Association - www.kls.org.kw

Is the jurisdiction a member of the WTO?

Kuwait joined the WTO on 1 January 1995.

Has it made any WTO commitments on legal services?

Kuwait has made no legal services commitments in the WTO

Is the jurisdiction party to bilateral agreements which offer special treatment to businesses or individuals from particular countries?

Kuwait is a party to the Gulf Cooperation Council and the Pan Arab Free Trade Area

Do these currently include legal services or are there plans to include them in future?

Kuwait has not included legal services in any of its bilateral trade agreements

Are foreign lawyers from different jurisdictions treated differently as a result of any such agreements?

Not apart from concessions to GCC Member States on visas.

Are there any 'foreign law' firms present in this jurisdiction?

There are around 4 UK, US and UAE firms with a presence in Kuwait through associations with local firms.

Are there any explicit rules or restrictions other than visas on fly in fly out practice of law? I.e. Do you need to obtain a licence for temporary practice?

There are no rules on temporary practice for foreign lawyers outside of the courts.

Can a foreign lawyer obtain a visa to visit clients or to market, even if they are not permitted to practise law?

Business visit visas are very straightforward to obtain. Citizens of GCC countries do not require visas.

Can a foreign lawyer obtain a licence to establish and practise as a foreign legal consultant and what is the scope of this limited licence?

Foreign lawyers do practice in Kuwait as legal consultants, but this is unregulated. An Arab lawyer may however register in the list of Kuwaiti lawyers if he/she fulfils the following conditions: Firstly, he/she holds Arab nationality; Secondly, he/she is fully competent and has neither disciplinary findings against him/her nor has been found guilty of moral turpitude; Thirdly, he/she must have law degree from a law school in one of the States of the Arab League; Fourthly, he/she must have worked as a lawyer or in a judicial office for at least ten years; Fifthly, he/she has permanent residence in Kuwait for as long as he/she is registered.

Kuwait

<i>Are there any conditions that must be fulfilled once a foreign lawyer has been granted a limited licence (e.g. residency requirement)</i>	Arab lawyers whose names appear on the lawyers' register must be permanent residents in Kuwait.
<i>Are there any conditions that must be fulfilled for a foreign lawyer to qualify for a limited licence? (e.g. prior practice)</i>	Arab lawyers who are eligible to join the register of lawyers must have 10 years of prior practice as a lawyer or judge.
<i>Are foreign lawyers permitted to undertake arbitration and mediation?</i>	Kuwait makes no distinction between domestic and international arbitration law and there are no restrictions on the participation of foreign lawyers in arbitration and mediation proceedings.
<i>Are foreign lawyers allowed to appear in court under any circumstances?</i>	Lawyers from Arab League countries may appear in court in particular cases and at the discretion of the Minister of Justice. Reciprocal rights in the foreign lawyer's home country must exist for Kuwaiti lawyers.
<i>Can foreign lawyers requalify as local lawyers?</i>	Requalification is not possible due to the nationality provision in the law
<i>Can a foreign law firm obtain a licence to open an office?</i>	Foreign law firms may only open offices in Kuwait in association with local law firms. There is no formal licensing regime which regulates these arrangements.
<i>Even if a foreign law firm does not require a legal licence must they register in some form in order to set up an office? (E.g. with a ministry of company affairs etc.)</i>	Foreign law firms wishing to invest in Kuwait will need to conform to the requirements of the commercial law 68/1980.
<i>Are there different types of foreign law firm 'licence' (e.g. Joint Law Venture, stand alone foreign licence etc.?)</i>	Not applicable
<i>Is there a quota on the number of licences available?</i>	Not applicable
<i>Are there geographical restrictions on foreign firm licences or on the number of branches a foreign firm can have?</i>	Not applicable
<i>Are there "scope of practice" rules that apply directly to foreign law firms (as opposed to lawyers themselves)? (E.g. home, host, international law), if so, what are they?</i>	Not applicable as there is no formal licensing system for foreign lawyers. In effect, foreign lawyers practise transactional law outside of Kuwaiti law and litigation and advocacy before the courts.
<i>Are there restrictions on the corporate form a foreign law firm can take?</i>	Not applicable
<i>Are there rules about the name a foreign law firm can take?</i>	Not applicable - foreign firms are not established in their own right but practice in association with local firms and so use the local name.

Kuwait

What entity grants a 'license' to foreign law firms? If that entity is on the Internet, please provide the URL

Not applicable

Are there restrictions on the ownership share of foreign lawyers in a law firm?

Articles 23 and 24 of the Commercial Law (68/1980) lay down the basic requirements for a foreign individual or company wishing to do business in Kuwait. Article 23 states that a Non-Kuwaiti cannot practice any commercial activity in Kuwait unless he/she has one or more Kuwaiti partners who own at least 51 per cent of the total capital invested in the business.

May a domestic lawyer be employed by a foreign lawyer or law firm?

Article 12 of the Law on the Organisation of the Legal Profession prohibits a lawyer from being employed anywhere other than in the office of another registered lawyer.

Can a domestic lawyer enter into partnership with a foreign lawyer?

There is nothing in the law that prohibits partnership between Kuwaiti and foreign lawyers provided that the rule on majority ownership by Kuwaiti nationals is observed.

Can a domestic lawyer or domestic law firm employ a foreign lawyer?

There is nothing in the law to prohibit Kuwaiti lawyers from employing foreign lawyers to work as legal consultants.

Other useful sources or comments or links

Ministry of Justice - www.moj.gov.kw; Kuwaiti Lawyers Association - www.kls.org.kw

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Lebanon

Is there legislation governing the legal sector

Law no.8/70 on Regulating the Lawyer's Profession of 11 March 1970

Under what title do lawyers practise?

Lebanese lawyers practise under a single title, 'mohamy', which may be translated as 'avocat' or 'lawyer'

How does an individual lawyer obtain a "licence" to practise law? How often must this be renewed?

According to Law No. 8/70, a Lebanese lawyer must be registered in order to practise the profession. In order to register an applicant must: 1. Have held Lebanese nationality for at least 10 years; 2. Enjoy civil legal capacity and be between 20 and 65 years old; 3. Hold the required Lebanese certificate of Law and the Qualifying licence; 4. Be of good character; 5. Have no criminal or disciplinary convictions; 6. Not have been fired from a public post or previous profession for reasons that would undermine the honour or dignity of the legal profession.

Does this entitle the holder to practise throughout the country? If the law license only permits one to practice on a sub-national level, please explain the jurisdictional limits

Lawyers may practise throughout Lebanon but must register either with the Beirut or Tripoli Bars, depending on where their office is based.

Are there certain activities that are "reserved" to those who are licensed to practise law in the jurisdiction?

According to law 8/70, lawyers are the only class of people allowed to practise the legal profession in Lebanon.

Do you need to hold local nationality to be eligible to practise law?

According to article 5 of the Law on Regulating the Lawyer's Profession, the practice of law in Lebanon is reserved to Lebanese nationals.

What legal forms can lawyers work in? (e.g. self-employment, partnership, limited liability partnership, multi-disciplinary partnership, incorporation)

Lebanese lawyers may be self-employed or form a law firm with other practising lawyers (Article 83).

What other ethical or regulatory requirements must a licensed lawyer comply with?

In addition to further regulatory requirements laid down in the Law on Regulating the Lawyer's Profession (covering e.g. advertising, fees, conflicts and confidentiality), Lebanese lawyers must also comply with the Lawyers Code of Ethics and rules on websites. These can be found at www.bba.lb

Do law firms need to receive a "license" (or permission/approval) to practice law?

According to article 83 of Law 8/70, Lebanese lawyers may form civil professional companies for the purpose of practising law. These companies must register their deeds of association with the Bar Association.

Lebanon

Which authority issues licences? Are there different authorities for individuals and firms?

Law 8/70 stipulates that there are two bar associations in Lebanon. Lawyers in Northern Lebanon must register with the Tripoli Bar, lawyers with offices elsewhere in Lebanon must register with the Beirut Bar. Lebanese lawyers can only be registered in one bar association and must register in the jurisdiction in which their office is located.

Is the jurisdiction a member of the WTO?

Lebanon is not a member of the WTO but has applied to join. A number of rounds of negotiations have been held but accession is not imminent.

Has it made any WTO commitments on legal services?

Not applicable

Is the jurisdiction party to bilateral agreements which offer special treatment to businesses or individuals from particular countries?

Lebanon is a party to the Pan Arab Free Trade Area and has bilateral agreements with the European Union and EFTA

Do these currently include legal services or are there plans to include them in future?

Lebanon has not included legal services in any of its bilateral trade agreements.

Are foreign lawyers from different jurisdictions treated differently as a result of any such agreements?

Not apart from concessions to GCC Member States on visas.

Are there any 'foreign law' firms present in this jurisdiction?

There are a number of US and UK firms who practice by associations with local firms.

Are there any explicit rules or restrictions other than visas on fly in fly out practice of law? I.e. Do you need to obtain a licence for temporary practice?

There are no rules on temporary practice for foreign lawyers outside of the courts.

Can a foreign lawyer obtain a visa to visit clients or to market, even if they are not permitted to practise law?

