

VADEMECUM

**for European and non-European lawyers
on the establishment in Belgium**

Nederlandse Orde van Advocaten bij de Balie te Brussel



May 2016

Introduction

The Nederlandse Orde van Advocaten bij de Balie te Brussel (hereinafter the "NOAB") counts approximately 3000 members. The great majority of these lawyers is registered on the Tableau of Lawyers and the List of Trainees. They carry the professional title of "advocaat". In addition, lawyers who are nationals of a Member State of the European Union are entitled to establish themselves in Belgium and will normally ask registration on the "EU-list". Currently, approximately 175 European lawyers are members of our Bar. Furthermore, lawyers who are nationals of third countries (i.e. non-EU Member States) may also practice in Belgium on a permanent basis and, for that purpose, request registration on the "B-list". Today approximately 40 non-European lawyers are members of the NOAB.

The high number of European and non-European lawyers notably results from the privileged situation Brussels enjoys as the center of the European Union and the presence of the European Institutions, as well as from the Brussels Bar's long-standing policy of openness and hospitality towards foreign lawyers.

In this Vade-Mecum we give an overview of the different ways European and non-European lawyers can establish themselves in Belgium. Establishment means that they become a member of our Bar and exercise the profession of a lawyer in Belgium on a permanent basis. In addition, we briefly describe the rights and obligations of the European and non-European lawyers when becoming a member of our Bar.

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Chapter 1: Lawyers from within the European Union – European lawyers

Lawyers who are nationals of a Member State of the European Union are entitled to permanently carry out the profession of a lawyer in a number of ways, provided they meet certain conditions. They can ask registration on the EU-List, which is most common (§1 below). Under certain conditions, they can also request direct registration on the Tableau of Lawyers (§2 below) or on the List of Trainees which in turn will entitle registration on the Tableau, after fulfilment of the trainee obligations (§3 below).

§1 EU-lawyers practicing in Brussels under their home Member State professional title – Registration on the EU-list

1. Principle

Pursuant to Article 477*quinquies* of the Belgian Judicial Code, and subject to the provisions of Directive 98/5/EC of 16 February 1998, a national of a Member State of the European Union (EU) who is authorized in his/her Member State to use the professional title corresponding to the title of "advocaat" (i.e. is a fully qualified lawyer in his home state), may practice the lawyer profession in Belgium on a permanent basis under his home-country professional title. These lawyers are hereinafter also called "lawyers established under their home-country title".

Only EU-lawyers who are entitled in their Member State of origin to exercise the profession under the title that corresponds to the title of "advocaat" and have completed their traineeship or complied with all formalities with a similar effect in that Member State, may benefit from the freedom of establishment as provided for in Directive 98/5/EC of February 16, 1998, implemented in Belgian law in Article 477*quinquies* of the Judicial Code.

2. Registration methods

An EU-lawyer wishing to make use of this possibility must register with the NOAB on the list of European lawyers ("EU-List"). The lawyer must use the standard application form for registration. This form can be downloaded from the NOAB website. The application form must be accompanied by a number of documents identified in the form.

In particular, the lawyer must provide the Bar Council of the NOAB with a certificate attesting his/her registration with the Bar of his/her Member State of origin. The certificate shall mention all disciplinary proceedings that have been commenced in the home member state. The certificate may not be more than three months old. If the

applicant lawyer is a member of several Bars, he or she must submit a certificate from each of the competent authorities. The applicant must also provide evidence of existing professional indemnity insurance.

The competent authority will be informed of the registration on the EU-list. Registration on the EU-List is subject to payment of a registration fee of 300 EUR.

Furthermore, EU-lawyers admitted to the EU-list must remain registered with the Bar of their home country during the full period of membership of the Brussels Bar (NOAB).

