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LEGAL PROFESSION ACT (CHAPTER 161)

LEGAL PROFESSION (DISCIPLINARY TRIBUNAL) (AMENDMENT) RULES 2015

In exercise of the powers conferred by sections 82A(14), 91(1) and 135(a) of the Legal Profession Act, we, the Rules Committee, make the following Rules:

Citation and commencement

1. These Rules may be cited as the Legal Profession (Disciplinary Tribunal) (Amendment) Rules 2015 and come into operation on 18 November 2015.

Amendment of rule 2

2. Rule 2 of the Legal Profession (Disciplinary Tribunal) Rules (R 2) (referred to in these Rules as the principal Rules) is amended —

- (a) by inserting, immediately after the words “Judge of the Supreme Court” in paragraph (b) of the definition of “complainant” in paragraph (1), the words “, Judicial Commissioner of the Supreme Court, Senior Judge of the Supreme Court or International Judge of the Supreme Court”;
- (b) by deleting the words “or a solicitor” in the definition of “complaint” in paragraph (1) and substituting the words “, a regulated legal practitioner or a regulated non-practitioner,”;
- (c) by deleting paragraph (a) of the definition of “complaint” in paragraph (1) and substituting the following paragraphs:

“(a) any information touching upon the conduct of a regulated legal practitioner that may be referred —

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- (i) by any Judge of the Supreme Court, Judicial Commissioner of the Supreme Court, Senior Judge of the Supreme Court or International Judge of the Supreme Court, the Attorney-General, the Director of Legal Services or the Institute under section 85(3); or
 - (ii) by the Council under section 85(2);
 - (aa) any information touching upon the conduct of a regulated non-practitioner that may be referred —
 - (i) by any Judge of the Supreme Court, Judicial Commissioner of the Supreme Court, Senior Judge of the Supreme Court or International Judge of the Supreme Court, the Attorney-General, the Director of Legal Services or the Institute under section 85(3) read with section 82B(3) or (4); or
 - (ii) by the Council under section 85(2) read with section 82B(3) or (4); and”;
 - (d) by deleting the definition of “law practice” in paragraph (1) and substituting the following definition:
 - “ “law practice” means any law practice entity other than a representative office;”;
 - (e) by deleting the words “or solicitor” in the definition of “respondent” in paragraph (1) and substituting the words “, regulated legal practitioner or regulated non-practitioner”; and
 - (f) by inserting, immediately after the words “to the Attorney-General,” in paragraph (2)(b), the words “a Deputy Attorney-General,”.

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

- (a) by deleting the words “a solicitor” in paragraph (1) and substituting the words “a regulated legal practitioner”;
- (b) by deleting the words “solicitor concerned” in paragraphs (1)(b)(i) and (v) to (x) and (2)(a) and (b) and substituting in each case the words “regulated legal practitioner”;
- (c) by deleting sub-paragraphs (ii), (iii) and (iv) of paragraph (1)(b) and substituting the following sub-paragraphs:

“(ii) such of the following as may be applicable:

(A) the name of the law practice at which the regulated legal practitioner practises or last practised in Singapore;

(B) if the regulated legal practitioner is a foreign lawyer who is registered under section 36D, the name of the Singapore law practice which the regulated legal practitioner is a director, partner or shareholder in, or shares in the profits of;

(iii) such of the following as may be applicable:

(A) the principal address and any other address or addresses at which the regulated legal practitioner practises or last practised in Singapore;

(B) if the regulated legal practitioner is a foreign lawyer who is registered under section 36D, the principal

address, and any other address or addresses, in Singapore of the Singapore law practice which the regulated legal practitioner is a director, partner or shareholder in, or shares in the profits of;

(iv) such of the following as may be applicable:

(A) the telephone and facsimile numbers of the office or offices at which the regulated legal practitioner practises or last practised in Singapore;

(B) if the regulated legal practitioner is a foreign lawyer who is registered under section 36D, the telephone and facsimile numbers of the office or offices in Singapore of the Singapore law practice which the regulated legal practitioner is a director, partner or shareholder in, or shares in the profits of;”;

(d) by deleting the words “6 copies” in paragraph (2) and substituting the words “5 copies”; and

(e) by inserting, immediately after paragraph (2), the following paragraphs:

“(3) Where the Council applies to the Chief Justice under section 89(1) read with section 82B(3) or (4) to appoint a Disciplinary Tribunal to hear and investigate a matter against a regulated non-practitioner, the Society must, within 2 working days after the date the Council makes the application —

(a) inform the Secretariat of the application to the Chief Justice; and

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- (b) provide the Secretariat with the following information:
- (i) the full name of the regulated non-practitioner;
 - (ii) the name of the law practice which the regulated non-practitioner is a director, partner or shareholder in, or shares in the profits of;
 - (iii) the principal address, and any other address or addresses, in Singapore of that law practice;
 - (iv) the telephone and facsimile numbers of the office or offices in Singapore of that law practice;
 - (v) the Singapore residential address or addresses of the regulated non-practitioner;
 - (vi) the Singapore residential telephone number or numbers of the regulated non-practitioner;
 - (vii) the electronic mail address or addresses of the regulated non-practitioner;
 - (viii) the identification number of the regulated non-practitioner;
 - (ix) the charge or charges against the regulated non-practitioner;
 - (x) the names of the members of any Review Committee or Inquiry Committee to which the matter against the regulated non-practitioner had been referred;
 - (xi) the name and contact particulars of the solicitor appointed to represent the