Citizens of GCC member countries and from Jordan do not need visas to enter Lebanon for business. Lawyers who are resident in GCC countries may obtain business visas valid for up to eleven months on entry into Lebanon. The citizens of many other countries may obtain business visas for up to six months on the basis of an invitation from a Lebanese business that has been pre-approved by the Directorate of General Security.

Can a foreign lawyer obtain a licence to establish and practise as a foreign legal consultant and what is the scope of this limited licence?

There is no specific limited licensing regime for foreign lawyers

Are there any conditions that must be fulfilled once a foreign lawyer has been

Not applicable

Lebanon

granted a limited licence (e.g. residency requirement)

Are there any conditions that must be fulfilled for a foreign lawyer to qualify for a limited licence? (e.g. prior practice)

Not applicable

Are foreign lawyers permitted to undertake arbitration and mediation?

There are no restrictions on the participation of foreign lawyers in arbitration and mediation proceedings.

Are foreign lawyers allowed to appear in court under any circumstances?

According to article 115 of the Law on Regulating the Lawyer's profession, the President of the Bar Association may authorise a foreign lawyer to plead before the Lebanese courts in a particular case, provided that reciprocal access exists in the home jurisdiction in which the foreign lawyer is admitted.

Can foreign lawyers requalify as local lawyers?

Requalification is not possible due to the nationality provision in the law

Can a foreign law firm obtain a licence to open an office?

Foreign law firms do practice in Lebanon through associations with local law firms. There is no formal foreign law firm licensing regime which regulates these arrangements.

Even if a foreign law firm does not require a legal licence must they register in some form in order to set up an office? (E.g. with a ministry of company affairs etc.)

Not applicable

Are there different types of foreign law firm 'licence' (e.g. Joint Law Venture, stand alone foreign licence etc.?)

Not applicable

Is there a quota on the number of licences available?

Not applicable

Are there geographical restrictions on foreign firm licences or on the number of branches a foreign firm can have?

Not applicable

Are there "scope of practice" rules that apply directly to foreign law firms (as opposed to lawyers themselves)? (E.g. home, host, international law), if so, what are they?

Not applicable

Are there restrictions on the corporate form a foreign law firm can take?

Not applicable

Are there rules about the name a foreign law firm can take?

Not applicable

Lebanon

<i>What entity grants a 'license' to foreign law firms? If that entity is on the Internet, please provide the URL</i>	Not applicable
<i>Are there restrictions on the ownership share of foreign lawyers in a law firm?</i>	Not applicable
<i>May a domestic lawyer be employed by a foreign lawyer or law firm?</i>	No
<i>Can a domestic lawyer enter into partnership with a foreign lawyer?</i>	No
<i>Can a domestic lawyer or domestic law firm employ a foreign lawyer?</i>	A domestic lawyer or law firm could employ a foreign lawyer but they would not be able to hold themselves out as a lawyer given the nationality restrictions on the practice of law in Lebanon.
<i>Other useful sources or comments or links</i>	Ministry of Justice - www.justice.gov.lb ; Beirut Bar Association - www.bba.org.lb
<i>Verified by</i>	

Oman

Is there legislation governing the legal sector

Omani Law on Advocacy (Royal Decree no.108/1996)

Under what title do lawyers practise?

In Oman, lawyers practise under a single title which may be translated as 'lawyer'.

How does an individual lawyer obtain a "licence" to practise law? How often must this be renewed?

According to article 2 of law no.108, a lawyer must be registered in order to practise the legal profession. In order to be registered, the individual must: 1. Hold Omani nationality; 2. Be at least 21 years old and have full legal capacity; 3. Hold a certificate in law or Islamic law from one of the recognized higher universities or colleges; 4. Be a person of good conduct and reputation and not have been convicted of a crime or disciplinary offence relating to dishonesty, or to have been removed from a prior job or profession for these reasons, unless he has been reinstated. Lawyers who are entered onto the list as trainees, must then complete two years of training, or one year if they possess a Masters or Doctorate in Law. Once admitted as a full lawyer, there are different registers in which a lawyer may be entered which indicate which courts s/he may practise before. Eligibility to appear before different levels of court generally depends on experience.

Does this entitle the holder to practise throughout the country? If the law license only permits one to practice on a sub-national level, please explain the jurisdictional limits

Omani lawyers are entitled to practise throughout the country

Are there certain activities that are "reserved" to those who are licensed to practise law in the jurisdiction?

The practice of law is reserved to those who are registered in the Register of Lawyers. The practice of law is defined as appearance before courts and judicial bodies, the provision of legal opinions and the drafting of contracts.

Do you need to hold local nationality to be eligible to practise law?

Article 12 of the Law on Advocacy reserves the title of lawyer to Omani nationals.

What legal forms can lawyers work in? (e.g. self-employment, partnership, limited liability partnership, multi-disciplinary partnership, incorporation)

According to article 42, a lawyer must practise from a 'respectable office'. Omani lawyers may either be self-employed or may work in association with other lawyers in a civil company. The name of the law firm must use the name of one of the current or past partners of the firm.

What other ethical or regulatory requirements must a licensed lawyer comply with?

Law no.108 contains further provisions on confidentiality, conflict and fees. There is no separate code of conduct.

Oman

Do law firms need to receive a "license" (or permission/approval) to practice law?

Yes, they must also register in the table of 'Practising Lawyers' to be able to practise. The Minister of Justice and Islamic Affairs determines the requirements and procedures needed to obtain a license

Which authority issues licences? Are there different authorities for individuals and firms?

There is a committee on the entry of lawyers formed under the auspices of the Ministry of Justice. This committee is chaired by the under-secretary for legal affairs at the Ministry with a deputy chair who is Vice President of the Magistrates Court and includes three Omani lawyers chosen by the Minister for two-year terms of office.

Is the jurisdiction a member of the WTO?

Oman joined the WTO on 9 November 2000

Has it made any WTO commitments on legal services?

Oman has made full GATS commitments on legal services in modes 1-3 for the practise of home country, third country and international law.

Is the jurisdiction party to bilateral agreements which offer special treatment to businesses or individuals from particular countries?

Oman is a party to the Gulf Cooperation Council and the Pan Arab Free Trade area and has a bilateral free trade agreement with the USA.

Do these currently include legal services or are there plans to include them in future?

Oman has not included legal services in any of its bilateral trade agreements

Are foreign lawyers from different jurisdictions treated differently as a result of any such agreements?

No

Are there any 'foreign law' firms present in this jurisdiction?

There are 3 UK and 1 US law firm, 1 German, 1 Jordanian and 1 Lebanese firm present in this market.

Are there any explicit rules or restrictions other than visas on fly in fly out practice of law? I.e. Do you need to obtain a licence for temporary practice?

There are no explicit rules on temporary practice for lawyers.

Can a foreign lawyer obtain a visa to visit clients or to market, even if they are not permitted to practise law?

Business visitors may obtain a visa of up to 90 days for business negotiations but not for the direct sale of services.

Can a foreign lawyer obtain a licence to establish and practise as a foreign legal consultant and what is the scope of this limited licence?

Foreign lawyers are licensed to practise in Oman by the Ministry of Justice. Foreign lawyers holding professional cards may advise on Omani law and form professional companies with Omani lawyers.

Are there any conditions that must be fulfilled once a foreign lawyer has been

Residency is not compulsory

Oman

granted a limited licence (e.g. residency requirement)

Are there any conditions that must be fulfilled for a foreign lawyer to qualify for a limited licence? (e.g. prior practice)

A foreign lawyer who wishes to hold a professional card must have at least ten years of prior practice experience in his home country.

Are foreign lawyers permitted to undertake arbitration and mediation?

There are no restrictions on the participation of foreign lawyers in arbitration and mediation proceedings.

Are foreign lawyers allowed to appear in court under any circumstances?

Lawyers from other Arab countries may plead jointly before the Omani courts with an Omani lawyer, provided reciprocal conditions apply in the Arab lawyer's home jurisdiction and after gaining the permission of the President of the Court.

Can foreign lawyers requalify as local lawyers?

Requalification is not possible due to the nationality provision in the law.

Can a foreign law firm obtain a licence to open an office?

Foreign law firms may open offices in Oman. If they wish to practise law, they must obtain a licence from the Ministry of Justice.

Even if a foreign law firm does not require a legal licence must they register in some form in order to set up an office? (E.g. with a ministry of company affairs etc.)

Some of the foreign law firms present in Oman have established separate branch offices of their international firm alongside associate law offices. The former must fulfil the ordinary company registration procedures and are not able to practise law.

Are there different types of foreign law firm 'licence' (e.g. Joint Law Venture, stand alone foreign licence etc.?)

The only licence available to foreign law firms to practise law is a partnership between Omanis and foreign lawyers.

Is there a quota on the number of licences available?

There is no quota on the number of licences available.

Are there geographical restrictions on foreign firm licences or on the number of branches a foreign firm can have?

There are no restrictions on the number of licences or branches a foreign law firm may have jointly with Omani lawyers but individual licensed lawyers must designate their place of work in the register.

