



QLTT CERT OF ELIGIBILITY AND FREQUENTLY ASKED QUESTIONS

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Note: Lawyers (not formerly a barrister) whose first place of qualification as a Solicitor is England & Wales/Northern Ireland, please refer to Certificate of Admission on our website.

1. What is the Qualified Lawyers Transfer Test (QLTT)?

The Qualified Lawyers Transfer Test (QLTT) is a conversion test, which enables lawyers, qualified in certain countries outside the Republic of Ireland, to qualify as solicitors in this jurisdiction.

2. Which jurisdictions (countries) are covered by the QLTT regulations?

EU Member States - Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, England and Wales, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, The Netherlands, Poland, Portugal, Romania, Scotland, Slovakia, Slovenia, Spain, Sweden.

EFTA member states - Iceland, Liechtenstein, Norway, Switzerland

New Zealand, NSW, New York (1 yr pqe)* , California (one yr pqe)* and Pennsylvania (five yrs pqe)

*** Post Qualification Experience**

If you are a national of a Member State of the European Union and are qualified to practice as a lawyer in your home Member State an alternative route may be available to you. You may register as a foreign qualified lawyer under the Establishment Directive (98/5/EC). The Register is maintained by Nicola Kelly – Regulation Department Law Society of Ireland – n.kelly@lawsociety.ie

3. What is the position if I am NOT qualified in one of the jurisdictions covered by the QLTT regulations?

The facility for lawyers from outside the European Union and EFTA member states who wish to be admitted to the Roll of Solicitors in Ireland is dealt with by Section 52 of the Solicitors (Amendment) Act, 1994. This provides for a regime of admissions, incorporating also the facility for exemptions from apprenticeship and examinations, for a member of what the section describes as a “corresponding profession”, which is defined as being a profession in a jurisdiction outside the European Union, which in the opinion of the Law Society, corresponds substantially to the profession of solicitor.

However, the section cannot come into effect with any particular jurisdiction until the Minister for Justice by order directs that it should come into effect. The Minister is not to bring the section into effect in respect of any particular jurisdiction until he is satisfied that there are reciprocal provisions in that jurisdiction in respect of Irish solicitors. The Minister may also revoke such an order if the reciprocal provision ceases to have effect in the jurisdiction in question.

The Society has entered into reciprocal agreements with:

- The State Bar of New York and
- The State Bar of California
- The State Bar of Pennsylvania and
- The Law Society of New South Wales
- The Law Society of New Zealand

In the case of New York and California, attorneys from these jurisdictions are required to have one year post qualification experience 'pqe' in the jurisdiction in which they are qualified before they can apply for a Certificate of Eligibility to take the QLTT. In the case of Pennsylvania, attorneys from this jurisdiction are required to have five years pqe in Pennsylvania before they are eligible to apply for a Certificate of Eligibility to take the QLTT. Lawyers from New Zealand and NSW can apply for a certificate of eligibility without pqe.

All other lawyers (not qualified in the European Union or in an EFTA Member State or subject to a reciprocal agreement) are required to undergo the Irish training process.

4. How do I apply for the QLTT?

Before applying for the QLTT you must first obtain a Certificate of Eligibility from the Law Society's Education Committee.

5. How do I obtain a Certificate of Eligibility?

If the jurisdiction you are qualified in is covered by the QLTT regulations you should complete the Certificate of Eligibility application form. You must have the required post qualification experience (where relevant) before submitting a Certificate of Eligibility application.

6. What options do I have if my documents and references do not meet the criteria set out in the Cert of Eligibility application form?

Any variations to the criteria set out in the Cert of Eligibility application form will require a written application to the Education Committee for a decision. This may delay the processing of an application. The Committee's decision is final. Please see below for reference requirements.

References

Three character references are required – they should make reference to your competence to practice.

All referees, who may not be members of your family, must have known you well for **two** years or more and **the reference should so state.**

Two of the references **must** be from practising **solicitors** of at least **five** years standing in the Republic of Ireland **or** *in the jurisdiction where you are already qualified **and both referees must confirm this fact in the reference.**

* Your jurisdiction of qualification must be a jurisdiction which Ireland has a reciprocal agreement with (see above).

If you are currently in employment one of the references must be from your current employer (i.e. the person to whom you report), even if you have been with the firm for less than two years. References from colleagues in this regard are **not** acceptable.

Tutors/lecturers who have taught you on preparatory courses will **not** be accepted as referees.

7. For how long is the Certificate of Eligibility valid?

Certificates are valid for three years from date thereon and can be renewed at three year intervals.

