

The Chairman's Word

Dear members of the ELA,

First of all, we had a very successful annual meeting in Prague. Many people were there, great venue, interesting conference. And we had a very good time! Once again, thanks a lot, David for a great meeting. Well done!

Secondly, we are heading for another annual meeting success. Next year it is in Zurich. Please see the very interesting teaser on page 2 of this Newsletter made by Markus Hungerbühler. Make sure to mark the days in your calendar.

Last, but not least, we have received the final confirmation from the Scottish Government: we will have an ELA-course in Edinburgh, at first probably for the coming 3 years, but we hope to be able to continue this over the coming years. Thank you to all who have been involved in this process; a great job! A special thank you to Charles Mullin and Philippe Jadoul; if it hadn't been for them....

The coming task for ELA is to select 10-12 candidates for the course in Edinburgh to begin in January 2009. We are in this process while you are reading these lines. A number of National Representatives have already committed themselves to find a candidate from their respective countries. Please see the info material on the scheme on pages 5 et seq. of this Newsletter – if you know anybody who could be interested in joining the scheme in Edinburgh January 2009 or if you have any good ideas how to find the candidates, then please contact your National Representative. This is very important for the future of ELA, so any assistance is greatly appreciated. Thanks in advance

Have a nice summer!

Best regards,

Peter Bisgaard
Chairman



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Annual Meeting 2009 – Zurich, Thursday 21st to Saturday 23rd May 2009!

The Swiss members of the ELA are delighted to welcome you in Zurich, the business centre in the German speaking part of Switzerland. At the shore of Lake Zurich we invite you to meet other members of the ELA for the annual meeting, lectures dealing with the Swiss financial industry and its legal system and for a get-to-know-gathering with other European. Zurich with its main railway station is also the perfect starting point to reach out into central Switzerland and the nearby famous Rhein falls!

Zurich offers not only a choice of over 50 museums, innovative theatre productions and concerts – from classical to modern – but also a well-preserved Old Town on the banks of the Limmat River which is home to countless places of interest that are just waiting to be discovered. Zurich is also for the fashion-conscious and delights lovers of luxury just the right place to go since you'll find from extravagant articles made in Zurich right through to international luxury labels sold at the famous Bahnhofstrasse stores just everything...!

The area Zurich "City West" is these days a trendy urban area with open and green spaces in unique symbiosis with monuments of the industrial age. In former times it was an industrial area where e.g. washing powder, soap and ships were manufactured. Today, you'll find a total of some 500 bars, nightclubs and discotheques which provide a wide range of entertainment after dark. During the mild summer evenings, the cosy bars and lounges at the river and lakeside bathing areas are the place to be.

Accommodation:

We recommend booking in the following hotels (their staffs are informed about this meeting and will keep some rooms for you apart until some time before the meeting).

The hotels are within this district 5 (Kreis 5) City West, e.g. various restaurants, theatres, galleries, clubs and bars and of course excellent shopping opportunities are nearby in walking distance.

Novotel (www.novotel.com)

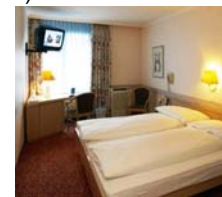
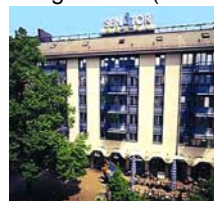
Costs: ca. CHF 250 for a double room / CHF 230 for a single room incl. breakfast.



It is a 4 star hotel with 142 rooms in the fashionable Zurich West area. Close to Hardbrücke train station, Escher Wyss Platz tram station and the Technopark. Located a few minutes from the main railway station and the old city by tram or train. The hotel offers an indoor swimming pool, fitness area, bar and a restaurant with terrace. Pay parking garage and airport shuttle (fees apply).

Hotel Senator (www.senator.ch)

Costs: ca. CHF 185 for a double and CHF 150 for a single room (incl. breakfast)



The Senator Hotel (3 stars) has long been a favourite in Zurich for both business and leisure travellers. It has 120 guestrooms with Hair dryer, clock radio, non-smoking rooms, voicemail, air conditioning, private safe and minibar. Featuring car rental, salon, cocktail lounge, dry cleaning and laundry, conference rooms, restaurants. This hotel is sure to make each guest's trip an enjoyable one.

Annual Meeting 2009 – Zurich, Thursday 21st to Saturday 23rd May 2009!