Are there "scope of practice" rules that apply directly to foreign law firms (as opposed to lawyers themselves)? (E.g. home, host, international law), if so, what are they?

There are no restrictions on the scope of practice for a foreign law firm as licensing for activities is granted to individuals and both foreign and Omani lawyers may work together.

Oman

Are there restrictions on the corporate form a foreign law firm can take?

Foreign law firms may establish under a range of structures depending on the services they wish to provide. If they wish to provide any of the reserved legal services however they must do so through a joint partnership with an Omani registered lawyer.

Are there rules about the name a foreign law firm can take?

A joint law firm established between Omani and Non-Omani lawyers must contain the name of an Omani partner.

What entity grants a 'license' to foreign law firms? If that entity is on the Internet, please provide the URL

The licence is granted by the Lawyers Affairs Department of the Ministry of justice, which sets out clearly on its website the requirements for licensing: http://www.oman.om/wps/portal/!ut/p/c1/04_SB8K8xLLM9MSSzPy8xBz9CP0os3hjA3cDA39LT18Tp0AXAyMvI2_TYEdjl4NgE_1wkA6zeAMcwNEAlg83wTvE19HAYDjMzcvSx8zYxcVE388jPzdVvyA7O83RUVERAJhepzc!/dl2/d1/L2dBISEvZ0FBIS9nQSEh/?WCM_GLOBAL_CONTEXT=/wps/wcm/connect/en/site/home/gov/gov1/gm/moj/

Are there restrictions on the ownership share of foreign lawyers in a law firm?

There must be at least one Omani partner in a law firm.

May a domestic lawyer be employed by a foreign lawyer or law firm?

Lawyers are not permitted by law no.108 to work for businesses or individuals, so a practising lawyer would only be able to be employed in a registered law firm.

Can a domestic lawyer enter into partnership with a foreign lawyer?

According to article 5 of law no.108, foreign lawyers and Omani lawyers may establish a joint company.

Can a domestic lawyer or domestic law firm employ a foreign lawyer?

An Omani lawyer may employ a non-Omani, provided the latter has at least 10 years prior experience and is registered with the Ministry of Justice.

Other useful sources or comments or links

The Government of Oman e'portal - www.oman.om

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Qatar

Is there legislation governing the legal sector

The Law on Lawyers, No. 23 of 2006.

Under what title do lawyers practise?

Qatari lawyers practise under a single title which may be translated as 'lawyer' or 'advocate'.

How does an individual lawyer obtain a "licence" to practise law? How often must this be renewed?

According to article 13 of Law no.23/2006, practising lawyers must be registered in the table of lawyers. In order to register a lawyer must: 1. Be a Qatari citizen, or a citizen from another member of the Gulf Cooperation Council with reciprocal rights and who meets the approval of the Commission; 2. Have a degree in law from a recognized university; 3. Be in possession of full civil capacity and be at least 21 years old; 4. Be of good character; 5. Not have been convicted of a crime or offence involving moral turpitude unless rehabilitated; 6. To have completed the required training. Lawyers must enrol each year.

Does this entitle the holder to practise throughout the country? If the law license only permits one to practice on a sub-national level, please explain the jurisdictional limits

Qatari lawyers are entitled to practise throughout the country

Are there certain activities that are "reserved" to those who are licensed to practise law in the jurisdiction?

According to article 3 of Law no.23, only registered lawyers may practise the legal profession. The practise of law is defined as pleading before the courts and administrative tribunals, provision of legal opinions and drafting of contracts.

Do you need to hold local nationality to be eligible to practise law?

The practise of law before the courts in Qatar is reserved to Qatari nationals.

What legal forms can lawyers work in? (e.g. self-employment, partnership, limited liability partnership, multi-disciplinary partnership, incorporation)

A Qatari lawyer may either be self-employed or work in association with other lawyers in a civil company (Article 17)

What other ethical or regulatory requirements must a licensed lawyer comply with?

Article 45- 60 of the Law on Lawyers, contains further high-level requirements relating to advertising, conflicts, confidentiality, client money etc.

Do law firms need to receive a "license" (or permission/approval) to practice law?

According to article 12, law firms must be registered and each individual lawyer in the law firm must also be registered in the appropriate table in the register (i.e. trainee lawyers, lawyers appearing before the Court of First Instance, lawyers appearing before the Court of Appeal, lawyers appearing before the Court of Cassation). There is also a table for non-practising lawyers.

Qatar

Which authority issues licences? Are there different authorities for individuals and firms?

The register of lawyers and law firms is maintained by the Ministry of Justice. Admission is determined by the Lawyers Acceptance Committee, which is comprised of the Minister or his designate, representatives of the judiciary and of practising lawyers.

Is the jurisdiction a member of the WTO?

Qatar joined the WTO on 13 January 1996

Has it made any WTO commitments on legal services?

Qatar has made no commitments on legal services in the WTO.

Is the jurisdiction party to bilateral agreements which offer special treatment to businesses or individuals from particular countries?

Qatar is party to the Gulf Cooperation Council and the Pan Arab Free Trade Area.

Do these currently include legal services or are there plans to include them in future?

Qatar has not included legal services in any of its bilateral trade agreements

Are foreign lawyers from different jurisdictions treated differently as a result of any such agreements?

No, apart from the exemption on visa requirements for GCC lawyers.

Are there any 'foreign law' firms present in this jurisdiction?

There are around 15 foreign law firms (mostly UK and US but including Swiss, French, Lebanese and Singaporean firms) with a presence in Qatar, most of whom are based in the Qatar Financial Centre.

Are there any explicit rules or restrictions other than visas on fly in fly out practice of law? I.e. Do you need to obtain a licence for temporary practice?

Article 8 of the Law on Lawyers allows for a non-Qatari Lawyer who is licensed to practice law in his own country, to ask for permission to plead before the courts of Qatar in a particular case. Qatari law firms may also ask for permission to bring non-Qatari lawyers, to plead before the Court of Cassation. Permission may be granted by the Minister on a proposal from the Lawyers Acceptance Committee and on condition that the non-Qatari lawyer must appear in conjunction with a practising Qatari lawyer.

Can a foreign lawyer obtain a visa to visit clients or to market, even if they are not permitted to practise law?

Business visas are available but not required for citizens of GCC countries or of the UK.

Can a foreign lawyer obtain a licence to establish and practise as a foreign legal consultant and what is the scope of this limited licence?

Foreign lawyers who are working in registered international law firms in the jurisdiction of Qatar may be entered on the register. These lawyers are entitled to practise home, international and Qatari law, but not to appear in court, except in the limited circumstances prescribed by article 8.

Qatar

Are there any conditions that must be fulfilled once a foreign lawyer has been granted a limited licence (e.g. residency requirement)

No residency requirement is mentioned in the legislation

Are there any conditions that must be fulfilled for a foreign lawyer to qualify for a limited licence? (e.g. prior practice)

A foreign lawyer must have three years of prior practice experience in his home country before he can be entered into the register of international lawyers.

Are foreign lawyers permitted to undertake arbitration and mediation?

Foreign lawyers may undertake arbitration in Qatar either through the QFC or through the Qatar International Centre for Arbitration.

Are foreign lawyers allowed to appear in court under any circumstances?

It is possible for a non- Qatari Lawyer who is licensed to practice law in his country, to ask for permission to plead before the courts of Qatar in a particular case. The right to appear will be determined by the Minister of Justice, in response to a proposal from the Lawyers Acceptance Committee and must be done in conjunction with a practising Qatari lawyer.

Can foreign lawyers requalify as local lawyers?

Not unless they are nationals of another member state of the Gulf Cooperation Council.

Can a foreign law firm obtain a licence to open an office?

Foreign law firms may obtain licences to practise law in Qatar either: a) by establishing a firm in the jurisdiction of Qatar in accordance with the procedure set down in the Law of Lawyers, or b) by establishing under the auspices of the free zone provided by the Qatar Financial Centre.

Even if a foreign law firm does not require a legal licence must they register in some form in order to set up an office? (E.g. with a ministry of company affairs etc.)

The QFC licensing process offers a one-stop licence procedure for foreign law firms.

Are there different types of foreign law firm 'licence' (e.g. Joint Law Venture, stand alone foreign licence etc.?)

Foreign law firms, as a rule, obtain licences to operate from the QFC. Article 7 of the Law on Lawyers makes provision for the Minister of Justice to grant licences for global law firms with specialized expertise. These licences are granted for a five year period and have tended to be very limited in number.

Is there a quota on the number of licences available?

There is no quota on the number of law firms that may establish with the QFC but the licensing process includes a requirement to submit a business plan which will need to set out, inter alia, what value the foreign firm will bring to Qatar.

Qatar

Are there geographical restrictions on foreign firm licences or on the number of branches a foreign firm can have?

A foreign law firm operating on the basis of a licence from the QFC must ensure that all business it transacts in Qatar is conducted from its base in the QFC

Are there "scope of practice" rules that apply directly to foreign law firms (as opposed to lawyers themselves)? (E.g. home, host, international law), if so, what are they?

Licences issued by the Minister of Justice set out the terms under which firms practising in Qatar may operate, in general terms this restricts international firms from appearing in court but allows them to advise on Qatari law. Firms established in the QFC operate on the basis of more limited licences and may not advise on Qatari law.