European lawyers registered on the EU-list must pay an annual membership fee. The membership fee includes a premium for the professional liability insurance that the NOAB has concluded with an insurance company to the benefit of its members. If the EU-lawyer requesting registration on the EU-List pays a mandatory premium for the professional liability insurance concluded by his or her Bar of origin in the home Member State to his or her benefit and providing an equivalent coverage, the EU-lawyer may apply for a refund of part of the annual membership fee from the NOAB.

Each year the Bar council decides the amount of membership fees by vote. For 2016, the annual membership fee is 1.750 EUR.

For further information and registration, please contact: Ann Goubert (administrative staff member), Monday through Friday: Tel.: +32 2 508 67 62; e-mail: ann.goubert@baliebrussel.be.

3. Practice rules – Use of home-country professional title

A lawyer on the EU-List must exercise the profession of lawyer under his/her home-country professional title.

A lawyer on the EU-List shall mention on all documents and supporting instruments, including electronic mail, used in his/her professional activities: a) the Bar where he or she is registered (i.e. the NOAB); b) his or her home-country professional title; c) the professional body of which he or she is a member in his/her home Member State or the judicial authority before which he or she is entitled to practice pursuant to the laws of his/her home Member State.

The professional title and information mentioned above must be expressed in the official language or official languages of the home Member State of the lawyer and at least in the language or languages of the judicial district in which the Bar with which the lawyer is registered is located.

4. Areas of activity

A lawyer on the EU-List may carry out the same professional activities in Belgium as fully qualified members of the Belgian Bars.

In particular, a lawyer on the EU-list may give legal advice on the law of his or her home Member State, the law of the European Union, international law and Belgian law.

The European lawyer is not subject to any mandatory *pro bono* assignments.

He or she may also carry on activities relating to the representation and defense of clients in the Belgian courts provided that he or she acts in court in cooperation with a fully qualified lawyer who is enrolled on the Tableau of Lawyers.

Also, prior to the hearing (civil or criminal court), the fully qualified lawyer must introduce the European lawyer to the President and judges comprising the court.

Like any fully qualified lawyer on the Tableau, a European lawyer may plead and file briefs of arguments before any court, except the Belgian Supreme Court (*Cour de Cassation*) where the law requires the intervention of a Supreme Court lawyer for claims in civil and commercial matters. Furthermore, a lawyer wishing to intervene before the Supreme Court in criminal matters must be the holder of a certificate attesting formation in cassation proceedings in criminal matters.

The remuneration of the fully qualified lawyer who assists the European lawyer will be agreed between them or will be established by the Belgian lawyer within reasonable limits. There are no official fee schedules.

5. Principle of double deontology

In the exercise of his or her professional activities, a lawyer on the EU-List of the NOAB shall be subject to the rules of professional conduct of Belgium, in particular the professional Codes of the OVB (*Orde van Vlaamse Balies - Flemish Bar Association*) and the NOAB. The lawyer shall also remain subject to the rules of professional conduct of the Bar of his/her home state. In case of conflict between rules of conduct, the host state rules, i.e. the OVB and NOAB-rules, override the home state rules.

In addition, as concerns cross-border dealings with lawyers in other EU-Member States or third countries which Bars are affiliated with the European Bar Council (CCBE), the Code of Conduct for European lawyers shall apply. This Code is available at www.ccbe.eu and is also part of the Ethical Code (Codex) of the OVB.

The rules of professional conduct of the NOAB are contained in the OVB-Codex of Deontology, applying to all lawyers in Flanders, and in the Codex of professional rules of the NOAB, containing the rules which are specific for the Brussels Bar. These Codes are available at www.baliebrussel.be.

6. Disciplinary proceedings

Before initiating disciplinary proceedings against a European lawyer, the President ("Stafhouder") of the NOAB shall inform the competent authority of the home Member State, providing it with all relevant details, in particular with regard to the disciplinary file, the applicable rules of procedure, and the time limits for lodging appeals.

