

Legal Profession (Amendment) Bill

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Bill No: 39/2001

Read the first time: 25th September 2001

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Expenditure of Public Money

Legal Profession (Amendment) Bill

Bill No. 39/2001

Read the first time on 25th September 2001.

An Act to amend the Legal Profession Act (Chapter 161 of the 2000 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 2001 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 5

2. Section 5 of the Legal Profession Act (referred to in this Act as the principal Act) is amended —

(a) by inserting, immediately after subsection (1), the following subsection:

“(1A) The Board may —

- (a) invest its moneys in such manner as it thinks fit, including the deposit of moneys with financial institutions and other business or professional bodies; and
- (b) engage in any financial activity or participate in any financial arrangement for the purpose of managing or hedging against any financial risk that arises or is likely to arise from such investment.”; and

(b) by inserting, immediately after the word “pupils” in subsection (3)(c), the words “keep dining terms and”.

Amendment of section 7

3. Section 7 of the principal Act is amended by deleting subsection (1) and substituting the following subsection:

“(1) The Board may, in its discretion, upon an application made to it by any person who is not otherwise entitled to become a qualified person but who, in the opinion of the Board, possesses such qualification or expertise as would contribute

to, promote or enhance the quality of legal services in Singapore or the economic or technological development of Singapore, approve the person as a qualified person for the purpose of this Act and issue to him a certificate to that effect.”.

Amendment of section 8

4. Section 8 of the principal Act is amended —

- (a) by inserting, immediately after paragraph (a) of subsection (1), the following paragraph:

“(aa) the President of the Society;”;

- (b) by deleting “5” in subsection (1)(c) and substituting “4”;
- (c) by inserting, immediately after the word “Attorney-General” in subsection (2), the words “, the President of the Society”;
- (d) by inserting, immediately after the word “Attorney-General” in the 1st line of subsection (3), the words “, the President of the Society”; and
- (e) by inserting, immediately after the word “Faculty” in the 4th line of subsection (3), the words “or the Council”.

Amendment of section 12

5. Section 12 of the principal Act is amended —

- (a) by inserting, immediately after the word “instruction” in subsection (1)(d), the words “and kept such dining terms”; and
- (b) by inserting, immediately after the word “instruction” in the 3rd line of subsection (2), the words “, keeping such dining terms”.

Amendment of section 14

6. Section 14 of the principal Act is amended —

- (a) by inserting, immediately after the word “Singapore” in subsection (3), the words “or of such other statutory board or authority as the Minister may prescribe”; and
- (b) by deleting the words “a maximum of 3 months’ pupillage” in the 2nd line of subsection (5) and substituting the words “pupillage, wholly or for such period as the Board thinks fit,”.

Amendment of section 26

7. Section 26 of the principal Act is amended by deleting subsections (3) and (4) and substituting the following subsections:

“(3) Subsection (1) shall not apply to —

- (a) a solicitor who is employed by the Society, the Board or any statutory board or authority;
- (b) a solicitor who is employed as a full-time member of the academic staff of any department of the National University of Singapore or of any department of law in any other institution of higher learning in Singapore and who has been so employed in either case for at least 3 continuous years; or
- (c) a State Counsel, Deputy Public Prosecutor or other legal officer of the government of any country or any territory of that country,

if the Attorney-General issues a certificate under his hand to the person and specifies therein the matters in which the person may appear and plead in courts of law.

(3A) Where the Attorney-General has issued a certificate to a solicitor under subsection (3)(a) or (b), the Registrar shall, upon the solicitor complying with the provisions of this Act, issue him a practising certificate specifying therein the matters in which he may appear and plead in courts of law and the conditions (if any) as contained in the Attorney-General’s certificate.

(3B) Where the Attorney-General has issued a certificate to a person under subsection (3)(c), the Registrar shall issue him a practising certificate specifying therein the matters in which he may appear and plead in courts of law and the conditions (if any) as contained in the Attorney-General’s certificate.

(3C) The Attorney-General may shorten the period referred to in subsection (3)(b) if he is satisfied that the solicitor has gained substantial experience in law for the purposes of that subsection.

(3D) Sections 72 and 73 shall not apply to a solicitor who has been issued with a certificate under subsection (3)(a) or (b).

(4) The other provisions of this Act shall not apply to a person who has been issued a certificate under subsection (3)(c).”.

Amendment of section 32

8. Section 32 (3) of the principal Act is amended by inserting, immediately after the word “partner” in the 4th line and “director” in the 5th line, the words “or consultant”.