Are there restrictions on the corporate form a foreign law firm can take?

If the foreign law firm is registered in the QFC, it will need to take one of the approved forms for non-regulated businesses, which include LLPs, LLCs and company structures. A foreign law firm operating in Qatar more generally may be a branch or a subsidiary office.

Are there rules about the name a foreign law firm can take?

There are no restrictions

What entity grants a 'license' to foreign law firms? If that entity is on the Internet, please provide the URL

The ministry of justice: www.moj.gov.qa or the QFC: www.qfc.com.qa

Are there restrictions on the ownership share of foreign lawyers in a law firm?

Firms may be 100% foreign owned whether established in the QFC or in the jurisdiction of Qatar.

May a domestic lawyer be employed by a foreign lawyer or law firm?

Foreign law firms may not employ Qatari lawyers as they may only work for lawyers who are also on the lawyers' register. Although foreign law firms are registered, individual lawyers are not.

Can a domestic lawyer enter into partnership with a foreign lawyer?

Foreign lawyers may not form partnerships with Qatari lawyers because such partnerships can only be formed between lawyers on the register.

Can a domestic lawyer or domestic law firm employ a foreign lawyer?

Local lawyers could employ non-nationals to work with them

Other useful sources or comments or links

www.moj.gov.qa

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Saudi Arabia

Is there legislation governing the legal sector

The Code of Law Practice

Under what title do lawyers practise?

Lawyers in Saudi Arabia practise under a single title, 'mohamy', which may be translated as 'advocate' or 'lawyer'.

How does an individual lawyer obtain a "licence" to practise law? How often must this be renewed?

In order to practise as an advocate, an individual must have his name registered in the table of practising advocates. In order to be registered, an individual must:

1. Hold Saudi nationality. A non-Saudi may practise as an advocate subject to the provisions of any agreements between the Kingdom and other countries;
2. Be in possession of a degree from a Islamic Law college or a B.A degree in law from one of the universities of the Kingdom, or the equivalent or either of these two degrees from outside the Kingdom, or hold a diploma in law studies from the Institute of Public Administration following a university degree;
3. Have fulfilled a training period of not less than 3 years, or 1 year in the case of holders of a Master's Degree in Islamic Law or other legal specialization, or equivalent;
4. Be of good conduct and behaviour;
5. Not to have been convicted of dishonesty, unless at least 5 years have elapsed since the completion of the sentence;
6. Be resident in the Kingdom. Licences are valid for five years.

Does this entitle the holder to practise throughout the country? If the law license only permits one to practice on a sub-national level, please explain the jurisdictional limits

Saudi Arabian lawyers are entitled to practise throughout the country.

Are there certain activities that are "reserved" to those who are licensed to practise law in the jurisdiction?

According to the Code of Law Practice, advocates are the only persons entitled to practise law, although there are some exceptions for next-of-kin, company lawyers and government representatives who may appear in court on behalf of their relative/employer.

Do you need to hold local nationality to be eligible to practise law?

According to article 3A of the Code of Law Practice, the practice of law is reserved to Saudi nationals, subject to any provisions in agreements between the Kingdom and other countries.

What legal forms can lawyers work in? (e.g. self-employment, partnership, limited liability partnership, multi-disciplinary partnership, incorporation)

According to article 10 of the Code of Law Practice, Saudi lawyers may establish law firms with other registered lawyers, in accordance with the provisions of the regulation on professional partnerships.

Saudi Arabia

What other ethical or regulatory requirements must a licensed lawyer comply with?

The Code of Law Practice sets out further conduct requirements that a licensed Lawyer must comply with, in particular in relation to conflicts of interest. There is no separate Code of Conduct for lawyers.

Do law firms need to receive a "license" (or permission/approval) to practice law?

Lawyers who establish law firms in accordance with the Professional Partnerships Regulations need to register these in accordance with the professional partnerships regulation. Saudi lawyers may have more than one office in the Kingdom but need to register each one with the Ministry of Justice.

Which authority issues licences? Are there different authorities for individuals and firms?

Registration of lawyers is undertaken by the Lawyers Registration and Admission Committee, which comprises the Deputy Minister of Justice, a representative from the Board of Grievances and a practising lawyer appointed by the Minister of Justice.

Is the jurisdiction a member of the WTO?

Saudi Arabia joined the WTO on 11 December 2005

Has it made any WTO commitments on legal services?

Saudi Arabia has scheduled full commitments in modes 1-3 for legal services consultancy on the law of jurisdiction where the services supplier is qualified as a lawyer and on international law. There is a 75% limit on foreign ownership of legal consultancies and representation in court reserved to Saudi nationals.

Is the jurisdiction party to bilateral agreements which offer special treatment to businesses or individuals from particular countries?

The Kingdom of Saudi Arabia is a party to the Gulf Cooperation Council and the Pan Arab Free Trade Area

Do these currently include legal services or are there plans to include them in future?

Saudi Arabia has not included any special provisions on legal services in its bilateral trade agreements

Are foreign lawyers from different jurisdictions treated differently as a result of any such agreements?

GCC lawyers may appear in Saudi courts if their home jurisdictions offer reciprocal rights to Saudi lawyers.

Are there any 'foreign law' firms present in this jurisdiction?

There are around eight foreign (US, UK and French) firms with a presence in Saudi Arabia.

Are there any explicit rules or restrictions other than visas on fly in fly out practice of law? I.e. Do you need to obtain a licence for temporary practice?

There are no separate rules on temporary practice.

Can a foreign lawyer obtain a visa to visit clients or to market, even if they are not permitted to practise law?

Foreign lawyers can obtain visas to enter Saudi Arabia as legal consultants but require a letter of invitation from a Saudi business or government department.

Saudi Arabia

Can a foreign lawyer obtain a licence to establish and practise as a foreign legal consultant and what is the scope of this limited licence?

A non-Saudi may be licensed to practise as a legal consultant in Saudi Arabia but this licence does not permit the individual concerned to plead before the courts, the Board of Grievances or any other committee mentioned in article 1 of the Code of Law Practice.

Are there any conditions that must be fulfilled once a foreign lawyer has been granted a limited licence (e.g. residency requirement)

A licensed foreign lawyer must also fulfil the following conditions: He should be engaged in legal consultancy work on full time basis, he should reside in the Kingdom for a period of not less than 9 months in a year and he should regularly attend the office and sign all the correspondence issued by the office in relation to cases. He may, however, appoint a Saudi advocate to undertake these tasks on his behalf.

Are there any conditions that must be fulfilled for a foreign lawyer to qualify for a limited licence? (e.g. prior practice)

In order to obtain a limited licence to practice in Saudi Arabia, a foreign lawyer must fulfil all the conditions required of a Saudi lawyer (as set out in Article 3 of the Code of Law Practice), with the exception of the nationality requirement. He must also have prior practice experience of not less than 5 years.

Are foreign lawyers permitted to undertake arbitration and mediation?

Under Saudi Arabia's 1983 arbitration law, arbitrators had to have full civil capacity, which meant that they had to be male and of the Islamic faith. The new 2012 Act requires that sole arbitrators or chairmen of panels of arbitrators should hold at least a university degree in Islamic Law.

Are foreign lawyers allowed to appear in court under any circumstances?

An Arab Lawyer, who is a national of a member country of the Arab Union, has the right to plead before the Saudi courts in conjunction with a registered Saudi lawyer provided reciprocal access is granted in the visiting lawyer's home country.

Can foreign lawyers requalify as local lawyers?

Requalification is not possible due to the nationality provision in the law

Can a foreign law firm obtain a licence to open an office?

Foreign law firms may only practise in association with Saudi law firms.

Even if a foreign law firm does not require a legal licence must they register in some form in order to set up an office? (E.g. with a ministry of company affairs etc.)

Not applicable

Saudi Arabia

<i>Are there different types of foreign law firm 'licence' (e.g. Joint Law Venture, stand alone foreign licence etc.?)</i>	Licensed foreign legal consultants may set up as sole practitioners or in partnership with a Saudi lawyer
<i>Is there a quota on the number of licences available?</i>	Not applicable
<i>Are there geographical restrictions on foreign firm licences or on the number of branches a foreign firm can have?</i>	Not applicable
<i>Are there "scope of practice" rules that apply directly to foreign law firms (as opposed to lawyers themselves)? (E.g. home, host, international law), if so, what are they?</i>	Not applicable
<i>Are there restrictions on the corporate form a foreign law firm can take?</i>	Not applicable as the associate Saudi firm will have to conform to local rules on the formation of law firms.
<i>Are there rules about the name a foreign law firm can take?</i>	Not applicable
<i>What entity grants a 'license' to foreign law firms? If that entity is on the Internet, please provide the URL</i>	Not applicable
<i>Are there restrictions on the ownership share of foreign lawyers in a law firm?</i>	Not applicable
<i>May a domestic lawyer be employed by a foreign lawyer or law firm?</i>	Not known
<i>Can a domestic lawyer enter into partnership with a foreign lawyer?</i>	Yes
<i>Can a domestic lawyer or domestic law firm employ a foreign lawyer?</i>	Not known
<i>Other useful sources or comments or links</i>	
<i>Verified by</i>	

Syria

Is there legislation governing the legal sector

The Advocates Law, law no.30 of 28 June 2010

Under what title do lawyers practise?