7. Forms of practice

A. Joint practice

Article 477^{octies} §§ 1 to 4 of the Belgian Judicial Code deals with the joint practice of lawyers. The joint practice is allowed between:

- lawyers practicing under their home-country professional title and lawyers who are member of the same grouping in the home Member State (e.g. one or more French lawyers establishing themselves as "avocats" in Belgium and cooperating with one or more "avocats" in France); they can exercise the legal profession in Belgium in a subsidiary or a branch;
- two or more lawyers from one and the same grouping or home Member State who exercise their profession in Belgium under their original professional title (e.g. two or more French lawyers who establish themselves in Belgium as "avocats"); they can exercise the legal profession in a grouping under the conditions applicable to Belgian lawyers;
- several lawyers coming from different Member States exercise their profession in Belgium under their original professional title (e.g. a French "avocat" and a German "Rechtanwalt" establishing themselves in Belgium); they can cooperate, as the case may be in a subsidiary or a branch;
- several lawyers coming from different Member States exercise their profession in Belgium under their original professional title and one or more Belgian lawyers; they can cooperate, as the case may be, in a subsidiary or an branch (e.g. a grouping between three French "avocats," one German "Rechtsanwalt" and three Belgian lawyers).

Therefore, a European lawyer who is a member of a law firm in his or her home Member State may carry out his or her professional activities in Belgium in a branch or subsidiary of that foreign law firm. However, where the fundamental rules governing that grouping in the home Member State are incompatible with the fundamental rules laid down by Belgian laws or regulations, the latter rules shall prevail insofar as compliance therewith is justified by the public interest in protecting clients and third parties.

Notwithstanding the above, the Council of the NOAB with which a European lawyer is registered may refuse to allow a lawyer to practice in Belgium in his or her capacity as member of a grouping in which some members are not lawyers. In this context, Article 477*octies*, §5, al. 2 of the Judicial Code provides that a grouping includes members who are not lawyers if at least one of the following conditions is satisfied:

- a) the capital of the grouping is held entirely or partly by persons who do not have the status of lawyer within the meaning of the provisions of the Judicial Code;
- b) the name under which it practices is used by persons referred to in a);
- c) the decision-making power in that grouping is exercised, as a matter of law or practice, by persons referred to in a).

B. Salaried practice – The possibility for lawyers registered under their home-country title with a Belgian Bar to practice as employees

The lawyer practice by a lawyer registered on the EU-list is incompatible with remunerated employment relations or activities, whether in the public or private sector, unless they do not jeopardize the lawyer's independence and the dignity of the Bar (Art. 477*sexies*, §4, Judicial Code).

8. Insurance

A. Professional indemnity insurance

Lawyers registered on the EU-List must cover their professional liability in Belgium by an insurance under the conditions set by the Bar Council. At present, the professional liability is collectively insured by the NOAB for its members in the amount of 1.250.000 EUR per damage event. The existence of an insurance or guarantee they concluded in their Member State of origin will be taken into account, insofar as such insurance or guarantee is obligatory according to home State rules and is equivalent in terms of coverage and modalities to the one taken out in Belgium. Where the equivalence is only partial, the Bar Council may require additional insurance or

guarantee for those elements which are not covered yet by the insurance or guarantee taken out in accordance with the rules of the home Member State.

B. Social security

A lawyer who is established in Belgium under his home country title (i.e. is registered on the EU-List) is subject to the social security system of the place where he carries out his activities, i.e. Belgium. The social security contributions collected by the social security institutions cover the three social status sectors: pension, family allowance, and sickness and invalidity insurance. Contributions are calculated on the basis of the income of the person in his self-employed capacity, for the second-to-last fiscal year preceding the year for which the contributions are due.

Membership of the NOAB also gives entitlement to a disability insurance in case of sickness or as a result of an accident. In order to benefit from this additional insurance a medical questionnaire must be completed.