8. Renewal of Certificate of Eligibility

A Certificate of Eligibility is valid for three years from the date thereon. You may apply to renew your Certificate of Eligibility at three year intervals. The following documents are required for renewals:-

- (a)** Certificate(s) of Good Standing from the regulatory authority(s) in your jurisdiction(s) of admission. You must submit Certificates of Good Standing from all of your jurisdictions of admission.

- (b) Sworn Declaration and an Affidavit of Solvency – See Application form for Cert of Eligibility.
- (c) Three character references relating to your competence to practice (see above)
- (d) Current fee €75 (as at Jan 2014)

9. How many examinations comprise the QLTT?

- ◆ Constitutional Law and Company Law **or** Constitutional and Criminal Law
- ◆ Contract and Tort Law
- ◆ Land Law and Conveyancing
- ◆ Professional Conduct
- ◆ Probate and Tax
- ◆ Solicitors' Accounts
- ◆ European Union Law

10. Can I apply for exemptions from any portion of the QLTT?

You may apply to the Education Committee for exemption(s) from the Qualified Lawyers' Transfer Test. When considering exemptions, the Committee focuses on the **post** qualification experience 'pqe' of an applicant. There are no exemptions from the Solicitors' Accounts or Professional Conduct examinations. **An exemption request will only be considered by the Education Committee, if an application for a Cert of Eligibility has already been approved.** Applicants applying for exemptions must submit evidence in the form of references from employers or former employers which confirms/supports the pqe the applicant purports to have. The references should also reflect time frame in which it was obtained.. **References from colleagues or former colleagues are not acceptable in this regard.**

Please note that if you have already obtained a Certificate of Eligibility, an independent application for exemption(s) can be made, enclosing a letter of application, references (as described above) together with fee of €75 to:
Catherine Byrne, Administrator for Foreign Qualified Lawyers, Education Department, Law Society of Ireland, Blackhall Place, Dublin 7.

Note:- Applicants who qualified as a lawyer in an EU State, are exempt from European Law in the QLTT. EU Nationals, who qualified outside of the EU must apply to the Education Committee for an exemption from EU Law, in the same way as for other subjects in the QLTT.

Newly qualified New Zealand attorneys with no practice experience will not receive any exemptions from the QLTT.

Newly qualified New South Wales attorneys with no practice experience will not receive any exemptions from the QLTT.

11, Must I take all the examinations at the same sitting of the QLTT?

The *current* position is that you may take as many, or as few, of the examinations in the QLTT in whatever order you please

12. What is the pass mark?

The pass mark for each examination in the QLTT is 50%.

13. Does the Law Society offer tuition for the QLTT?

The Law Society does not provide preparatory courses for the QLTT.

Past papers are available from the Law School Reception – email: lawschool@lawsociety.ie – Also see 14. below.

A language training service may also be of assistance to non-native speakers preparing for the QLTT. **Please note that the Law Society of Ireland has no control over and gives no warranty in respect of this service.**

Anna Mc Keown is a legal English consultant who can provide language training for lawyers who are non-native speakers and who need to communicate more effectively in written and spoken legal English. Her contact details are as follows: tel: 087 126 5702; email: annamckeown@eircom.net.

14. Preparing for the QLTT – See website link below for details:-

1. Past Papers
2. A Guide to Professional Conduct
3. Publications
4. LSPT – ‘Law Society Professional Training’

<http://www.lawsociety.ie/Public/Foreign-Lawyers/QLTT-exams/>

15. May I enrol for the QLTT before I have a Certificate of Eligibility?

In order to apply to take the QLTT, a Certificate of Eligibility (within date), issued by the Law Society of Ireland is required. Applications which do not have a valid Certificate of Eligibility attached will be returned.

16. How do I enrol for the QLTT?

Complete the QLTT application form for the relevant sitting of the exam, attaching a copy of your Certificate of Eligibility (within date) together with the relevant fee.

Please forward to:-

The QLTT Examination Section, Education Department, The Law Society of Ireland, Blackhall Place, Dublin 7, Ireland.

Application forms are available from our website.

17. How often does the QLTT take Place?

The QLTT takes place twice yearly.

The dates of each sitting of the QLTT are available from our website.

18. How much does it cost to apply for a Certificate of Eligibility

Certificate of Eligibility €430 (As at January 2014)

19. What happens when I pass the QLTT

Once an applicant has been declared to have passed the QLTT, an application can be made to be placed on the Roll of Solicitors in Ireland.

When an applicant is declared to have passed the QLTT, their file will be passed to the Admissions Administrator, Ms. Philomena Whyte. Applicants to the Roll of Solicitors are advised to contact Philomena directly at p.whyte@lawsociety.ie once written confirmation of passing the QLTT has been received.

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