

One of the objectives of the European Community is the creation of a well-functioning common market. This objective is also one of the ways which lead to the fulfillment of other important non-economic goals of the Community as expressed in Article 2 of the Treaty - a harmonious, balanced and sustainable development of economic activities, a high level of employment and of social protection, equality between men and women, sustainable and non-inflationary growth, a high degree of competitiveness and convergence of economic performance, a high level of protection and improvement of the quality of the environment, the raising of the standard of living and quality of life, and economic and social cohesion and solidarity among Member States.

The common market is being realized through basic Community freedoms – free movement of goods, persons, services and capital and payments.

The aim of this diploma thesis is to examine the legal profession as an inseparable component of liberalized economic relations throughout the Community. Throughout History, the legal profession has been viewed as a profession which is closely territorially connected to a given State and its legal order. Transnational legal practice is therefore a very ambitious idea and is worthy of a deep examination.

The free movement of lawyers is also an area which has not been explored as a separate issue very often. In world literature we find that the issue of the free movement of lawyers is usually dealt with as a part of chapters on freedom of establishment and freedom to provide services. Monographs on the free movement of lawyers have been written particularly by Hamish Adamson, Linda S. Spedding, Roger J. Goebel and Katarzyna Gromek-Broc. However, these monographs often lack an update and cannot be viewed as reflecting the current state of the free movement of lawyers.

Therefore, I assume that my thesis can prove to be a helpful instrument for orientation in the actual state of development of this undoubtedly fascinating field.

This diploma thesis can be divided into two main parts. In the first part I examine the sources of law in the field of the free movement of lawyers. In the second part I focus on a

practical impact of the European legislation on the national legal orders of three Member States.

In the opening chapter of this thesis I provide an outlook into the conceptual setting of the free movement of lawyers within the system of *acquis communautaire*.

In the following chapters I focus on secondary legislation concerning the topic, namely on directives: 77/249/EEC of 22 March 1977 to facilitate the effective exercise by lawyers of freedom to provide services, 89/48/EEC of 21 December 1988 on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration, 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications and 98/5/EC of the European Parliament and of the Council of 16 February 1998 to facilitate practice of the profession of lawyer on a permanent basis in a Member State other than that in which the qualification was obtained.

A part of each chapter concerning the secondary legislation forms a sub-chapter which provides an outlook into the relevant case-law of the ECJ, thereby facilitating comprehension and clarifying the system of above-mentioned directives.

Chapter IV is fully dedicated to the examination of implementing legislation in three Member States - Belgium, the Czech Republic and the United Kingdom. These countries were chosen in order to provide a representative sample of national legal systems of the 27 Member States.