

**Regulation on the List of Documents and Procedure for Inclusion of a Foreign Advocate in  
the Single Register of Advocates of Ukraine**

**1. General provisions**

1.1 The Regulation on the List of Documents and Procedure for Inclusion of a Foreign Advocate in the Single Register of Advocates of Ukraine (hereinafter – “the Regulation”) was prepared and approved by the Bar Council of Ukraine in the implementation of the provisions of the Law of Ukraine “On the Bar and Advocate’s Activity”, having regard to the requirements of Article 9 of the Constitution of Ukraine and international commitments of Ukraine as a member of the World Trade Organization and the General Agreement on Trade in Services, which is mandatory for all WTO member States.

1.2. This Regulation fixes the requirements for a foreign advocate and the list of documents to be submitted by him or her in order to obtain the right to practice law in Ukraine, the procedure for the inclusion of a foreign advocate in the Single Register of Advocates of Ukraine (hereinafter – “the Register”) and the specifics of the foreign advocate’s status.

1.3. This Regulation shall apply to a foreign advocate who applies for obtaining of the status for the first time, repeatedly or after termination of the right to practice law as an advocate of Ukraine.

**2. Requirements for a foreign advocate and the list of documents  
necessary for his or her inclusion in the Register**

2.1. A foreign advocate who has a right to practice law in a foreign State and intends to practice law in Ukraine, must submit in person to a regional qualification and disciplinary commission of the bar (hereinafter – “the QDCB”) at the place of his or her residence or stay in Ukraine an application for his or her inclusion in the Register (Appendix no. 1).

2.2. Along with the application for the inclusion in the Register, an applicant shall submit the following documents:

2.2.1. A copy of his or her identification document as well as its original for verification by the QDCB official.

2.2.2. A copy of the document, which in accordance with the law confirms the information about the applicant’s residence or stay in Ukraine, duration and status of residence (visa, permanent residence permit, temporary residence permit, refugee identity card, identity card of a person requiring additional protection, identity card of a person who was granted temporary protection, certificate of application for protection in Ukraine, stamp in the passport confirming the crossing of the state border of Ukraine for foreign nationals who are permitted by the Ukrainian legislation to enter Ukraine for a certain period of time without visa).

2.2.3. A document in the prescribed form (certificate, extract) of the competent authority of the country, in which the applicant has the right to practice law, specifying the information about:

- a) the date of the decision and the authority which issued the permit to practice law;
- b) types of cases which the applicant is entitled to handle (in case there are restrictions in the country of origin; if not, this should be stated in the document);
- c) permission to represent clients in courts (in case there are restrictions in the country of origin; if not, this should be stated in the document);
- d) the right to appear before the highest court of the state (in case there are restrictions in the country of origin; if not, this should be stated in the document).

This document shall be valid for three months from the date of its issuance by the competent authority.

2.2.4. The document stating that the applicant, at the time of his or her application to the QDCB, practices law in his or her State.

2.2.5. Document on disciplining the applicant in the period during which he or she practiced law and on the status of disciplinary sanctions (valid or spent) in the State in which the foreign advocate obtained the right to practice law.

2.2.6. Certificate from the Bar Council of Ukraine confirming the absence of information that the applicant was excluded from the Register for the last two years or that a decision on termination of his or her right to practice law as an advocate of Ukraine was taken.

2.2.7. Document confirming the payment by the applicant to the account of the relevant QDCB of a single contribution for ensuring the implementation of the bar self-government in the part of the organizational and technical support in the amount fixed by the decision of the Bar Council of Ukraine.

2.3. The documents referred to in paragraphs 2.2.3-2.2.5 of the Regulation must be legalized, unless otherwise provided by the international treaties of Ukraine.

2.4. The documents referred to in paragraph 2.2 of the Regulation, which are not written in Ukrainian, must be accompanied by a translation into Ukrainian (except for the documents written in Russian); the accuracy of the translation must be certified by a notary in the order provided for by the legislation of Ukraine.