9. Continuing legal education

A lawyer registered on the EU-list is subject to the same continuing legal education obligations as a fully qualified lawyer registered on the Tableau of Lawyers of the NOAB.

Lawyers freely compose their annual continuing legal education program. They must demonstrate having obtained 16 credits per judicial year. In that regard, can be taken into account:

- a maximum of eight non-legal points;
- a maximum of 8 points for seminars, study days or lectures organized within lawyers' cooperative arrangements, firm organizations or jointly by lawyers;
- credits obtained as a result of continuing legal education in accordance with the rules of foreign Bars.

Lawyers on the EU-list may therefore invoke permanent education undertaken in their home Bar association to meet local (Belgian) requirements.

Attendance of one hour of legal education corresponds to one credit. Lecturing and the publication of scientific articles are also eligible for credits.

Detailed Information on this subject can be found in the OVB-Regulation on continuing legal education. An English version is available on the OVB-public website.

Further information is available from Ann Goubert (administrative staff member) from Monday through Friday. Tel. 02 508 62 67; email: ann.goubert@baliebrussel.be, at the secretariat of the NOAB.

10. Keeping and Reporting on third party accounts

Lawyers on the EU-list are subject to the professional rules on third party accounts. A third-party account is an account held by a lawyer or a law firm with a financial institution recognized by the OVB on which monies who belong to clients or third parties are received or managed.

Like any other member of the NOAB, lawyers on the EU-list must either themselves or through the grouping of which they are a member, have at least one third-party account. Lawyers (members of the NOAB) may only through the third party account handle monies entrusted by clients or third parties. The third-party account may only be used for the handling of these monies.

Every year, they must report on third-party accounts to the President ("Stafhouder") of the NOAB. Reporting must be done electronically through the "privaat luik" on the OVB website.

The detailed rules specifying the operation of third-party accounts, the lawyers' obligations attached to these accounts and their reporting are described in the OVB-Codex of Deontology and implementing rules.

§2 EU-lawyers practicing in Brussels under the host Member State professional title – Registration on the Tableau of Lawyers

European lawyers may wish to practice their profession under the professional title of the host Member State, i.e. under the title of "advocaat"/"avocat" in Belgium.

Provided they meet the conditions to carry the title of "advocaat"/"avocat", they can request admission to the Tableau of Lawyers of the NOAB.

1. Conditions for acquiring the host state professional title

European lawyers wishing to obtain the host state professional title "advocaat"/"avocat" can choose between two ways:

- show three years' practice under their home professional title in Belgium; or
- pass the aptitude test organized by the Federation of Flemish Bars or the Federation of French and German speaking Bars.

**A. Three years' practice under home State professional title in Belgium
(Article 10 of Directive 98/05/EC – Article 477nonies Judicial Code)**

Even though EU-lawyers exercising the profession under their original home State title already enjoy all essential practicing rights in Belgium, they may want to further integrate into the legal profession of Belgium by acquiring the right to use the host state title.

(i) Conditions

European lawyers, i.e. nationals of an EU-Member State exercising their profession already under their original home Member State professional title, who demonstrate to have effectively and regularly pursued in Belgium an activity in the field of Belgian Law, including EU Law, for a period of at least three years, may carry the title of "advocaat" and request registration on the Tableau of fully qualified lawyers of the NOAB.

Furthermore, these European lawyers may do the same if they demonstrate that they have for a period of three years effectively and regularly pursued an activity in Belgium but for a lesser period with regard to Belgian law. In that case, the Bar Council must act upon favorably.

The European lawyer will take the oath and be admitted to the Tableau of the NOAB.

(ii) Procedure

The European lawyer shall provide to the Bar any relevant information and documentation, notably on the number and nature of Belgian or EU law matters handled. The Bar Council will verify whether the applicant has effectively and regularly exercised the required activity. If need be, the Council may request the lawyer to provide further details, orally or in writing. Effective and regular pursuit means the actual exercise of the activity without any interruption, other than that resulting from the events of everyday life.