Programme (outline, subject to changes):

Thursday 21 st May, Evening	Welcome cocktail and light meal within short reach from the hotels in district 5
Friday 22 nd May, Morning	Conference at the premises of Swiss Re, Zurich General topic: Swiss Financial Industry with its aspects: money laundering, banking secrecy, tax law Lunch at Swiss Re
Friday 22 nd May, Afternoon	Visit of an international (or Swiss) company: What is the reason for their settlement in ?
Friday 22 nd May, Evening	Typical Swiss meal (although no Cheese Fondue) in Zurich
Saturday 23 rd May	Annual General Meeting of the ELA (venue depending on the weather)
Saturday 23 rd May, Evening	Reception offered by the British Council Gala dinner at Restaurant Belvoirpark (www.belvoirpark.ch) Music and Dance!
Sunday 24 th May	Optional Programme: visits of , Üetliberg, etc.

Further useful information you find on:

Information for visitors of Zurich:

Essentials about Zurich:

Going out in Zurich:

Public transport system:

Photos of Zurich, district 5:

Official website of Swiss Government:

www.zuerich.com/de/welcome.cfm

www.talkingcities.co.uk/zurich_pages/essentials_main.htm

www.outandabout.ch

www.sbb.ch and particularly for Zurich www.zvv.ch

www.sengers.ch/izueri/industrie/industrie.asp

www.admin.ch

M&A COMMISSION

During the XXIV Annual Meeting of ELA in Prague I have proposed to the ELA members to set up a special commission focused on mergers and acquisitions, the so-called "M&A Commission".

Following the great interest shown by the participants for the creation of the M&A Commission, I take the opportunity to outline my ideas about this project.

The M&A Commission will be a special group focused on the activities of business players seeking to merge, acquire or strategically align with other players.

The M&A Commission is created to highlight information about corporate and M&A activities and to promote the exchange amongst members of experiences related to corporate law.

The aim of the M&A Commission will be to

- exchange information about corporate and M&A activities with a particular attention to private equity funds and their strategies
- give updates on new regulations or practises on a country basis and
- exchange different experiences related to particular practical problems occurring on due diligence activity or on contracts negotiation.

The M&A Commission will organise some initiatives to advance the group, such as: some playful events around Europe, training periods abroad for young trainees of the members, professional exchange for group members, business meetings focused on particular sectors.

I think that these kind of initiatives can be useful to promote the exchange of information and experiences amongst the members.

I am finalising a draft list of ELA members willing to become members of the M&A Commission. All ELA members wishing to become members of the M&A Commission are asked to send me a formal e-mail at marco.pistis@mpplex.it.

The Board Meeting of ELA in October (24-26) in Munich will be the perfect occasion to discuss about the activities and the rules of the M&A Commission. In the meantime I will prepare a draft of the rules to be discussed with the future members of the M&A Commission and the Board of Directors of ELA who will be present in Munich.

At the next Annual Meeting the M&A Commission will be hopefully incorporated.

Marco Pistis

European Lawyers Programme 2009

Candidate Information

This document provides basic practical information about the European Lawyers Programme. Details specific to the forthcoming year's programme are to be found in Annexes A and B to this document.

1. Objectives of the Scheme and Introduction

The European Lawyers Programme (ELP) aims to give lawyers from across Europe an opportunity to study the law of Scotland (in Edinburgh), and to experience at first hand how law is practised in the United Kingdom. Its objective is to address current key reform agendas in the legal field as a committed partner in Europe:

- by creating opportunities for European lawyers to learn about law and legal practice in Scotland and about key legal issues in the UK, through academic and practical training;
- by building networks of lawyers across Europe committed to strengthening good governance and human rights.

The emphasis throughout the six-month programme, which runs from mid-January to mid-July, is on both practical and academic aspects of law. It aims to contribute to their continuing professional development by giving participants an in-depth understanding of the United Kingdom's legal systems, public as well as private. In addition to providing professional and intellectual stimulus, participants have opportunities to meet British lawyers, and they network extensively with members of their own group, frequently sharing accommodation and socialising together. This aspect of the programme contributes significantly to the creation of networks which are generally sustained long after participants have completed the programme.

The programme is run under funding from the Scottish Government, is managed by the School of Law of the University of Edinburgh and recruitment of candidates is handled by the European Lawyers Association (on which more detail is provided below). The programme comprises

- an academic component or components;
- placement(s) with solicitors in public or private practice, or with an in-house legal department in the public or private sector, an NGO or other relevant organisation;
- a mini-pupillage with an advocate (ie a practising member of the Scottish Bar) and, if possible, a week's experience with a Scottish judge.

Participants are matriculated in the University of Edinburgh with access to all student facilities (eg computing/ internet provision, libraries, sports and social activities). As far as possible placements are chosen to fit in with each participant's interests and/or specialism as demonstrated in their application form and CV.

Section 2 gives an overview of the programme.

