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Notification No. B 40 — The Legal Profession (Amendment) Bill is published for general information. It was introduced in Parliament on 1 November 2021.

Legal Profession (Amendment) Bill

Bill No. 40/2021.

Read the first time on 1 November 2021.

A BILL

intituled

An Act to amend the Legal Profession Act.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1.—(1) This Act is the Legal Profession (Amendment) Act 2022 and, except for section 7, comes into operation on a date that the Minister appoints by notification in the *Gazette*.

5 (2) Section 7 is deemed to have come into operation on 18 November 2015.

Amendment of section 36P

2. Section 36P of the Legal Profession Act (called in this Act the principal Act) is amended by inserting, immediately after
10 subsection (1), the following subsections:

“(1A) However, a foreign lawyer granted full registration under this section may not, in any relevant proceedings or relevant appeal prescribed for the purpose of this subsection —

15 (a) plead any matter without the permission of the Singapore International Commercial Court or the appellate court, as the case may be; or

(b) make a submission on any matter of Singapore law, except as otherwise prescribed.

20 (1B) In considering whether to grant permission under subsection (1A)(a), the Singapore International Commercial Court or the appellate court (as the case may be) may take into account any relevant factor, including the prescribed factors.”.

Amendment of section 107

3. Section 107 of the principal Act is amended by inserting,
25 immediately after subsection (3A), the following subsection:

“(3AA) This section does not prevent a solicitor from entering into a conditional fee agreement that complies with Part 8A.”.

Amendment of section 111

4. Section 111 of the principal Act is amended by inserting,
30 immediately after subsection (2), the following subsection:

“(3) This section does not apply to an agreement which is a conditional fee agreement that complies with Part 8A.”.

Amendment of section 113

5. Section 113(8) of the principal Act is amended by deleting the words “guardian or of trustee under a deed or will, or of committee of any person or persons whose estate or property” and substituting the words “trustee under a deed or will, or of guardian or donee or deputy (as defined in section 2(1) of the Mental Capacity Act 2008) of a person who lacks capacity, and the estate or the property of the beneficiary or person”.

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New Part 8A

6. The principal Act is amended by inserting, immediately after section 115, the following Part:

“PART 8A

CONDITIONAL FEE AGREEMENTS

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Application and interpretation of this Part

115A.—(1) In this Part, unless the context otherwise requires —

“a solicitor, a foreign lawyer or a law practice entity” means a solicitor, a foreign lawyer or a law practice entity to whom or to which subsection (2) applies;

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“conditional fee agreement” means an agreement relating to the whole or any part of the remuneration and costs in respect of contentious proceedings (whether relating to proceedings in Singapore or any state or territory outside Singapore) conducted by a solicitor, a foreign lawyer or a law practice entity, which provides for the remuneration and costs or any part of them to be payable only in specified circumstances, and may provide for an uplift fee;

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“contentious proceedings” means proceedings before a court of justice or an arbitrator or any other dispute resolution proceedings;