European lawyers who have effectively and regularly pursued an activity in Belgium but for a lesser period with regard to Belgian law, must obtain a favorable assessment from the Bar Council. Candidates are invited to furnish all necessary information and evidencing documents. The lawyer's effective and regular activity pursued in Belgium, and his/her capacity to continue the activity he has pursued, will be assessed on the basis of an interview with the President (*Stafhouder*) of the NOAB, who will report to the Bar Council.

The request must be drafted in Dutch or accompanied by a certified translation in that language and the President (*Stafhouder*) of the Bar will submit it to the Bar Council, which will decide upon the request.

The Bar Council will consider the lawyer's effective and regular activity during the three-year period, as well as any knowledge and experience of Belgian law, including European Law, and any attendance to courses or seminars related to Belgian law, including professional rules and ethics.

B. Pass the aptitude test (Articles 13-14 Directive 2005/36 on recognition of professional qualifications -- Articles 428bis-decies Judicial Code)

This route is interesting for EU-lawyers who exercise the legal profession under the original professional title of their home State but cannot show three years of practice in Belgium with regard to Belgian Law. It is also of use for EU-lawyers who have obtained in their Home Member State the law degree necessary to be admitted to the legal profession and completed the traineeship in their home State but are not registered yet as fully qualified lawyer with their home State Bar.

(i) Conditions

These EU-nationals who wish to establish in Belgium directly under the title of "advocaat"/"avocat" and register on the Tableau of Lawyers, may do so by means of the recognition of diplomas. For that purpose, he or she must pass the aptitude test organized by the Federation of Flemish Bars or the Federation of the French and German speaking Bars.

The candidate must be the holder of a degree, certificate, or another title¹ that shows that he or she has the qualifications required for being admitted in an EU Member State to the pursuit of the legal profession.

The candidate must also produce evidence that he or she is of good character and repute, has not been declared bankrupt, has not committed serious misconduct in the pursuit of his profession and has not committed a criminal offense that may lead to a suspension or prohibition to practice law. The candidate must also produce the list of subjects on which he or she was tested in order to obtain the law degree mentioned above.

The candidate who wishes to register with the NOAB, must pass the aptitude test organized by the OVB, if the education that the candidate has received relate to

¹ Within the meaning of Article 1 of Directive 89/48/EEC of December 21, 1988 on a general system for the recognition of higher-education diplomas.

professional fields that substantially differ from those to which the Belgian law degree relates unless the knowledge the candidate acquired during his or her professional experience is such that essential differences are covered.

The aptitude test consists of a written part (civil law, including civil procedure, and criminal law, including criminal procedure, and a matter chosen by the candidate: public law, administrative law, tax law, commercial law or social law) and an oral part (deontology and courses which the candidate failed in the written part). The aptitude test only concerns the professional knowledge of the candidate. The test aims to appraise whether the candidate possesses the necessary capability to exercise the lawyer profession in Belgium.

The candidates meeting these conditions are entitled to take the oath. They are exempt from the trainee obligations prescribed by Belgian Law and can ask for immediate registration on the Tableau of Lawyers if the traineeship they have completed in their EU-Member State allows them to registration at that Member State's Bar. Also, the candidates are exempt from any trainee obligations if that Member State does not impose any such obligations. In all other cases, the candidates must first request registration on the List of Trainees of the NOAB.

(ii) *Procedure*

The request for passing the aptitude test must be addressed to the Flemish Bar Association (*Orde van Vlaamse Balies - OVB*).

Address: Orde van Vlaamse Balies
Staatsbladsstraat 8
1000 Brussels
Contact: Lieve Naessens (staff member OVB on traineeship and legal education)
Tel.: 02 227 54 73
E-mail: lieve.naessens@ordevanvlaamsebalies.be

2. Practice conditions

A. Registration on the Tableau

The EU-lawyer will be a fully qualified lawyer in Belgium registered on the Tableau of Lawyers. He or she will be entitled to use the professional title of "advocaat"/"avocat".

