

Legal Profession (Foreign Representation in Singapore International Commercial Court) Rules 2014

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No. S 851

**LEGAL PROFESSION ACT
(CHAPTER 161)**

LEGAL PROFESSION
(FOREIGN REPRESENTATION IN
SINGAPORE INTERNATIONAL COMMERCIAL COURT)
RULES 2014

In exercise of the powers conferred by section 36Y of the Legal Profession Act, we, the Rules Committee, hereby make the following Rules:

PART 1

PRELIMINARY

Citation and commencement

1. These Rules may be cited as the Legal Profession (Foreign Representation in Singapore International Commercial Court) Rules 2014 and shall come into operation on 1 January 2015.

Definitions

2. In these Rules, unless the context otherwise requires —

“Code of Ethics” means the Code of Ethics set out in the First Schedule;

“conducting solicitor” means a solicitor appointed under section 36Q(7) or 36S(9)(c) or (10)(b) of the Act to conduct proceedings before a complaints committee;

“foreign registration authority” means a foreign authority having the function conferred by law of authorising or registering persons to practise law in a state or territory other than Singapore;

“Form” means a form set out, and so numbered, in the Second Schedule;

“full registration” means full registration under section 36P of the Act;

“offshore case” has the same meaning as in Order 110 of the Rules of Court (Cap. 322, R 5);

“pertinent proceedings” means any relevant proceedings under rule 3(2)(e) that are not also relevant proceedings under rule 3(2)(a), (b), (c) or (d);

“registered foreign lawyer” means a foreign lawyer registered under section 36P of the Act, and includes, for the purposes of rule 38(2), a foreign lawyer whose registration under section 36P of the Act is cancelled or suspended, or lapses,

after the commencement of proceedings under section 36S of the Act against the foreign lawyer;

“relevant appeal” and “relevant proceedings” have the same meanings as in section 36O(1) of the Act;

“restricted registration” means restricted registration under section 36P of the Act;

“Secretariat” means the Secretariat established by the Supreme Court to provide administrative support to a complaints committee;

“secretary” means the secretary of a complaints committee appointed by the Chief Justice under section 36S(7) of the Act;

“Singapore International Commercial Court” has the same meaning as in section 36O(1) of the Act.

Definitions of “relevant appeal” and “relevant proceedings” in section 36O(1) of Act

3.—(1) For the purposes of the definition of “relevant appeal” in section 36O(1) of the Act, a relevant appeal is any appeal to the Court of Appeal from any judgment given or order made by the Singapore International Commercial Court in any relevant proceedings.

(2) For the purposes of the definition of “relevant proceedings” in section 36O(1) of the Act, the following proceedings in the Singapore International Commercial Court are relevant proceedings:

- (a) a joint request, or an application, for a pre-action certificate under Order 110 of the Rules of Court (Cap. 322, R 5);
- (b) an offshore case;
- (c) an action —
 - (i) which was treated pursuant to Order 110 of the Rules of Court as an offshore case, but which the Singapore International Commercial Court has decided is not, or is no longer an offshore case; and
 - (ii) in which the Singapore International Commercial Court has allowed a party to continue to be represented by a registered foreign lawyer under Order 110, Rule 37(5)(b) of the Rules of Court;