Lawyers in Syria practice under a single title, 'mohamy', which may be translated as 'advocate' or 'lawyer'.

How does an individual lawyer obtain a "licence" to practise law? How often must this be renewed?

According to the Advocates Law no.30, a practising advocate must be registered and in order to register, an individual must satisfy the following conditions: 1. Have full civil capacity; 2. Hold a degree in law from a Syrian University or equivalent; 3. Be less than 50 years old, unless he or she has already practised in the legal profession or the judiciary for at least seven years; 4. Have held Syrian nationality for at least five years, or the nationality of another Arab country which qualifies for reciprocal recognition; 5. Have a good reputation that inspires confidence and due respect for the profession; 6. Not have been convicted of any criminal offence; 7. Not have been convicted for any crimes that are incompatible with the duties of the profession and its dignity; 8. Not to have been subject to disbarment for disciplinary reasons or to have been fired from a public sector post; 9. Be resident in the jurisdiction in which he is registered; 10. Not be infected with an incurable disease; 11. Not to have been dismissed or retired for health reasons. Trainee lawyers must complete two years of practice under the supervision of a licensed Syrian advocate.

Does this entitle the holder to practise throughout the country? If the law license only permits one to practice on a sub-national level, please explain the jurisdictional limits

The license to practice law in Syria is a national one but advocates must be registered with the Bar Association in the local jurisdiction in which they practise.

Are there certain activities that are "reserved" to those who are licensed to practise law in the jurisdiction?

According to the Advocates Law 2010, advocates are the only class of persons entitled to practise law.

Do you need to hold local nationality to be eligible to practise law?

The practice of law is reserved to Syrian nationals. However, article 10 of the Advocates Law states that a practising Arab lawyer registered in one of the member countries of the Union of Arab States has the right to plead before of most of the Syrian courts under certain conditions.

What legal forms can lawyers work in? (e.g. self-employment, partnership, limited liability partnership, multi-disciplinary partnership, incorporation)

Article 6(7) of the Commercial Companies Law (Syrian Legislative Decree No. 29 of 2011) stipulates that professionals and specialists may form a civil company under special regulations. The Advocates Law does however state that Syrian lawyers may only have one office unless they are Members of the Board of the

Syria

	Syrian Bar in which case they may also have an office in Damascus for their term of office with the Bar.
<i>What other ethical or regulatory requirements must a licensed lawyer comply with?</i>	The law contains further provisions including articles on fees (which allow contingency fees up to 25%), client confidentiality (which release the lawyer from any obligation to look after client documentation five years after his mandate has elapsed) and a prohibition on acting in a situation of conflict of interest.
<i>Do law firms need to receive a "license" (or permission/approval) to practice law?</i>	Regulations concerning law firms have been drawn up following Article 6 (6) of Law No 3 of the Year 2008 on Companies Law
<i>Which authority issues licences? Are there different authorities for individuals and firms?</i>	Lawyers are enrolled in the register of Syrian Bar on the basis of a proposal from the local branch of the Bar. If a lawyer moves from one State to another, he must apply to transfer his enrolment. Law firms must deposit their articles of association with the Bar for approval.
<i>Is the jurisdiction a member of the WTO?</i>	Syria is not a member of the WTO but has applied to join. Negotiations are at an early stage.
<i>Has it made any WTO commitments on legal services?</i>	Not applicable
<i>Is the jurisdiction party to bilateral agreements which offer special treatment to businesses or individuals from particular countries?</i>	Syria is a party to the Pan Arab Free Trade Area and has a bilateral trade agreement with Turkey. An association agreement has been negotiated with the EU but not yet signed.
<i>Do these currently include legal services or are there plans to include them in future?</i>	The bilateral agreement between Turkey and Syria does not include any provisions on legal services but does provide for the legal protection of nationals of both countries in civil proceedings, access to legal assistance in civil and commercial matters, and the mutual recognition and enforcement of court decisions in civil and commercial matters.
<i>Are foreign lawyers from different jurisdictions treated differently as a result of any such agreements?</i>	No
<i>Are there any 'foreign law' firms present in this jurisdiction?</i>	Foreign law firms are not permitted to establish in Syria. Under the Companies Act, foreign companies are not allowed to exercise any activity inside Syria. There is only one known formal association which is between a German firm and Syrian firm.

Syria

<i>Are there any explicit rules or restrictions other than visas on fly in fly out practice of law? I.e. Do you need to obtain a licence for temporary practice?</i>	Not applicable
<i>Can a foreign lawyer obtain a visa to visit clients or to market, even if they are not permitted to practise law?</i>	Business visas may be obtained in advance on the basis of a letter of invitation from the sponsoring Syrian organisation which states the business to be conducted and the status/qualification of the applicant.
<i>Can a foreign lawyer obtain a licence to establish and practise as a foreign legal consultant and what is the scope of this limited licence?</i>	The practice of any law in Syria is reserved to Syrian Advocates. A foreign lawyer could only practice in Syria by taking Syrian nationality and then seeking admission after five years have elapsed, through the examination run by the Ministry of Higher Education.
<i>Are there any conditions that must be fulfilled once a foreign lawyer has been granted a limited licence (e.g. residency requirement)</i>	Not applicable
<i>Are there any conditions that must be fulfilled for a foreign lawyer to qualify for a limited licence? (e.g. prior practice)</i>	Not applicable
<i>Are foreign lawyers permitted to undertake arbitration and mediation?</i>	"The Syrian arbitration Act provide that an arbitrator need not be of a specific sex or nationality, unless the parties to arbitration agree otherwise. An arbitrator must not be a minor, subject to interdiction or deprived of his civil rights by reason of a judgment against him for a felony or misdemeanour contrary to morality or by reason of declaration of bankruptcy, unless he has been rehabilitated.
<i>Are foreign lawyers allowed to appear in court under any circumstances?</i>	An Arab lawyer may appear in a Syrian Court at the same level at which he is admitted in his home jurisdiction (e.g. Appeal, Cassation) provided there are reciprocal arrangements in place for Syrian lawyers and the Arab lawyer has obtained the permission of the President of the Syrian Bar.
<i>Can foreign lawyers requalify as local lawyers?</i>	The practice of any law in Syria is reserved to Syrian Advocates. An Arab lawyer could only practice in Syria by taking Syrian nationality for five years and passing the examination set by the Ministry of Higher Education.
<i>Can a foreign law firm obtain a licence to open an office?</i>	Foreign law firms may only practice indirectly through associations with local law firms. There is no formal licensing regime for foreign law firms which regulates these arrangements. But according to article 73 a Syrian lawyer may only accept a mandate from a

Syria

	foreign law firm or company after first obtaining the approval of the Ministry of Internal Affairs.
<i>Even if a foreign law firm does not require a legal licence must they register in some form in order to set up an office? (E.g. with a ministry of company affairs etc.)</i>	Not applicable
<i>Are there different types of foreign law firm 'licence' (e.g. Joint Law Venture, stand alone foreign licence etc.?)</i>	Not applicable
<i>Is there a quota on the number of licences available?</i>	Not applicable
<i>Are there geographical restrictions on foreign firm licences or on the number of branches a foreign firm can have?</i>	Not applicable
<i>Are there "scope of practice" rules that apply directly to foreign law firms (as opposed to lawyers themselves)? (E.g. home, host, international law), if so, what are they?</i>	Not applicable
<i>Are there restrictions on the corporate form a foreign law firm can take?</i>	Not applicable
<i>Are there rules about the name a foreign law firm can take?</i>	Not applicable
<i>What entity grants a 'license' to foreign law firms? If that entity is on the Internet, please provide the URL</i>	Not applicable
<i>Are there restrictions on the ownership share of foreign lawyers in a law firm?</i>	Not applicable
<i>May a domestic lawyer be employed by a foreign lawyer or law firm?</i>	Lawyers are explicitly prohibited by the Advocates Law from employment in 'foreign companies'.
<i>Can a domestic lawyer enter into partnership with a foreign lawyer?</i>	Not applicable
<i>Can a domestic lawyer or domestic law firm employ a foreign lawyer?</i>	A foreign lawyer could be employed by a Syrian lawyer or law firm but not as a lawyer and they would not be able to practice law in Syria.
<i>Other useful sources or comments or links</i>	www.syrianbar.com
<i>Verified by</i>	

Turkey

Is there legislation governing the legal sector

Attorneyship Law no.1136 of 19 March 1969

Under what title do lawyers practise?

Avukat (attorney)

How does an individual lawyer obtain a "licence" to practise law? How often must this be renewed?

In order to become a licensed lawyer in Turkey, an individual must: 1) Be a Turkish citizen; 2) Graduate from a Law Faculty in Turkey or to pass the related exams required by the Turkish Law Faculties if graduated from a foreign university; 3) Obtain a certificate following the completion of a one year traineeship with a Turkish Bar; 4) Have a legal domicile in the jurisdictional area of the bar association in the directory of which registration is sought; 5) Not be in a unfit state for attorneyship as per the present law (this includes provisions in relation to criminal and disciplinary records, financial standing, mental and physical impairment, having "an unsavoury reputation", and incompatibility with other professions and activities). Finally, a lawyer must take an oath. There is no requirement for the attorneyship license to be renewed.

