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**LEGAL PROFESSION ACT
(CHAPTER 161)**

**LEGAL PROFESSION
(INTERNATIONAL SERVICES)
(AMENDMENT) RULES 2011**

In exercise of the powers conferred by section 130W of the Legal Profession Act, the Minister for Law, after consulting the Attorney-General, hereby makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Legal Profession (International Services) (Amendment) Rules 2011 and shall come into operation on 3rd May 2011.

Amendment of rule 4

2. Rule 4 of the Legal Profession (International Services) Rules 2008 (G.N. No. S 481/2008) (referred to in these Rules as the principal Rules) is amended by deleting paragraph (3) and substituting the following paragraph:

“(3) For the purposes of determining whether a solicitor or foreign lawyer satisfies the period of relevant legal expertise and experience required under paragraph (2), any period spent in attending any course of instruction, course of study or postgraduate education (not being a period spent to satisfy any applicable requirements relating to continuing professional development), and any period spent in serving any articles, period of pupillage, practice training period or other period of supervised training in relation to the practice of law (by whatever name called), shall be disregarded.”.

Amendment of rule 5**3. Rule 5 of the principal Rules is amended —**

(a) by deleting paragraph (2) and substituting the following paragraph:

“(2) A Joint Law Venture shall not practise Singapore law except —

(a) in the permitted areas of legal practice; and

(b) through —

(i) a solicitor who practises in the constituent Singapore law practice of the Joint Law Venture;

(ii) a solicitor registered under section 130N of the Act who practises in the Joint Law Venture or its constituent foreign law practice; or

(iii) a foreign lawyer registered under section 130I of the Act who practises in the Joint Law Venture, its constituent foreign law practice or its constituent Singapore law practice.”;

(b) by deleting paragraph (4) and substituting the following paragraph:

“(4) The number of solicitors registered under section 130N of the Act to practise Singapore law in a Joint Law Venture or its constituent foreign law practice shall not at any time exceed the total number of —

(a) foreign lawyers registered under section 130I of the Act to practise Singapore law in the Joint Law Venture;

(b) foreign lawyers registered under section 130K of the Act to practise foreign law in the Joint Law Venture; and

(c) solicitors registered under section 130O of the Act to practise foreign law in the Joint Law Venture.”;

(c) by inserting, immediately after paragraph (5), the following paragraph:

“(5A) The number of foreign lawyers registered under section 130I of the Act to practise Singapore law in the

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- constituent Singapore law practice of a Joint Law Venture shall not at any time exceed the total number of solicitors in active practice in the Singapore law practice.”; and
- (d) by deleting paragraphs (8) and (9) and substituting the following paragraphs:

“(8) A solicitor may concurrently be —

- (a) a partner or director of a Joint Law Venture;
- (b) a partner or director of its constituent Singapore law practice; and
- (c) a partner or director of its constituent foreign law practice.

(9) Subject to paragraph (8), no foreign lawyer shall concurrently be —

- (a) a partner, a director or an employee of the constituent Singapore law practice of a Joint Law Venture; and
- (b) a partner, a director or an employee of the Joint Law Venture or its constituent foreign law practice.”.

Amendment of rule 8

4. Rule 8 of the principal Rules is amended by deleting paragraph (2) and substituting the following paragraph:

“(2) For the purposes of determining whether a solicitor or foreign lawyer satisfies the period of relevant legal expertise and experience required under paragraph (1), any period spent in attending any course of instruction, course of study or postgraduate education (not being a period spent to satisfy any applicable requirements relating to continuing professional development), and any period spent in serving any articles, period of pupillage, practice training period or other period of supervised training in relation to the practice of law (by whatever name called), shall be disregarded.”.

Amendment of rule 9

5. Rule 9(2) of the principal Rules is amended by deleting “130J” in sub-paragraph (b) and substituting “130I”.

Amendment of rule 11

6. Rule 11 of the principal Rules is amended by deleting paragraphs (1) and (2) and substituting the following paragraphs:

“(1) A Qualifying Foreign Law Practice shall not practise Singapore law except —

- (a) in the permitted areas of legal practice; and
- (b) through a solicitor registered under section 130N of the Act, or a foreign lawyer registered under section 130I of the Act, who practises in the Qualifying Foreign Law Practice.

(2) The number of solicitors registered under section 130N of the Act to practise Singapore law in a Qualifying Foreign Law Practice shall not at any time exceed 4 times the total number of —

- (a) foreign lawyers registered under section 130I of the Act to practise Singapore law in the Qualifying Foreign Law Practice;
- (b) foreign lawyers registered under section 130K of the Act to practise foreign law in the Qualifying Foreign Law Practice; and
- (c) solicitors registered under section 130O of the Act to practise foreign law in the Qualifying Foreign Law Practice.”.

Amendment of rule 18

7. Rule 18(1) of the principal Rules is amended by inserting, immediately after the words “a director”, the words “, a consultant”.

Amendment of rule 19

8. Rule 19 of the principal Rules is amended by deleting paragraph (1) and substituting the following paragraph:

“(1) A foreign lawyer who is registered under section 130K of the Act may practise foreign law in or from Singapore in a Joint Law Venture, foreign law practice or Singapore law practice in which he is so registered to practise.”.

Deletion and substitution of rules 20 and 21

9. Rules 20 and 21 of the principal Rules are deleted and the following rules substituted therefor:

“Application for registration of foreign lawyer to practise Singapore law in Joint Law Venture, Qualifying Foreign Law Practice, licensed foreign law practice or Singapore law practice under section 130I of Act

20.—(1) Subject to paragraph (3), a foreign lawyer may apply for registration to practise Singapore law in a Joint Law Venture, Qualifying Foreign Law Practice, licensed foreign law practice or Singapore law practice under section 130I of the Act if he —

- (a) has attained the age of 21 years;
- (b) is of good character;
- (c) has passed the Foreign Practitioner Examinations conducted by the Institute;
- (d) is not the subject of any disciplinary proceedings as a solicitor or foreign lawyer in Singapore or elsewhere, and has not been previously disciplined for any disciplinary offence;
- (e) is not a party to any criminal or civil proceedings that may lead to disciplinary proceedings being taken against him as a solicitor or foreign lawyer in Singapore or elsewhere;
- (f) is not, as a result of any criminal or civil proceedings against him in Singapore or elsewhere, prohibited from practising law in Singapore or elsewhere or subject to any special conditions in the practice of law;
- (g) has been engaged in relevant legal practice or work, in Singapore or elsewhere, in one or more of the permitted areas of legal practice in any foreign law, for at least 3 years; and
- (h) satisfies the Attorney-General that he is a fit and proper person to be registered to practise Singapore law in Singapore in a Joint Law Venture, Qualifying Foreign Law Practice, licensed foreign law practice or Singapore law practice.

(2) For the purposes of determining whether a foreign lawyer has been engaged in relevant legal practice or work for at least 3 years, as required under paragraph (1)(g), any period spent