

# **Legal Profession (International Services) (Amendment) Rules 2000**

## **Table of Contents**

### **Enacting Formula**

#### **1 Citation and commencement**

#### **2 Amendment of rule 3**

#### **3 New rules 3A to 3D**

#### **4 Amendment of rule 11**

#### **5 Amendment of rule 12**

#### **6 New rule 12A**

#### **7 Deletion and substitution of rule 13**

#### **8 Amendment of First Schedule**

#### **9 Amendment of Second Schedule**

**No. S 488**

### **LEGAL PROFESSION ACT (CHAPTER 161)**

### **LEGAL PROFESSION (INTERNATIONAL SERVICES) (AMENDMENT) RULES 2000**

In exercise of the powers conferred by sections 130I and 130J of the Legal Profession Act, the Minister for Law, after consulting the Attorney-General, hereby makes the following Rules:

## **Citation and commencement**

1. These Rules may be cited as the Legal Profession (International Services) (Amendment) Rules 2000 and shall come into operation on 1st November 2000.

## **Amendment of rule 3**

2. Rule 3 of the Legal Profession (International Services) Rules 2000 (G.N. No. S 236/2000) (referred to in these Rules as the principal Rules) is amended by deleting paragraph (4) and substituting the following paragraph:

“(4) A certificate of registration issued under paragraph (3) shall be valid for a period of 12, 24 or 36 months, as the Attorney-General may allow, from the date of its issue.”.

## **New rules 3A to 3D**

3. The principal Rules are amended by inserting, immediately after rule 3, the following rules:

### **“Eligibility to practise Singapore law**

**3A.—**(1) No foreign lawyer shall be registered to practise Singapore law unless he —

- (a) has attained the age of 21 years;
- (b) is of good character;
- (c) has been conferred —
  - (i) a degree specified in the First or Second Schedule of the Legal Profession (Qualified Persons) Rules (R 15) by an institution of higher learning specified in those Schedules; or
  - (ii) such other degree in law of equivalent standard by an institution of higher learning of equivalent standing acceptable to the Attorney-General;
- (d) is not the subject of any disciplinary proceedings in any jurisdiction and has not been previously disciplined for any disciplinary offence;
- (e) is not a party to any criminal or civil proceedings that may lead to disciplinary proceedings being taken against him in any jurisdiction;
- (f) is not prohibited from practising law in any jurisdiction and is not

subject to any special conditions in the practice of law as a result of any criminal or civil proceedings against him in any jurisdiction;

- (g) has at least 5 years of relevant legal expertise or experience in banking or finance work;
- (h) has attended such courses of education or instruction as may be required by the Attorney-General;
- (i) has taken and passed the qualifying examination specified in rule 3C or such other examination as the Attorney-General may require; and
- (j) satisfies the Attorney-General that he is a fit and proper person to be registered to practise Singapore law in Singapore.

“(2) The Attorney-General may exempt any foreign lawyer from all or any of the requirements in paragraph (1).

### **Panel of examiners**

**3B.**—(1) The qualifying examination referred to in rule 3A(1)(i) shall be administered and conducted by a panel of examiners which shall consist of —

- (a) the Attorney-General or his representative;
- (b) the Dean of the Faculty of Law of the National University of Singapore or his representative;
- (c) a member nominated by the Council who must be an advocate and solicitor of not less than 7 years’ standing; and
- (d) 2 other members nominated by the Attorney-General.

(2) The Attorney-General may appoint —

- (a) such other ad hoc panel of examiners;
- (b) a Secretary to the panel of examiners; and
- (c) such other officers to assist in the administration and conduct of the qualifying examination under these Rules,

as he may consider necessary.

### **Qualifying examination**

**3C.**—(1) Every foreign lawyer who intends to practise Singapore law in Singapore shall take and pass the qualifying examination referred to in

rule 3A(1)(i).

(2) The qualifying examination shall be conducted once a year in June on a date to be announced in advance not later than March of each year by the panel of examiners.

(3) Notwithstanding paragraph (2), the qualifying examination shall not be held if less than 5 applications have been received by the Secretary for that examination.

(4) The qualifying examination shall —

- (a) evaluate the competence of the applicant in the law of Singapore relating to banking, finance and corporate work; and
- (b) be in such format as the panel of examiners may determine.

(5) An application by a foreign lawyer to take the qualifying examination shall be made to the Secretary at least one month before the date of the examination and shall be accompanied by —

- (a) the appropriate fee; and
- (b) such documents as the Attorney-General may require.

(6) An applicant shall not be certified as having passed the qualifying examination unless he has —

- (a) obtained in that examination the minimum score determined by the Attorney-General for each component of the examination; and
- (b) obtained such score within 2 attempts at such examination, both attempts to be taken within 12 months of each other.

(7) The Secretary shall notify every applicant of the results of the qualifying examination.

(8) In this rule, “Secretary” means the Secretary to the panel of examiners appointed under rule 3B(2).

### **Scope of practice**

**3D.** Subject to section 130C(2) of the Act, a foreign lawyer who is registered to practise Singapore law under rule 3 shall only practise those areas of Singapore law relating to banking, finance or corporate work.”.

### **Amendment of rule 11**

**4. Rule 11 of the principal Rules is amended —**

- (a) by deleting the words “or foreign law firm” in paragraph (1) and substituting the words “, foreign law firm or Singapore law firm”;
- (b) by deleting paragraph (3) and substituting the following paragraph:

“(3) A certificate of registration issued under paragraph (2) shall be valid for a period of 12, 24 or 36 months, as the Attorney-General may allow, from the date of its issue.”; and
- (c) by inserting, immediately after the words “foreign law firm” in the 1st and in the 5th lines of paragraph (6), the words “or Singapore law firm”.

**Amendment of rule 12**

**5. Rule 12 of the principal Rules is amended —**

- (a) by deleting the word “and” at the end of paragraph (1)(d);
- (b) by deleting the words “in Singapore.” in sub-paragraph (e) of paragraph (1) and substituting the words “in a Singapore law firm; and”, and by inserting immediately thereafter the following sub-paragraph:

“(f) foreign lawyers registered to practise foreign law in a foreign law firm or a Joint Law Venture.”;
- (c) by deleting the comma immediately after the words “Joint Law Venture” in the 1st line of paragraph (3) and substituting the word “and”;
- (d) by inserting, immediately after the word “lawyers” in paragraph (3)(d), the word “working”;
- (e) by deleting the full-stop at the end of sub-paragraph (e) of paragraph (3) and substituting the words “working in the firm; and”, and by inserting immediately thereafter the following sub-paragraph:

“(f) the number of years of legal experience of any lawyer working in the firm.”; and
- (f) by inserting, immediately after paragraph (3), the following paragraph:

“(3A) Every Singapore law firm shall notify the Attorney-General in writing of any change in any of the following particulars within 7 days of such change:

  - (a) the number of foreign lawyers working in the firm;
  - (b) the name, nationality and designation of any foreign lawyer working in the firm; and