Does this entitle the holder to practise throughout the country? If the law license only permits one to practice on a sub-national level, please explain the jurisdictional limits

According to Article 43 of the Attorneyship law: "Every attorney is under the obligation to establish an office in the jurisdictional area of the bar association in whose directory he/she is enrolled. The specifications of the office will be defined by the bar association. An attorney may not have more than one office. Attorneys working together may not have separate offices. An attorney partnership may not open a branch in Turkey". However, Article 66 makes clear that "An attorney who is entered in the directory of a bar association is authorized to practice attorneyship in any part of Turkey provided that such practice is not on a permanent basis".

Are there certain activities that are "reserved" to those who are licensed to practise law in the jurisdiction?

Under Article 35 of the Attorneyship Law, the following activities are reserved to Turkish attorneys enrolled with bar associations: Providing opinions in legal matters; litigating and defending the rights of real persons and legal entities before courts, arbitrators, and other bodies invested with jurisdictional powers; and managing all documentation associated therewith. The title of Avukat is also protected.

Do you need to hold local nationality to be eligible to practise law?

Yes, the law contains a citizenship requirement.

What legal forms can lawyers work in? (e.g. self-employment, partnership,

Turkish lawyers may only work as individual attorneys, or in a general unlimited liability attorney partnership.

Turkey

limited liability partnership, multi-disciplinary partnership, incorporation)

The law states that such partnerships may not acquire privileges or property outside their purpose; may not establish partnerships with third parties; and may not take over the shares of legal entities. The partners may not be partners in more than one attorney partnership and may not have more than one office of the partnership. In line with the foreign investment law, foreigners may establish attorney partnerships in Turkey. However, these partnerships may only give services on foreign law and this limitation is also applicable to the Turkish Citizen Lawyers who work under these foreign attorney partnerships.

What other ethical or regulatory requirements must a licensed lawyer comply with?

Lawyers must also comply with the Professional Rules of the Union of Bar Associations of Turkey and the Prohibition of Publicity Regulations. Lawyers are also under an absolute obligation to join the collective insurance scheme.

Do law firms need to receive a "license" (or permission/approval) to practice law?

Lawyers wishing to establish an attorney partnership need to apply to the bar association where the attorney partnership will be registered with a letter of application signed by all the partners. In addition they must submit: a) The basic contract of the partnership with each page signed by all of the partners; b) Authenticated facsimiles of the deed for immovable property, the registration booklet for automobiles, bank receipt for money in cash, and the certificate for movable assets committed in the basic contract as security for the share in the partnership; c) A document received from bar associations certifying the entry of the partners in the directory (not be required for foreign attorney partnerships provided that reciprocity is observed); d) Authenticated facsimiles of the identification cards of the partners or passports of foreign partners.

Which authority issues licences? Are there different authorities for individuals and firms?

Licences for both individuals and firms are issued by the relevant local bar association. The Union of Turkish Bars provides an appeal process if licences are refused. A link to all the Turkish local bar associations is available at the website of the Union of Turkish Bars <http://eski.barobirlik.org.tr/eng/content.aspx?page=17>

Is the jurisdiction a member of the WTO?

Turkey joined the WTO on 26 March 1995.

Has it made any WTO commitments on legal services?

Turkey has made full commitments in modes 1-4 for foreign and international law. Representation in the Turkish Courts is reserved to Turkish nationals.

Turkey

Is the jurisdiction party to bilateral agreements which offer special treatment to businesses or individuals from particular countries?

In addition to a customs union with the EU, Turkey has signed Free Trade Agreements with EFTA, Israel, the former Yugoslav Republic of Macedonia, Croatia, Bosnia-Herzegovina, Tunisia, Morocco, the Palestinian Authority, Syria, Egypt, Georgia, Albania, Montenegro, Serbia, Chile, Jordan and Lebanon.

Do these currently include legal services or are there plans to include them in future?

Turkey's bilateral agreements only cover trade in goods.

Are foreign lawyers from different jurisdictions treated differently as a result of any such agreements?

No

Are there any 'foreign law' firms present in this jurisdiction?

There are around 15 foreign law firms in Turkey including UK, US, Austrian, German and French firms.

Are there any explicit rules or restrictions other than visas on fly in fly out practice of law? I.e. Do you need to obtain a licence for temporary practice?

There are no explicit rules or limitations on temporary practice by foreign lawyers in the areas permitted to them.

Can a foreign lawyer obtain a visa to visit clients or to market, even if they are not permitted to practise law?

Yes

Can a foreign lawyer obtain a licence to establish and practise as a foreign legal consultant and what is the scope of this limited licence?

Foreign lawyers may join foreign attorney partnerships and render services on foreign and international law.

Are there any conditions that must be fulfilled once a foreign lawyer has been granted a limited licence (e.g. residency requirement)

Foreign attorney partnerships and their partners will also be under the obligation to comply with the Attorneyship Law, the Turkish Bar regulations and professional rules. The Foreign Attorney Partnership regulations also require reciprocal arrangements in the foreign attorney's home country. Professional services is the subject of an MFN reservation by Turkey.

Are there any conditions that must be fulfilled for a foreign lawyer to qualify for a limited licence? (e.g. prior practice)

There is no special licence granted to foreign lawyers other than the one granted for the foreign attorney partnership. Each foreign partner in a law firm must receive an approval from the appropriate local Bar in Turkey by submitting a licence or certificate of authorization from his or her home certifying body confirming that he/she is enrolled as a lawyer in the foreign country, and that there are no impediments to the practise of his/her profession. Moreover, reciprocity must be observed between Turkey and the home country of the foreign lawyer.

Turkey

Are foreign lawyers permitted to undertake arbitration and mediation?

Turkey has an International Arbitration Law based on the UNCITRAL model which entered into force on 5 July 2001. A new mediation law to be entered into force on 22 June 2013 which applies to both domestic and international disputes on matters of private law. Foreign lawyers have the right to undertake both international arbitration and mediation.

Are foreign lawyers allowed to appear in court under any circumstances?

No. Rights of audience are reserved to Turkish lawyers.

Can foreign lawyers requalify as local lawyers?

No

Can a foreign law firm obtain a licence to open an office?

Foreign attorney partnerships are required to register with the local bar in which they are established and in addition to the documents required for domestic firms, they must submit (1) The licence or certificate of authorization of each foreign partner received from their home bar association showing that he/she is enrolled with in the foreign country, and a translated and notarized attestation that there are no impediments to practising his/her profession; (2) A document issued by the authorities concerned in the country of citizenship of each foreign partner acknowledging the fact that reciprocity as regards foreign attorney partnerships exists between his/her country and the Republic of Turkey in accordance with the provisions of the Attorneyship Law and regulations, and that Turkish attorneys may also render attorney partnership activities under equal conditions in the countries of these persons.

Even if a foreign law firm does not require a legal licence must they register in some form in order to set up an office? (E.g. with a ministry of company affairs etc.)

The foreign attorney partnership must be registered with the registry of attorney partnerships in the relevant bar.

Are there different types of foreign law firm 'licence' (e.g. Joint Law Venture, stand alone foreign licence etc.?)

No

Is there a quota on the number of licences available?

No

Are there geographical restrictions on foreign firm licences or on the number of branches a foreign firm can have?

Foreign firms cannot have branch offices in Turkey, they must therefore establish separate offices and undergo a separate licensing process with the relevant local bars if they wish to have more than one office in Turkey.

Turkey

Are there "scope of practice" rules that apply directly to foreign law firms (as opposed to lawyers themselves)? (E.g. home, host, international law), if so, what are they?

The Attorneyship Partnership Regulations made by the Union of Turkish Bars stipulate that "Foreign attorney partnerships may render consultancy services only in the fields of foreign laws and international law. They may not overstep these bounds in their professional activities and may not practice attorneyship. This restriction will also be applicable to the attorneys of Turkish or foreign citizenship employed by the foreign attorney partnership."

Are there restrictions on the corporate form a foreign law firm can take?

Foreign law firms registered as attorney partnerships may only take the form of general unlimited liability partnerships.

Are there rules about the name a foreign law firm can take?

The general rule for the Turkish attorney partnership is also applicable for the foreign partnerships in that Partners' names must be included in the partnerships title and the term "attorney partnership" must also be included in the title.

What entity grants a 'license' to foreign law firms? If that entity is on the Internet, please provide the URL

The relevant local bar is responsible for authorising foreign attorney partnerships. An appeal process to the Union of Turkish Bars is set out in the Attorney Partnership Regulations 2001.

Are there restrictions on the ownership share of foreign lawyers in a law firm?

Only Turkish attorneys may be partners in a Turkish attorney partnership.

May a domestic lawyer be employed by a foreign lawyer or law firm?

Yes, but a Turkish lawyer employed in a foreign partnership may only provide services in international and foreign law.