B. No obligation to remain registered with the Bar of the home-country

European lawyers who have acquired this title and have been registered on the Tableau in accordance with one of the two procedures described above, will no longer need to remain registered with the Bar of their home Member State.

If the EU-lawyer nevertheless maintains his registration with the home State Bar, he or she will not only be entitled to carry the professional title of "advocaat"/"avocat" but also his or her original professional title.

C. Ethical and professional rules

Like any other lawyer member of the NOAB, they shall be subject to the Belgian rules of professional conduct (OVB-Codex and NOAB-Codex).

§3 Access to the Belgian education and training ("stage") for EU-lawyers who have not followed traineeship in the home Member State – Registration on the List of Trainees

1. Conditions of access to the Belgian professional education and training

EU-nationals who have obtained in their Home Member State the law degree necessary to be admitted to the pursuit of the legal profession (i.e. a law degree equivalent to the Belgian law degree) but have not followed the traineeship in the Home member State, can have access to the professional education and training program for Belgian lawyers.

The candidate must produce the documents and pass the aptitude test organized by the Federation of Flemish Bars or the Federation of French and German speaking Bars, mentioned above, under §2, A. 2).

An EU-national, including a Belgian, who has received his or her law degree in a non-EU country may contact a Belgian university who have law degree studies in their program. The Belgian universities have the competence to decide on the equivalence of a foreign law degree. They decide for which courses or study years the candidate must pass additional exams to receive the required academic law degree. When the candidate obtains the equivalence of his foreign degree, the candidate may request registration on the List of Trainees.

2. Conditions

A. Registration on the List of Trainee Lawyers

After having passed the aptitude test or obtained the equivalence of the law degree, the applicant may take the oath and will be registered on the List of Trainee Lawyers of the NOAB. He or she will have to meet all obligations relating to traineeship before being admitted to the list of fully qualified lawyers of the Bar.

B. Vade-Mecum for trainee lawyers

Lawyers registered on the List of Trainee Lawyers must comply with certain conditions during a *stage* of three years with the NOAB before they will be admitted to the list of fully qualified lawyers of that Bar.

The Vade-Mecum for trainee lawyers gives full details on the trainees' rights and obligations.

Chapter 2: Foreign lawyers – members of foreign non-EU Bars – Registration on "B-List"

§1 Definition

Lawyers who are members of foreign (non-EU) Bars and want to establish in Belgium but do not meet the conditions for registration on the Tableau of fully qualified lawyers, on the EU list or on the List of Trainee Lawyers, may request registration on the so-called "B-List".

The other way is for the foreign lawyer to acquire the equivalence of his foreign law degree by contacting a Belgian university who have law degree studies in their program. Having passed the necessary exams at university, the university will grant the equivalence of the foreign law degree. If the foreign lawyer also meets the conditions listed in the Royal Decree of 24 August 1970 on the derogation from the condition of nationality, he or she can request admission to the List of Trainees and, after meeting the trainee obligations, on the Tableau of Lawyers of the NOAB.

§2 Registration conditions

The Bar Council decides on the registration on the B-List and verifies if:

- the lawyer is regularly registered with the Bar of origin;
- the lawyer has met his or her trainee obligations, as the case may be, of the Bar of origin;
- the lawyer has undertaken to respect the discipline, the regulations and decisions of the Bar;
- his or her status complies with the laws and regulations on the stay and the activities of foreigners in Belgium (immigration laws); and
- his or her professional liability is covered by an insurance or guarantee taken up according to the rules of the country of origin who is at the least equivalent in terms of modalities and extent of the coverage of lawyers who are registered on the Tableau.

Registration on the B-List is subject to the payment of a registration fee of 300 EUR.

