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LEGAL PROFESSION ACT
(CHAPTER 161)

LEGAL PROFESSION
(LAW CORPORATION) (AMENDMENT)
RULES 2012

In exercise of the powers conferred by section 81N of the Legal Profession Act, the Minister for Law, after consulting the Council of the Law Society of Singapore, hereby makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Legal Profession (Law Corporation) (Amendment) Rules 2012 and shall come into operation on 1st June 2012.

New rule 1A

2. The Legal Profession (Law Corporation) Rules (R 21) (referred to in these Rules as the principal Rules) are amended by inserting, immediately after rule 1, the following rule:

“Definitions

1A.—(1) In these Rules, unless the context otherwise requires, “law firm” means a firm of solicitors and includes a sole proprietorship and a partnership of 2 or more solicitors, but does not include a limited liability law partnership.

(2) For the purposes of these Rules, a law corporation and a law firm (being a sole proprietorship) are related if —

- (a) every shareholder of the law corporation is the sole proprietor, a consultant or an employee of the law firm; and
- (b) every director, consultant or employee of the law corporation is the sole proprietor, a consultant or an employee of the law firm.

(3) For the purposes of these Rules, a law corporation and a law firm (being a partnership of 2 or more solicitors) are related if —

- (a) every shareholder of the law corporation is a partner, a consultant or an employee of the law firm; and
- (b) every director, consultant or employee of the law corporation is a partner, a consultant or an employee of the law firm.

(4) For the purposes of these Rules, a law corporation and a limited liability law partnership are related if —

- (a) either of the following applies:
 - (i) the limited liability law partnership is the sole shareholder of the law corporation; or
 - (ii) every shareholder of the law corporation is a partner, a consultant or an employee of the limited liability law partnership; and
- (b) every director, consultant or employee of the law corporation is a partner, a consultant or an employee of the limited liability law partnership.

(5) For the purposes of these Rules, 2 law corporations are related if —

- (a) either of the following applies:
 - (i) the first law corporation is the sole shareholder of the second law corporation; or
 - (ii) every shareholder of the second law corporation is either or both of the following:
 - (A) a shareholder of the first law corporation;
 - (B) a director, a consultant or an employee of the first law corporation; and
- (b) every director, consultant or employee of the second law corporation is a director, a consultant or an employee of the first law corporation.”.

New rules 10, 11, 12, 13, 14 and 15

3. The principal Rules are amended by inserting, immediately after rule 9, the following rules:

“Name of law corporation with related Singapore law practice

10.—(1) Section 81C(1)(b) of the Act shall not apply to the Council in any case to which paragraph (2) applies.

(2) The Council may approve, as the name or proposed name of a law corporation, a name which, in the Council’s opinion, is so similar to that of an existing Singapore law practice as to be likely to be confused with it, if the law corporation and the Singapore law practice are related.

Relationship between client and law corporation with related Singapore law practice

11. Subject to rule 15(5), section 81E(1) and (2) of the Act shall apply to a law corporation, and to every solicitor who is an officer or employee of the law corporation, except to the limited extent necessary to enable each such solicitor to practise concurrently in a Singapore law practice that is related to the law corporation.

Concurrent appointments in law corporation and in related Singapore law practice

12.—(1) Section 81F(3)(a) of the Act shall apply to a solicitor who is a director or an employee of a law corporation, except to the limited extent necessary to enable him to hold shares in another law corporation that is related to the law corporation.

(2) Section 81F(3)(b) of the Act shall not apply to a solicitor who holds concurrent appointments as a director, a consultant or an employee of a law corporation, and as a director, a consultant or an employee of another law corporation that is related to the law corporation.

(3) Section 81F(3)(c) of the Act shall not apply to a solicitor who holds concurrent appointments as a director or an employee of a law corporation, and as a partner, a consultant or an employee of a law firm or limited liability law partnership that is related to the law corporation.

(4) Section 81F(3)(d) of the Act shall not apply to a solicitor who holds concurrent appointments as a director or an employee of a law corporation and as the sole proprietor of a law firm that is related to the law corporation.

Holding of shares in law corporation with related Singapore law practice

13.—(1) For the purposes of section 81H(2) of the Act, all the shares in a law corporation may be held by another law corporation, or by a limited liability law partnership, that is related to the law corporation.

(2) Section 81H(4)(a) of the Act shall apply to a person who holds shares in a law corporation, except to the limited extent necessary to enable him to hold shares in another law corporation that is related to the law corporation.

(3) Section 81H(4)(b) of the Act shall not apply to a director, a consultant or an employee of a law corporation who holds shares in another law corporation that is related to the law corporation.

(4) Section 81H(4)(c) of the Act shall not apply to a partner, a consultant or an employee of a law firm or limited liability law partnership who holds shares in a law corporation that is related to the law firm or limited liability law partnership (as the case may be).

(5) Section 81H(4)(d) of the Act shall not apply to a sole proprietor of a law firm who holds shares in a law corporation that is related to the law firm.

Holding of shares in law corporation by foreign lawyer or foreign law practice

14.—(1) For the purposes of section 81H(2) of the Act, any of the following persons may hold shares in a law corporation:

(a) any foreign lawyer —

(i) who is registered under section 130I of the Act to practise Singapore law, or is registered under section 130K of the Act to practise foreign law, in the law corporation; and