Can a domestic lawyer enter into partnership with a foreign lawyer?

Foreign lawyers and Turkish lawyers may enter partnership, but their scope of practice is then limited to the scope of law permitted to foreign lawyers (i.e. Only foreign and international law).

Can a domestic lawyer or domestic law firm employ a foreign lawyer?

Yes

Other useful sources or comments or links

Union of Turkish Bars Website:
<http://eski.barobirlik.org.tr/eng/>

Verified by

Turkish law firm Sengüler & Sengüler Law Office:
www.senguler.av.tr (July 2013)

UAE (Abu Dhabi)

Is there legislation governing the legal sector

Federal Law no. 23 on the Regulation of the Legal Profession (16 December 1991)

Under what title do lawyers practise?

Lawyers in the UAE practise under a single title: 'advocate'

How does an individual lawyer obtain a "licence" to practise law? How often must this be renewed?

According to article 4 of the Federal Law on the Regulation of the Legal Profession, no one is entitled to practise the legal profession in the State unless they are registered on the roll of Practising Advocates maintained by the Ministry of Justice. In order to be registered, a lawyer must fulfil the following conditions: 1. Be a national of the UAE; 2. Be at least twenty one years old; 3. Hold full civil capacity, with good character and reputation, and not have been subject to any criminal or disciplinary sentence arising from a breach of honour or trust; 4. Hold a license in Law or Islamic Law from an accredited university or higher institute in the State or an equivalent qualification; 5. Have undertaken the required training period. Registration is required annually.

Does this entitle the holder to practise throughout the country? If the law license only permits one to practice on a sub-national level, please explain the jurisdictional limits

UAE advocates are entitled to practise throughout the country. Abu Dhabi requires an advocate from another emirate to use a resident advocate in Abu Dhabi as their correspondent counsel.

Are there certain activities that are "reserved" to those who are licensed to practise law in the jurisdiction?

Only admitted advocates may plead before the Federal Supreme Court and conduct litigation. The UAE Courts and government departments only recognise the power of attorney of those who are entered into the roll of practising advocates.

Do you need to hold local nationality to be eligible to practise law?

Practising law in the courts is reserved by Federal Law no.23 to UAE nationals.

What legal forms can lawyers work in? (e.g. self-employment, partnership, limited liability partnership, multi-disciplinary partnership, incorporation)

Lawyers in Abu Dhabi may practise as sole practitioners. Unlike Dubai they may not use the civil company structure which is predominantly used by the professions.

What other ethical or regulatory requirements must a licensed lawyer comply with?

The Federal Law contains some basic ethical provisions that a lawyer must comply with, such as client relations, a prohibition on conditional and contingency fees, conflicts and confidentiality.

Do law firms need to receive a "license" (or permission/approval) to practice law?

Lawyers in Abu Dhabi must apply for a licence to establish an office through the Executive Affairs Authority.

UAE (Abu Dhabi)

Which authority issues licences? Are there different authorities for individuals and firms?

Advocates who wish to obtain a licence to practise in the courts or to establish a law office must apply to the Executive Affairs Authority of Abu Dhabi which will check on the lawyer's registration with the Ministry of Justice.

Is the jurisdiction a member of the WTO?

The UAE joined the WTO on 10 April 1996

Has it made any WTO commitments on legal services?

The UAE has not scheduled any commitments on legal services under the GATS.

Is the jurisdiction party to bilateral agreements which offer special treatment to businesses or individuals from particular countries?

The UAE is party to the Gulf Cooperation Council and the Pan Arab Free Trade Area.

Do these currently include legal services or are there plans to include them in future?

The UAE has not included legal services in any of its bilateral trade agreements

Are foreign lawyers from different jurisdictions treated differently as a result of any such agreements?

No apart from the exemption on visa requirements for GCC lawyers.

Are there any 'foreign law' firms present in this jurisdiction?

There are around 30 firms with a presence in Abu Dhabi. Most of these are UK or US in origin but one Singaporean firm also has an office.

Are there any explicit rules or restrictions other than visas on fly in fly out practice of law? I.e. Do you need to obtain a licence for temporary practice?

A physical office is required for the practice of law in Abu Dhabi.

Can a foreign lawyer obtain a visa to visit clients or to market, even if they are not permitted to practise law?

Business visas to the UAE are available for 30-day visits but are not required for some nationalities (e.g. USA, UK, Australian)

Can a foreign lawyer obtain a licence to establish and practise as a foreign legal consultant and what is the scope of this limited licence?

A foreign lawyer may establish as sole proprietor, but Abu Dhabi generally only encourages larger international firms to apply for licences. There is no separate individual licensing requirement for foreign nationals who are working in law firms aside from the firm licensing process, although as part of the firm licensing process the individual who heads the office must be approved.

Are there any conditions that must be fulfilled once a foreign lawyer has been granted a limited licence (e.g. residency requirement)?

A foreign legal consultant must be resident in Abu Dhabi.

Are there any conditions that must be fulfilled for a foreign lawyer to

There are detailed licence conditions which include prior practice.

UAE (Abu Dhabi)

qualify for a limited licence? (e.g. prior practice)

Are foreign lawyers permitted to undertake arbitration and mediation?

Are foreign lawyers allowed to appear in court under any circumstances?

Can foreign lawyers requalify as local lawyers?

Can a foreign law firm obtain a licence to open an office?

Even if a foreign law firm does not require a legal licence must they register in some form in order to set up an office? (E.g. with a ministry of company affairs etc.)

Are there different types of foreign law firm 'licence' (e.g. Joint Law Venture, stand alone foreign licence etc?)

Is there a quota on the number of licences available?

Are there geographical restrictions on foreign firm licences or on the number of branches a foreign firm can have?

Are there "scope of practice" rules that apply directly to foreign law firms (as opposed to lawyers themselves)?

There are no restrictions on the participation of foreign lawyers in arbitration and mediation proceedings.

Lawyers from other Arab countries may take part in pleading particular cases before the UAE courts if they are employed in the office of an Emirati lawyer with an office in Abu Dhabi and provided reciprocal conditions apply in the lawyer's home jurisdiction.

"As an exception to the nationality requirement, a non-UAE national may qualify to practise the legal profession in the UAE if, in addition to fulfilling the age, civil capacity and character requirements, he fulfils the following conditions :

- a - He must have worked in the legal profession or the judicial field for a period of fifteen years at least .
- b - He must be a legal resident of the State .
- c - He must practice the profession through a Bureau of a national lawyer registered in the Roll of Practicing Lawyers."

Foreign law firms may open offices in Abu Dhabi and may only carry out legal activity in the Emirate if they have a physical presence there.

All foreign law firms must be licensed to establish offices in Abu Dhabi and in addition to the legal licence from the Executive Affairs Authority, the firm must register the branch with the Department of Planning and Economy. They must appoint a local services agent to assist them with the licensing and permit procedures.

Foreign law firms may either take the form of a sole proprietorship or a branch office of the law firm's home jurisdiction.

There is no formal quota, but licences are allocated by the Executive Authority on the basis of an assessment of need and value added contributed by the foreign law firm.

Each Emirate has its own licensing procedures. Most foreign law firms are located in Dubai or Abu Dhabi and a few are present in Sharjah.

Foreign law firms are not permitted to conduct litigation or send their representatives to appear in court.

UAE (Abu Dhabi)

(e.g. home, host, international law), if so, what are they?

Are there restrictions on the corporate form a foreign law firm can take?

Foreign law firms must take the form of branch offices of a parent law firm that has practised law outside the UAE for at least 10 years.

Are there rules about the name a foreign law firm can take?

A foreign law firm must comply with the general UAE legal requirements on choosing a trade name.

What entity grants a 'license' to foreign law firms? If that entity is on the Internet, please provide the URL

Legal and Risk Management Affairs Unit of the Executive Affairs Authority - <http://eaa.abudhabi.ae>

Are there restrictions on the ownership share of foreign lawyers in a law firm?

Foreign firms may own 100% of law firms established as branches of a parent law firm in their home jurisdiction.

May a domestic lawyer be employed by a foreign lawyer or law firm?

Registered lawyers can only be employed or work from the offices of lawyers who are registered as advocates on the roll maintained by the Ministry of Justice.

Can a domestic lawyer enter into partnership with a foreign lawyer?

UAE lawyers may be partners in law firms with foreign lawyers however the commercial forms of general and limited liability partnership are restricted to UAE nationals only.

Can a domestic lawyer or domestic law firm employ a foreign lawyer?

UAE lawyers are allowed to employ foreign lawyers. If these lawyers are Arab nationals, they may also plead in court in certain circumstances.

Other useful sources or comments or links

For a full description of the licensing process: www.business.abudhabi.ae, For UAE legislation: www.gulf-law.com

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UAE (Dubai)

Is there legislation governing the legal sector

Federal Law no. 23 on the Regulation of the Legal Profession (16 December 1991) and Executive Council Resolution no.22 of 2011

Under what title do lawyers practise?

Lawyers in Dubai practise under the two regulated titles: 'Advocate' and 'Legal Consultant'

How does an individual lawyer obtain a "licence" to practise law? How often must this be renewed?