§3 Areas of activity

A lawyer on the B-list is allowed to give advice on the law, including Belgian law, the law of the European Union and foreign law.

However, a lawyer on the B-list is not allowed to plead before the Belgian courts nor before the Council of State (*Raad van State / Conseil d'Etat*). Also, a lawyer on the B-list is not allowed to represent clients before the Council of disputes of foreigners (*Conseil du continentieux des étrangers / Raad voor vreemdelingenbetwistingen*).

§4 Specific agreements

The Brussels Bar has entered into agreements with several foreign Bars. These agreements are available at the secretariat of the Bar.²

In particular, one must mention the agreement between the Brussels Bar (French and Dutch speaking Orders) and the American Bar Association on August 6, 1994.

The agreement provides for specific rules that apply to U.S. lawyers. For example, Article 1.1 of that agreement provides that an American lawyer is required to be registered with the French (or Dutch) Bar of Brussels within six months of his or her establishment (the B-list).

Some provisions define the ways of cooperation between U.S. lawyers and Tableau lawyers/ trainees (*stagiair(e)s*) (see Articles 2 and 3), while others specify the conditions under which a U.S. lawyer may provide advice and representation concerning matters governed by Belgian law (see Articles 4.2 and 4.3).

§5 Rules of professional conduct

By registering on the B-List, a foreign lawyer undertakes to comply, as far as the pursuit of his professional activity in Belgium is concerned, with the rules, regulations, and decisions of the Bar, subject to such amended procedures and rules which may be provided by any agreement that the Bar may have entered into with the Bar of his/her home-country.

In particular, a foreign lawyer registered on the B-list of the NOAB will be subject to the rules of professional conduct laid down in the professional codes of the OVB and the NOAB.

² See also the Agreement of 21 June 1999 between Switzerland and the EU-Member States.

The rules of professional conduct of the NOAB are contained in the OVB-Codex of Deontology, applying to all lawyers in Flanders, and in the Codex of professional rules of the NOAB, containing the rules which are specific for the Brussels Bar.

These Codes are available at www.baliebrussel.be.

§6 Annual membership fees

Lawyers on the B-list must pay an annual membership fee. Each year the Bar council determines the amount of such membership fee.

For 2016, the membership fee is 1.325 EUR.

§7 Insurance

A foreign lawyer who wishes to become an associated member of the Brussels Bar must provide evidence that, for the pursuit of his or her professional activities in Belgium, he or she has taken out professional liability insurance which is at least equivalent to the insurance required for Belgian lawyers registered on the Tableau. At present, the professional liability is collectively insured by the NOAB for its members in the amount of 1.250.000 EUR per damage event.

Under some conditions and subject to an additional premium, the collective professional liability insurance subscribed by the NOAB can be extended to lawyers registered on the B-list.

§8 Permanent legal education

Lawyers on the B-List are not subject to the continuing legal education requirements.

§9 Keeping and reporting on third-party accounts

Lawyers on the B-list are subject to the professional rules on third party accounts. A third-party account is an account held with a financial institution recognized by the OVB by a lawyer as the holder on which monies who belong to clients or third parties are received or managed.

Like any other member of the NOAB, lawyers on the B-list must either themselves or through the grouping of which they are a member, have at least one third-party account. Lawyers (members of the NOAB) may only through the third-party account handle monies entrusted by clients or third parties. The third-party account may only be used for the handling of these monies.

Every year, they must report on third-party accounts to the President ("Stafhouder") of the NOAB. Reporting must be done electronically through the "privaat luik" on the NOAB website.

The detailed rules specifying the operation of third-party accounts, the lawyers' obligations attached to these accounts and their reporting described in the OVB-Codex of Deontology and implementing rules.

§10 Partnerships

Lawyers on the B-list may practice together with one or several other foreign lawyers or one or several other European lawyers, or with one or several Belgian lawyers registered on the list of fully qualified lawyers of the Bar (Tableau).

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