This programme is modelled closely on the British Council's former European Young Lawyers Scheme, which began in London in the mid-1960s with lawyers from France and Germany, and in Edinburgh in 1975, and ran until 2006. It expanded by the mid-1990s to include young lawyers from many of the new European Union countries. The programme is now continued in an adapted form with funding from the Scottish Government.

The European Lawyers Association is an alumni association of the European Young Lawyers Scheme and was set up in 1985 with a view to maintaining the professional and social contacts established during the programme, and to build upon and further develop these links with past

and future participants and UK practitioners. It has around 450 members from 24 countries, and further information can be found at www.european-lawyers.org/. Participants on the Scheme automatically receive an invitation to join the ELA while they are in the UK.

2. The programme

The programme is managed by the School of Law of the University of Edinburgh: placements may be in either Edinburgh or Glasgow. Further information about the School of Law can be found at www.law.ed.ac.uk. Please note that the programme may be subject to changes.

Up to 12 lawyers take part in this programme.

The re-establishment in 1999 of a Scottish Parliament is having a significant impact on the Scottish legal system in various respects, although certain areas, such as company law and other areas of economic significance will remain the domain of the Westminster Parliament.

Part 1: First academic period - School of Law, University of Edinburgh (6 weeks)

Scots law is a mixed legal system, which means that it has elements of both English common law and European civil law systems, although in most respects it operates as a common law system. This six-week course aims to provide a broad, general overview of Scots law so as to give participants an understanding of its basic concepts and terminology. Topics include: the nature and structure of the Scottish legal profession; property law; trusts; commercial law; contract; delict; intellectual property; unjustified enrichment; company law; sale of goods; rights in security; criminal and civil procedure; and public law (constitutional law). Teaching is undertaken by members of the School of Law, with the support of some practitioners. Visits may be made to the Court of Session (the highest Court in Scotland) the Crown Office (ie the administration of the prosecution service) and other institutions.

Part 2: Solicitor's placement (7 weeks)

Participants are attached to one, or sometimes two, solicitors' firms or other legal offices, giving them opportunities to see at first hand how solicitors operate in the United Kingdom. Attachments are mainly with private firms, but some are also arranged in the public sector, for example with the prosecution service, or central or devolved government. Participants are encouraged and expected to participate by, for example, reading files, drafting documents, and attending consultations with clients. However, the work in which they are involved is a matter for the office that they are attached to, and varies from firm to firm. So far as possible, attachments are arranged within the fields of interest of each participant and are monitored by the Programme Director.

Reading week (1 week)

The participants and at least three members of academic staff will spend four nights at Firbush Point Field centre which is around 80 miles north of Edinburgh. The programme will include presentations and seminars from the participants as well as opportunities to take advantage of the wide range of outdoor activities available at this centre.

Part 3: Second academic period - School of Law, University of Edinburgh (2 weeks)

This part of the programme builds upon the first and second. Topics of study include: medical jurisprudence; international environmental law; and arbitration. Visits are made to the Office of the Industrial Tribunals, the Scottish Parliament, a prison, the Criminal Cases Review Commission.

Part 4: Advocates' placement (9 weeks)

Participants are attached to two members of the Faculty of Advocates (the Scots Bar) in Edinburgh, a Queen's Counsel (Senior Counsel) and a Junior Counsel. There are opportunities to study the cases with which the advocates are concerned, to attend consultations with solicitors

and clients, and to observe advocates as they appear before Courts and Tribunals. Participants may be assigned for a week to a judge of the Court of Session, the highest court in Scotland. There are also occasionally opportunities for participants to accompany advocates to London for cases being heard before the House of Lords, the highest civil court of the United Kingdom.

Diploma: On satisfactory completion of the programme participants receive a certificate of attendance issued by the University of Edinburgh.

3. European Lawyers Aptitude Test - Scotland

The European Lawyers Aptitude Test allows lawyers from countries of the European Union, Norway and Switzerland who are fully qualified in their own jurisdictions to qualify to practise in Scotland. Candidates are welcome to discuss this with the Director of the Edinburgh programme and/or to seek advice direct from the International Officer of the Law Society of Scotland (26 Drumsheugh Gardens, Edinburgh EH3 7YR. Tel:+44 (0) 131 226 7411; Fax: +44 (0) 131 225 2934 e-mail: lawscot@lawscot.org.uk). The Society's website is at www.lawscot.org.uk.

4. Recruitment profile

Candidates should normally:

- have successfully completed the academic stage of training (certification must be provided as part of each candidate's application)
- in the case of most countries, have completed any period of associate or partial practice necessary for full practising status
- be currently working in a field of the law, ordinarily resident in the EU and currently working within the EEA.
- have attained a standard of English language competence broadly equivalent to Band score 7.00 on the International English Language Testing Service (IELTS).
- Show a commitment to professional and social interaction with those participating in the programme and with lawyers in Scotland.