The conditions governing the licensing of advocates are laid down in the Federal Law on the Regulation of the Profession. According to article 4 of the Federal law, no one is entitled to practise as an advocate in the State unless his name is registered on the roll of practising lawyers with the Ministry of Justice. In order to be registered, an advocate must fulfil the following conditions: 1. Be a national of the United Arab Emirates States; 2. Be at least twenty one years old; 3. Hold full civil capacity, with good character and reputation, and not have been subject to any criminal or disciplinary sentence arising from a breach of honour or trust; 4. Hold a license in Law or Islamic Law from an accredited university or higher institute in the State or an equivalent qualification; 5. Have undertaken the required training period. Since 2011, Dubai has also required individual lawyers to be registered with the Department of Legal Affairs(LAD) to provide legal services outside the courts and the forms provided by the LAD set out the information which must be supplied by the applicant.

Does this entitle the holder to practise throughout the country? If the law license only permits one to practice on a sub-national level, please explain the jurisdictional limits

UAE lawyers are entitled to practise throughout the country but according to article 4 of the Federal law, any individual Emirate may make it a condition that a lawyer must have an office there in order to practise in that Emirate. Dubai requires law firms to obtain a licence from the Department of Legal Affairs and, in addition, to undergo the necessary formalities with the Department of Economic Development.

Are there certain activities that are "reserved" to those who are licensed to practise law in the jurisdiction?

The provision of legal services is restricted to advocates and legal consultants and to licensed entities. In accordance with the Federal Law, only registered advocates may plead before the Federal Supreme Court and conduct litigation. Executive Council Resolution no.22 of 2011 introduced a new licensing scheme for individual lawyers in Dubai who are providing legal consultancy services outside of the courts. Legal Consultancy is defined as the provision of 'all legal services to the public apart except for pleading and representation of third parties before Dubai courts'.

Do you need to hold local nationality to be eligible to practise law?

Practising law in the courts is reserved by Federal Law no.23 to UAE nationals.

What legal forms can lawyers work in? (e.g. self-employment, partnership, limited liability partnership,

UAE lawyers in Dubai may operate as sole practitioners, or work in partnerships or form a civil company.

UAE (Dubai)

multi-disciplinary partnership, incorporation)

What other ethical or regulatory requirements must a licensed lawyer comply with?

The Federal Law contains some basic ethical provisions that a lawyer must comply with, such as client relations, a prohibition on conditional and contingency fees, conflicts and confidentiality. The Department of Legal Affairs is currently considering the introduction of a code of conduct and mandatory continuing legal education for legal consultants.

Do law firms need to receive a "license" (or permission/approval) to practice law?

Law firms must obtain a licence from the Department of Legal Affairs and fulfil the necessary commercial formalities with the Department of Economic Development.

Which authority issues licences? Are there different authorities for individuals and firms?

The Department of Legal Affairs is responsible for the registration of individual lawyers (advocates and legal consultants) and for the licensing of law firms.

Is the jurisdiction a member of the WTO?

The UAE joined the WTO on 10 April 1996.

Has it made any WTO commitments on legal services?

The UAE has not scheduled any commitments on legal services under the GATS.

Is the jurisdiction party to bilateral agreements which offer special treatment to businesses or individuals from particular countries?

The UAE is party to the Gulf Cooperation Council and the Pan Arab Free Trade Area.

Do these currently include legal services or are there plans to include them in future?

The UAE has not included legal services in any of its bilateral trade agreements.

Are foreign lawyers from different jurisdictions treated differently as a result of any such agreements?

No apart from an exemption on visa requirements for GCC lawyers.

Are there any 'foreign law' firms present in this jurisdiction?

There are over fifty foreign law firms with a presence in Dubai, the majority of these are UK or US firms but German, French, Indian, Luxembourg, Dutch, Bermudan and Cayman Islands firms also have offices.

UAE (Dubai)

Are there any explicit rules or restrictions other than visas on fly in fly out practice of law? I.e. Do you need to obtain a licence for temporary practice?

A physical office is required for the practise of law in Dubai.

Can a foreign lawyer obtain a visa to visit clients or to market, even if they are not permitted to practise law?

Business visas are available for 30 day visits but are not required for some nationalities (e.g. USA, UK, Australian)

Can a foreign lawyer obtain a licence to establish and practise as a foreign legal consultant and what is the scope of this limited licence?

Foreign lawyers may obtain licences to practice as legal consultants and may practice any area of law outside of appearing in court.

Are there any conditions that must be fulfilled once a foreign lawyer has been granted a limited licence (e.g. residency requirement)

A foreign legal consultant must be resident in Dubai.

Are there any conditions that must be fulfilled for a foreign lawyer to qualify for a limited licence? (e.g. prior practice)

There are detailed licence conditions which include prior practice.

Are foreign lawyers permitted to undertake arbitration and mediation?

There are no restrictions on the participation of foreign lawyers in arbitration and mediation proceedings.

Are foreign lawyers allowed to appear in court under any circumstances?

Lawyers from other Arab countries may take part in pleading particular cases before the UAE courts if they are employed in the office of an Emirati lawyer with an office in Dubai and provided reciprocal conditions apply in the lawyer's home jurisdiction.

Can foreign lawyers requalify as local lawyers?

As an exception to the nationality requirement, a non-UAE national may qualify to practise the legal profession in the UAE if, in addition to fulfilling the age, civil capacity and character requirements, he fulfils the following conditions:

- a - He must have worked in the legal profession or the judicial field for a period of fifteen years at least .
- b - He must be a legal resident of the State.
- c - He must practice the profession through a Bureau of a national lawyer registered in the Roll of Practising Lawyers.

Can a foreign law firm obtain a licence to open an office?

Foreign law firms may either obtain licences to practice within the jurisdiction of the DIFC or in Dubai

Even if a foreign law firm does not require a legal licence

All foreign law firms must complete the commercial registration requirements with the Ministry of Economic Development,

UAE (Dubai)

must they register in some form in order to set up an office? (E.g. with a ministry of company affairs etc.)

regardless of whether their licence to practice legal consultancy is issued by the DIFC or Ministry of Justice.

Are there different types of foreign law firm 'licence' (e.g. Joint Law Venture, stand alone foreign licence etc.?)

Foreign law firms may take the form of civil companies (special professional firms), limited liability companies, joint ventures or commercial companies. The general partnership structure is only available to UAE nationals. If a foreign firm adopts the civil company structure, it must appoint a local service agent. The local service agent must be a UAE national, who does not need to have a direct involvement in the business but who should be paid a lump sum and/or percentage of profits or turnover. The role of the local service agent is to assist in obtaining licences, visas, labour cards etc.

Is there a quota on the number of licences available?

There is no quota for foreign law firms

Are there geographical restrictions on foreign firm licences or on the number of branches a foreign firm can have?

Each Emirate has its own licensing procedures. Most foreign law firms are located in Dubai or Abu Dhabi and a few are present in Sharjah.

Are there "scope of practice" rules that apply directly to foreign law firms (as opposed to lawyers themselves)? (E.g. home, host, international law), if so, what are they?

Foreign law firms established in Dubai may practise the law of the jurisdictions in which their lawyers are qualified), international law and UAE law outside of the courts. Firms established in the DIFC may practise international law and the law of any jurisdiction in which their lawyers are qualified.

Are there restrictions on the corporate form a foreign law firm can take?

The only restriction on corporate form is that foreign law firms may not form general or limited liability partnerships in Dubai.

Are there rules about the name a foreign law firm can take?

Law firms must check the availability of names they propose to trade under with the Department of Economic Development.

What entity grants a 'license' to foreign law firms? If that entity is on the Internet, please provide the URL

Foreign law firms must obtain a licence from the Department of Legal Affairs and complete registration procedures to set up the required company vehicle with the Dubai Department of Economic Development. Law firms who are based in the Dubai International Financial Centre (DIFC) will in addition need to register as an Ancillary Service Provider with the Dubai Financial Services Authority. See: <http://www.dubaided.gov.ae/English/reglcneng/lglbus/default.aspx> and www.dfsa.ae

Are there restrictions on the ownership share of foreign lawyers in a law firm?

Foreign firms may own 100% of law firms established as ancillary service providers in the DFSA or as civil companies with the Legal Affairs Department. If they wish to establish in the Dubai

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jurisdiction in a form other than as a civil (professional) company then, following the Commercial Companies Law No. (8) of 1984, they must have a UAE national partner or partners who will hold not less than 51 percent of the firm's ownership.

May a domestic lawyer be employed by a foreign lawyer or law firm?

Registered lawyers and legal consultants can only be employed or work from the offices of lawyers who are registered as advocates or legal consultants with the Legal Affairs Department.

Can a domestic lawyer enter into partnership with a foreign lawyer?

UAE lawyers may be partners in law firms with foreign lawyers however the commercial forms of general and limited liability partnership are restricted to UAE nationals only.

Can a domestic lawyer or domestic law firm employ a foreign lawyer?

There are no restrictions on the employment of foreign lawyers by domestic lawyers or law firms.

Other useful sources or comments or links

For Dubai Legislation: www.elaws.gov.ae For the Government of Dubai: www.dubai.ae

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