2.5. The grounds for the refusal to include a foreign advocate in the Single Register of Advocates of Ukraine shall be as follows:

- existence of a decision of the relevant qualification and disciplinary commission of the bar about the exclusion of such advocate from the Single Register of Advocates of Ukraine - within two years from the date of adoption of such decision;
- existence of a decision of the relevant qualification and disciplinary commission of the bar on the termination of the right to practice law as an advocate of Ukraine - within two years from the date of the adoption of such decision;
- failure to submit documents envisaged by the Regulation or their non-conformity with the requirements set forth by the Regulation.

2.6. A foreign advocate included in the Register is obliged to submit to the QDCB, on the annual basis (within fifteen days following the expiry of a period of one year from the date of inclusion of the advocate in the Register), documents referred to in paragraphs 2.2.1-2.2.6 of the

Regulation and a document confirming the payment of the annual contribution for ensuring the implementation of the bar self-government in the amount fixed by the decision of the Bar Council of Ukraine. Failure by a foreign advocate to submit, within the specified period, the mentioned documents shall be the ground for his or her exclusion from the Register.

2.7. In the case of the refusal to include a foreign advocate in the Single Register of Advocates of Ukraine on the grounds provided for in paragraph 2.5 of this Regulation, the contribution made by the foreign advocate, as provided for in paragraph 2.2.7 of this Regulation, shall not be refunded.

### **3. Procedure for examination of the question of inclusion of a foreign advocate in the Register**

3.1. The QDCB shall examine the application and documents submitted by a foreign advocate within ten days of their receipt and shall make a decision on the inclusion or the refusal to include the advocate in the Register.

3.2. The QDCB decision shall be given in Ukrainian in writing and shall contain the following information: date of adoption of the decision, surname, first name and middle name of the foreign advocate in respect of whom the decision is taken, information on compliance or non-compliance by the foreign advocate with the requirements of Article 59 of the Law of Ukraine “On the Bar and Advocate’s Activity”, conformity of the documents submitted by the applicant with this Regulation; details of the decision, procedure of, and time-limits for challenging it.

3.3. A copy of the QDCB decision shall be sent within three days of its adoption to:

- 1) the foreign advocate;
- 2) a relevant regional bar council;
- 3) a professional organization or relevant authority of the country in which the foreign advocate obtained the status of the advocate or the right to practice law.

3.4. The QDCB decision to refuse the inclusion of a foreign advocate in the Register may be challenged within thirty days of its receipt before the Higher Qualification and Disciplinary Commission of the Bar (hereinafter – “the HQDCB”) or the court.

3.5. The regional bar council shall include the information about a foreign advocate to the Register not later than the day following the date of receipt of the relevant decision of the QDCB.

### **4. Specifics of the status of a foreign advocate included in the Register**

4.1. Foreign advocates can provide legal services on the territory of Ukraine only on international law matters and matters related to the laws of the State in which they obtained the right to practice law. A foreign advocate has the right to represent clients in the Ukrainian courts of all levels only together with a Ukrainian advocate on the basis of conclusion of the relevant contract.

4.2. A foreign advocate included in the Register is obliged to pay to the account of the relevant regional bar council the annual contributions for ensuring the implementation of the bar self-government in the amount fixed by the decision of the Bar Council of Ukraine. A foreign advocate shall pay such annual contribution for the first time within three days of the inclusion

of information about him or her in the Register, of which fact he or she is informed by e-mail, and thereafter by 20 January of a current year.

4.3. A QDCB and regional bar council may keep regular contact with the relevant foreign self-government bodies of the bar for the rapid exchange of information about a foreign advocate included in the Register. The Bar Council of Ukraine shall assist the regional self-government bodies of the bar in making such contact; if necessary, it shall maintain in their interests a correspondence with the foreign self-government bodies of the bar.

4.4. A foreign advocate who was included in the Register and who commits a disciplinary offence shall bear disciplinary liability in accordance with the procedure established for the Ukrainian advocates by the Law of Ukraine “On the Bar and Advocate’s Activity”. A foreign advocate included in the Register shall be disciplined solely in the form of warning or exclusion from the Register.

4.5. The QDCB shall inform about the discipline of a foreign advocate, within one month of the date of entry into force of its decision, the relevant state authority or self-government body of the bar of a foreign State in which the advocate obtained the status of the advocate or the right to practice law.