All candidates must indicate their commitment to take time out of their career to pursue the programme, and those assessing them will be looking for evidence of candidates' potential to become leaders in their field and future decision-makers.

5. Procedure for applications

All candidates must submit the following documents to their local European Lawyers Association representatives:

- a completed and signed Application Form
- copies of relevant certification (university and/or professional qualification certificate, professional examination certificates: school leaving examination certificates are not required)
- a full up-to-date *curriculum vitae*
- two supporting references. These should be translated into English where originally written in any other language.

The Curriculum Vitae is an important component of an applicant's documentation and is used in a number of ways by the European Lawyers Association and the Programme Director in Edinburgh

- to supplement the information requested on the application form and
- to assist in reaching an informed decision on the application to help to achieve placements in appropriate legal organisations.

It is therefore important that your CV reflects your areas of specialism and/or interest: for example, if you tell the Programme Director that you are interested in a placement relating to media law and there is no evidence in your CV of experience or interest in that field of law, it will not help your case.

Locally shortlisted candidates are invited to attend a selection interview in their home country. A panel (which normally consists of local representatives of the European Lawyers Association, and where possible a senior representative of the national professional regulatory body and others) uses the recruitment profile above to assess their suitability for the programme. The interview, in whole or in part, may be conducted in English.

On the basis of documentation and performance at interview, recommended candidates' papers are forwarded to the Board of the European Lawyers Association, where the final selection is made. This selection aims to ensure that participants chosen for the programme bring to it a range of nationalities, genders and backgrounds and experience which will support the networking aspects of the time spent together and encourage the sharing of different perspectives and views. In addition to those selected, a number of reserve participants are identified so that in the event of a first choice candidate having to withdraw from the programme, the vacant place can be filled quickly.

6. Practical information

Annexes A and B provide specific information about the forthcoming programme.

Preliminary arrangements Selected participants will be in regular contact with the University of Edinburgh and with the European Lawyers Association throughout the autumn preceding the programme to begin making all the practical arrangements for their time in the Scotland (e.g. all areas outlined below, plus preliminary reading, placements etc).

Residence Participants are expected to arrive in Edinburgh over the weekend before the programme begins. It is a condition of the award that participants remain in the UK throughout the programme.

Visa/Residence permit Please consult your local ELA representative for advice on visa requirements/regulations.

Medical clearance Almost all the countries represented on the Scheme have Reciprocal Health Agreements with the United Kingdom, but the provisions of these vary from country to country, and all participants are advised to take out comprehensive medical insurance before the beginning of the programme. It should be noted that dental treatment in the UK is expensive. Advice about registration with local doctors and other health-related matters is given to participants on arrival Edinburgh.

Accommodation Advice may be given to participants selected for the programme on how to find suitable accommodation. However, this can be a difficult task, and participants are advised to start making enquiries as soon as they can. Contact details are circulated to enable participants, if they so wish, to communicate with one another with a view to exploring opportunities for sharing accommodation.

Privacy The European Lawyers Association regards the lawful and correct treatment of personal information as important to the maintenance of confidence between it and those with whom it deals. We will ensure that our members, staff and those acting on our behalf who process personal information adhere to the principles of data protection.

Timetable for the 2009 programme

The timetable for recruitment and for the programme itself is subject to changes.

2008

May - July	Local selection process, including advertisement, application, shortlisting and interview. The exact timetable for this is determined by the local representatives of the European Lawyers Association
Mid August	Deadline for receipt of shortlisted applications by the Board of the European Lawyers Association
Late August	Final selection panel considers all applications on paper
Mid/Late August	Local ELA representatives advised of the outcomes by the Board of the European Lawyers Association
15 September	All candidates notified of the outcome of their applications by the local European Lawyers Association representatives
15 September latest	All selected candidates sent award letters by the Board of the European Lawyers Association
October – December	Pre-departure communications

2009

12 January	Programme begins
10 July	Programme ends

The award

The Scottish Government meets the cost of the 6 month professional programme for all participants (up to 12) in Edinburgh. This includes:

- Fees for study periods at the University of Edinburgh
- The management of the entire programme by staff at the University of Edinburgh

The European Lawyers Association expects candidates to seek financial support for their accommodation costs and living expenses from their employer or other interested parties.

The estimated cost of living in Edinburgh amounts to £600-700 per month.

Candidates should note that:

- The above figures can be used as a guide to the minimum costs of living in Edinburgh.
- Placement host firms do not make any contribution to the funding of the programme as a whole.
- Participants are not paid a salary by their placement firm(s).