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GOVERNMENT GAZETTE

ACTS SUPPLEMENT

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The following Act was passed by Parliament on 14th February 2011 and assented to by the President on 28th February 2011:—

REPUBLIC OF SINGAPORE

No. 8 of 2011.

I assent.



S R NATHAN,
President.
28th February 2011.

An Act to amend the Legal Profession Act (Chapter 161 of the 2009 Revised Edition) and to make consequential and related amendments to the Singapore Academy of Law Act (Chapter 294A of the 1997 Revised Edition).

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

Short title and commencement

1. This Act may be cited as the Legal Profession (Amendment) Act 2011 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of long title

2. The long title to the Legal Profession Act (referred to in this Act as the principal Act) is amended by deleting the words “Board of Legal Education” and substituting the words “Singapore Institute of Legal Education”.

Amendment of section 2

3. Section 2 of the principal Act is amended —

(a) by deleting the definition of “Board” in subsection (1) and substituting the following definition:

““Board of Legal Education” means the Board of Legal Education established under section 3 in force immediately before the date of commencement of section 3(a) of the Legal Profession (Amendment) Act 2011;”;

(b) by inserting, immediately after the definition of “foreign lawyer” in subsection (1), the following definition:

““foreign practitioner certificate” means a certificate issued by the Attorney-General in respect of the registration of a foreign lawyer under section 130I;”;

(c) by inserting, immediately after the definition of “Inquiry Committee” in subsection (1), the following definition:

““Institute” means the Singapore Institute of Legal Education established under section 3;”;

(d) by deleting the definition of “Malayan practitioner” in subsection (1) and substituting the following definition:

““practice trainee” means a qualified person who is serving his practice training period;”;

- (e) by deleting the definition of “qualified person” in subsection (1) and substituting the following definition:

““qualified person” means any person who —

- (a) possesses such qualifications as the Minister may prescribe under subsection (2), or may deem under section 14(2) or (3) to be so prescribed, and satisfies such requirements as the Minister may prescribe under subsection (2);
 - (b) was approved by the Board of Legal Education as a qualified person under section 7 in force immediately before 9th October 2009; or
 - (c) is approved by the Minister as a qualified person under section 15A(1) in force immediately before the date of commencement of section 3(e) of the Legal Profession (Amendment) Act 2011 or under section 14(1);”;
- (f) by inserting, immediately after the definition of “Rules Committee” in subsection (1), the following definition:
- ““Senate” means the Senate of the Academy established under section 5 of the Singapore Academy of Law Act;”;
- (g) by deleting subsection (2) and substituting the following subsection:

“(2) For the purposes of the definition of “qualified person” in subsection (1), the Minister may, after consulting the Board of Directors of the Institute, make rules to prescribe the qualifications, education and training for, and any other requirements that must be satisfied by, persons seeking to be qualified persons under this Act.”; and

- (*h*) by deleting the word “Board” in subsection (3)(*a*) and (*d*) and substituting in each case the word “Institute”.

Repeal and re-enactment of Part II and new Part IIA

4. Part II of the principal Act is repealed and the following Parts substituted therefor:

“PART II

SINGAPORE INSTITUTE OF LEGAL EDUCATION

Establishment of Institute

3.—(1) There shall be established a body to be called the Singapore Institute of Legal Education.

(2) The Institute shall be a body corporate with perpetual succession and a common seal, and with powers subject to the provisions of this Act —

- (*a*) to sue and be sued in its corporate name;
- (*b*) to acquire and dispose of property, both movable and immovable; and
- (*c*) to do and perform such other acts as bodies corporate may by law perform.

Functions and powers of Institute

4.—(1) The functions of the Institute shall be as follows:

- (*a*) to maintain and improve the standards of legal education in Singapore and, in particular, to make recommendations to the appropriate authorities on the training and education required for the qualification of persons as qualified persons, and to review the implementation of initiatives, programmes and curricula relating to legal education in Singapore, including diploma, undergraduate and postgraduate programmes, and continuing professional development;
- (*b*) to register qualified persons seeking admission as advocates and solicitors;

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- (c) to provide for the training, education and examination, by the Institute or by any other body, of —
 - (i) qualified persons intending to practise the profession of law in Singapore; and
 - (ii) foreign lawyers intending to be registered by the Attorney-General under section 130I;
 - (d) to exercise supervision over practice trainees during their practice training periods;
 - (e) to exercise supervision over Singapore law practices and relevant legal officers as regards the supervised training in relation to the practice of Singapore law that is to be provided to a practice trainee during the practice training period;
 - (f) to certify whether any degree conferred by any institution of higher learning in or outside Singapore is a qualification prescribed by any rules made under section 2(2);
 - (g) to grant prizes and scholarships, and to establish and subsidise lectureships in educational institutions, in subjects of study relating to law;
 - (h) to determine the requirements relating to continuing professional development that must be satisfied by —
 - (i) advocates and solicitors; and
 - (ii) foreign lawyers registered by the Attorney-General under section 130I;
 - (i) to coordinate and exercise supervision over continuing professional development for the legal profession in Singapore, including the provision of courses and materials relating to continuing professional development; and
 - (j) to facilitate the development of Singapore as an international centre for legal education.