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LEGAL PROFESSION ACT (CHAPTER 161)

LEGAL PROFESSION (PROFESSIONAL CONDUCT) (AMENDMENT) RULES 2017

In exercise of the powers conferred by section 71(2) of the Legal Profession Act, the Professional Conduct Council makes the following Rules:

Citation and commencement

1. These Rules are the Legal Profession (Professional Conduct) (Amendment) Rules 2017 and come into operation on 1 March 2017.

Amendment of rule 2

2. Rule 2(1) of the Legal Profession (Professional Conduct) Rules 2015 (G.N. No. S 706/2015) (called in these Rules the principal Rules) is amended —

(a) by inserting, immediately after the definition of “debt collection business”, the following definitions:

“ “dispute resolution proceedings” has the same meaning as in section 5B of the Civil Law Act (Cap. 43);

“funded party” has the same meaning as in section 5B of the Civil Law Act;” and

(b) by inserting, immediately after the definitions of “relevant appeal” and “relevant proceedings”, the following definitions:

“ “Third-Party Funder” has the same meaning as in section 5B of the Civil Law Act;

“third-party funding contract” has the same meaning as in section 5B of the Civil Law Act;”.

Amendment of rule 3

3. Rule 3 of the principal Rules is amended by inserting, immediately after paragraph (7), the following paragraph:

“(8) Part 5A applies —

(a) to the following legal practitioners:

(i) every solicitor who has in force a practising certificate or is registered under section 36F of the Act;

(ii) every person admitted under section 15 of the Act;

(iii) every regulated foreign lawyer;

(b) to every Singapore law practice; and

(c) to every other law practice licensed under the Act.”.

New rule 8A

4. The principal Rules are amended by inserting, immediately after rule 8, the following rule:

“Conduct of alternative dispute resolution process

8A.—(1) A legal practitioner must always be respectful of the alternative dispute resolution process and the adjudicator, mediator or other person conducting the process.

(2) A legal practitioner must always be courteous in the conduct or presentation of his or her client’s case in an alternative dispute resolution process.

(3) A legal practitioner must act in good faith throughout the alternative dispute resolution process.

(4) A legal practitioner must not knowingly mislead or attempt to mislead in any way an adjudicator, a mediator or other person conducting the alternative dispute resolution process.