



## **Information Application for Permission to Conduct Recognition Examination**

According to s. 7(1)(c) of the Law No. 85/1996 Coll., on advocacy, as amended (hereinafter referred to as the “Law”), the Czech Bar Association will permit to conduct the Recognition Examination to everyone who will prove that he/she fulfils the conditions specified in s. 5(a) and (d) through (g) and in s. 5a(1)(a) of the Law after payment of a charge, which the Professional Code sets to the maximum amount of CZK **10.000**, **within 9 months from the delivery of a written application.**

### **The conditions prescribed in the quoted provisions of the Law are fulfilled by a person:**

- 1) who is fully capable to enter into legal acts (s. 5(a) of the Law);
- 2) who is without criminal record (s. 5(d) of the Law);
- 3) on whom no disciplinary measure of disbarment was imposed or who is regarded as if no disciplinary measure of disbarment was imposed on him/her (s. 5(e) of the Law);
- 4) who was not disbarred according to s. 7b(1)(e) or (f) of the Law or if a period of 5 years has lapsed from his/her disbarment (s. 5(f) of the Law);
- 5) who is not in employment relationship or other similar relationship, with the exemption of employment relationship of a university professor, nor does he/she perform other activity inconsistent with practice of advocacy (s. 5(g) of the Law);
- 6) who will prove that he/she is entitled to provide legal services in a manner stipulated in
- 7) s.3 of the Law in another state under conditions compatible with the Law (s. 5a(1)(a) of the Law).

### **The application must contain:**

- 1) the first name and the last name, the date of birth, the address of the applicant, the name of the foreign office (specify the address to which the letter of invitation to attend the Recognition Examination and the learning materials shall be send) and the exact name of the native bar association;
- 2) the option of language in which the applicant wants sit for the examination (Czech, English, German, French).

### **The following annexes must document the application:**

1. declaration that the applicant fulfils the conditions stipulated in provisions of s. 5(a), (e), (f) and (g) of the Law;
2. certificates of being without criminal record, not older than three months, which must be valid at the time of the exam, namely:



- a) the criminal record from the country where applicant currently provides legal services with a court translation into the Czech language
  - b) the criminal record from the Czech Republic;
3. a diploma of completed education with a court translation into the Czech language;
  4. certificate of entitlement to provide legal services in a manner stipulated in s. 3 of the Law in another state under conditions compatible with the Law. This is usually documented by a certificate issued by the native bar association containing data on the entitlement to provide legal services and possibly on being without criminal record as well. Such certificate must not be older than six months and must be accompanied by a court translation into the Czech language;
5. proof of identity
  6. proof that the applicant has paid the charge for the examination, which amounts to **CZK 10.000**. The charge can be paid to the account of the Czech Bar Association No. **6724361001/2700**, ECP number 308, variable symbol 8.

The subject matter of the examination will be legal regulations on provision of legal services, namely Law No. 85/1996 Coll., on advocacy, as amended, the Decree of the Ministry of Justice of the Czech Republic No. 177/1996 Coll., on remuneration and compensation of advocates for provision of legal services (advocate tariffs), as amended, and the Professional Code of the Czech Bar Association, the Rules of Professional Ethics and the Rules of Competition between Advocates of the Czech Republic. These rules will be sent to the applicants for examination on the costs of the Czech Bar Association in the language in which the applicant wants to sit for the examination.

Another subject matter of the examination will be also questions from the basics of the constitutional law and the private law of the Czech Republic within orientation scope, which will be related to the following spheres of problems:

- 1) the form of the state system of the Czech Republic;
- 2) the system of the constitutional bodies of the Czech Republic;
- 3) the principles of the election law in the Czech Republic;
- 4) the principles of the judicial system in the Czech Republic and its bodies;
- 5) the character of the sources of law in the Czech Republic.

**The examination will be in written form, consisting of 20 multiple choice questions** in total, with 18 questions on the provisions regulating the provision of legal services and two questions on basic provisions of constitutional law and private law in the Czech Republic. You will be asked to mark the correct answer. There is only one correct answer to each question. To pass the exam must be answered correctly 85% of the questions (17 questions).

The applicants fulfilling legal prerequisites will be informed of the names of the members of the three-membered Examination Senate at least 4 weeks before the day when the examination will be held. The applicants have the right to raise an objection of prejudice against the members of the Examination Senate in such a manner so that it is received by the Czech Bar Association at least 10 day before the date when the examination is held.



Lawyers whose Bar Association of their registration (home Bar Association) is outside EU member countries or member countries of the European Economic Area shall sit a Recognition exam. Successful applicants who have taken the lawyer's oath will have their names entered in the Czech Bar Register of Lawyers as foreign lawyers who provide legal services in the area of international law and the law of their home country.