4.6. The professional rights and obligations of the advocate, the guarantees of advocate’s activity as well as the organizational forms of advocate’s activity specified in the Law of Ukraine “On the Bar of and Advocate’s Activity” and in the decisions of the Ukrainian self-government bodies of the bar shall be applicable to a foreign advocate who practices law in Ukraine.

4.7. A foreign advocate can apply to the Ukrainian self-government bodies of the bar for the defense of his or her professional rights and obligations, and participate in the learning activities carried out by the qualification and disciplinary commissions of the bar, the Higher Qualification and Disciplinary Commission of the Bar, regional bar councils, the Bar Council of Ukraine and the Ukrainian National Bar Association.

**Appendix 1**  
**to the Regulation on the List of Documents and Procedure for Inclusion**  
**of a Foreign Advocate in the Single Register of Advocates of Ukraine**

To the regional Qualification and Disciplinary Commission of the Bar

**Application for Inclusion in the Single Register of Advocates of Ukraine**

**I. Applicant's personal details**

1. Surname \_\_\_\_\_
2. First name \_\_\_\_\_
3. Middle name (if any) \_\_\_\_\_
4. Date of birth \_\_\_\_\_
5. Country of origin (nationality) \_\_\_\_\_
6. A country in which the advocate obtained advocate's status \_\_\_\_\_
7. Education \_\_\_\_\_
8. Permanent residence address \_\_\_\_\_
9. Workplace address in the country in which a foreign advocate practices law  
\_\_\_\_\_
- phone \_\_\_\_\_, fax \_\_\_\_\_, e-mail \_\_\_\_\_
10. Residence status in Ukraine \_\_\_\_\_
11. Address of stay in Ukraine \_\_\_\_\_
- phone \_\_\_\_\_, fax \_\_\_\_\_, e-mail \_\_\_\_\_

**II. Professional information**

12. Name of the higher education establishment \_\_\_\_\_
13. Obtained specialty \_\_\_\_\_; diploma number \_\_\_\_\_
14. Duration of professional experience \_\_\_\_\_
15. Obtaining of the status of advocate:
  - name of the authority which issued the document on the right to practice law to such a person \_\_\_\_\_
  - address of the authority which issued the document on the right to practice law to such a person \_\_\_\_\_
  - date of the decision of the authority which issued the document on the right to practice law to such a person \_\_\_\_\_
  - number and period of validity of the obtained license (certificate, etc.) \_\_\_\_\_
  - form of advocate's activity (in case there is a classification and restrictions; if not, this should be stated) \_\_\_\_\_
  - types of cases which the applicant handles \_\_\_\_\_

### III. Information about disciplinary liability

16. Was the applicant disciplined during his or her advocate's activity?  
yes \_\_\_\_\_ no \_\_\_\_\_
17. Type of the imposed sanction \_\_\_\_\_
18. Status of the sanction at the time of application  
valid \_\_\_\_\_ spent \_\_\_\_\_
19. Did the imposition of the sanction concern a breach of professional ethical standards?  
yes \_\_\_\_\_ no \_\_\_\_\_
20. Was the license (right) to practice law suspended, if so, for how long? \_\_\_\_\_

### IV. Applicant's intention to practice law in Ukraine

21. Individual advocate's activity concerning the issues of  
- legislation of the country in which he or she has the right to practice law;  
- international law.
22. Cooperation with a Ukrainian colleague or colleagues  
(personal details and contact information of a potential partner or partners)  
Surname, first name and middle name of a Ukrainian advocate \_\_\_\_\_  
phone \_\_\_\_\_, fax \_\_\_\_\_, e-mail \_\_\_\_\_
23. Working address of a Ukrainian advocate (advocates' bureau, advocate's association)  
\_\_\_\_\_
24. Knowledge of the Rules of Advocates' Ethics in Ukraine \_\_\_\_\_ (signature)
25. Knowledge of the grounds for advocate's disciplinary liability in Ukraine \_\_\_\_\_ (signature)
26. Knowledge of the Law of Ukraine "On the Bar and Advocate's Activity" \_\_\_\_\_ (signature)
27. Any other information about which the applicant wishes to inform the QDCB  
\_\_\_\_\_

*The applicant confirms that all information is accurate; he or she can support it by documents*

Date

/signature/

name