

Legal Profession (Professional Indemnity Insurance) Rules

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THE SCHEDULE Amount of Insurance Cover

Legislative History

LEGAL PROFESSION ACT (CHAPTER 161, SECTION 75A)

LEGAL PROFESSION (PROFESSIONAL INDEMNITY INSURANCE) RULES

[10th October 2000]

Citation

1. These Rules may be cited as the Legal Profession (Professional Indemnity Insurance) Rules.

Definition

1A. In these Rules, unless the context otherwise requires, “authorised insurer” means an insurance underwriter approved by the Council.

[S 695/2015 wef 18/11/2015]

Society may arrange for insurance scheme

2. The Council may make arrangements (in a representative capacity) with authorised insurers, on such terms and conditions and with such exceptions as the Council thinks fit, to establish a common insurance scheme determined by the Council for providing indemnity against loss arising from claims in respect of civil liability incurred by —

- (a) an advocate and solicitor or former advocate and solicitor in connection with his practice in any law firm, law corporation or limited liability law partnership, or with any trust of which he is or formerly was a trustee;

[S 662/2006 wef 01/01/2007]

- (b) an employee or former employee of —

- (i) an advocate and solicitor or a former advocate and solicitor in connection with the practice of that advocate and solicitor in any law firm or former law firm or with any trust of which that advocate and solicitor or the employee is or formerly was a trustee;

[S 662/2006 wef 01/01/2007]

- (ii) a law corporation or former law corporation in connection with its business of providing legal services or with any trust of which the law corporation or the employee is or formerly was a trustee; or

[S 662/2006 wef 01/01/2007]

- (iii) a limited liability law partnership or former limited liability law partnership in connection with its business of providing legal

services or with any trust of which the limited liability law partnership or the employee is or formerly was a trustee;

[S 662/2006 wef 01/01/2007]

- (c) a law corporation or former law corporation in connection with legal services provided by it or with any trust of which that law corporation is or formerly was a trustee; and

[S 662/2006 wef 01/01/2007]

- (d) a limited liability law partnership or former limited liability law partnership in connection with legal services provided by it or with any trust of which that limited liability law partnership is or formerly was a trustee.

[S 662/2006 wef 01/01/2007]

Requirement to take out insurance

3.—(1) Every advocate and solicitor who intends to apply for a practising certificate shall —

- (a) before making an application for the certificate, take out such insurance as is referred to in rule 2(a) with an authorised insurer for the amount of insurance cover required by rule 4; and

[S 386/2010 wef 01/04/2011]

- (b) maintain in force such insurance at all times during the period he has in force a practising certificate.

(2) Every law corporation shall take out and maintain in force at all times during the period in which it carries on its business of providing legal services such insurance as is referred to in rule 2(c) for the amount of insurance cover required by rule 4 with an authorised insurer.

[S 662/2006 wef 01/01/2007]

[S 386/2010 wef 01/04/2011]

(2A) Every limited liability law partnership shall take out and maintain in force at all times during the period in which it carries on its business of providing legal services such insurance as is referred to in rule 2(d) for the amount of insurance cover required by rule 4 with an authorised insurer.

[S 662/2006 wef 01/01/2007]

[S 386/2010 wef 01/04/2011]

(3) Every law corporation and limited liability law partnership, and every advocate and solicitor practising in a law firm (except a locum solicitor), that engages a locum solicitor shall —

- (a) take out insurance under the common insurance scheme referred to in rule 2 against loss arising from claims against such a law corporation or

limited liability law partnership, or such advocates and solicitors, in respect of civil liability incurred by the locum solicitor in connection with his practice in the law firm or the legal services provided by the law corporation or limited liability law partnership, as the case may be; and

[S 662/2006 wef 01/01/2007]

- (b) maintain in force such insurance at all times during the period the locum solicitor is engaged by the law firm in which the advocate and solicitor is practising or by the law corporation or limited liability law partnership, as the case may be.

[S 73/2005 wef 01/04/2005]

[S 662/2006 wef 01/01/2007]

(4) Nothing in this rule requires a locum solicitor to take out any insurance referred to in rule 2 in connection with his practice as a locum solicitor.

[S 73/2005 wef 01/04/2005]

(5) Every law corporation and limited liability law partnership, and every advocate and solicitor practising in a law firm, that employs a foreign lawyer or a solicitor who does not hold a practising certificate shall —

- (a) take out insurance under the common insurance scheme referred to in rule 2 against loss arising from claims against such a law corporation or limited liability law partnership, or such advocates and solicitors, in respect of civil liability incurred by the foreign lawyer or solicitor in connection with his practice in the law firm or the legal services provided by the law corporation or limited liability law partnership, as the case may be; and

[S 386/2010 wef 01/04/2011]

- (b) maintain in force such insurance at all times during the period the foreign lawyer or solicitor is employed by the law firm in which the advocate and solicitor is practising or by the law corporation or limited liability law partnership, as the case may be.

[S 662/2006 wef 01/01/2007]

[S 386/2010 wef 01/04/2011]

Amount of insurance cover

4.—(1) The amount of insurance cover shall be as specified in the Schedule.

[S 386/2010 wef 01/04/2011]

(2) The Council may determine whether any amount of insurance cover specified in the Schedule shall be inclusive of costs and expenses incurred in the defence or settlement of any claim in respect of civil liability incurred by the advocate and solicitor or law corporation or limited liability law partnership, as the case may be.

[S 662/2006 wef 01/01/2007]

[S 386/2010 wef 01/04/2011]