# **Legal Profession (Professional Conduct) Rules**

#### **Table of Contents**

1 Citation

### **Part I PRELIMINARY**

- 2 Application
- 3 Definitions

#### **Part II PRACTICE**

- **4 Description**
- 5 Practice in one law practice only
- 6 Professional stationery and signs, etc.
- 7 Arrangements during absence
- 8 Supervision of employees and staff
- 9 Sharing premises
- 10 Business, trade or calling
- 11 Executive appointment
- 11A Touting and referrals
- 11B Agreement for referrals
- 11C Notifications by locum solicitors
- 11D Knowing your client
- 11E Prohibition against anonymous accounts

- 11F Knowing your client's business relationship
- 11G Suspicious transaction reporting
- 11H Retention of records
- 11I Powers of inspection by Council

## Part III RELATIONSHIP AND DEALINGS WITH CLIENTS

- 12 Diligence and competence
- 13 Improper costs
- 14 Complete work in reasonable time
- 15 Inadequate time
- **16 Competence**
- 17 Keeping client informed
- 18 Receipt of client's moneys or securities
- 19 Statements of accounts
- 20 Responding to clients
- 21 Explanation to client
- 22 No advice for illegal purpose
- 23 Authority of client's agent
- 24 Confidentiality
- 25 Conflict of interest
- 26 Disclosure of interest

PDF created date on: 27 Feb 2022

- 27 Adverse interest
- 28 Potential conflict of interests
- 29 Not to act for both parties in dispute
- 30 Not to act against client's interests
- 31 Not to act against client
- 32 Definitions for purposes of rules 33 and 34
- 33 Prohibited borrowing transaction
- 34 Exempted borrowing transaction
- 35 Fees
- **36** Fees in contentious matters
- 37 Contingency fees prohibited
- 38 Gross overcharging
- 39 Unauthorised persons
- 40 Evaluation
- 41 Termination of retainer
- 42 Withdrawal
- 43 Fees chargeable in conflict situation
- 44 Dissolution of law practice
- 45 Purchases from client
- 46 Gift by will or inter vivos from client

- 47 Relationship with other advocates and solicitors
- 48 No communication with represented clients
- 49 Second opinion
- 50 Taking over brief
- 51 Professional undertaking
- 52 Responsibility for fees
- 53 Communications with other solicitors
- 53A Relations with third parties

#### Part IV CONDUCT OF PROCEEDINGS

- 54 Conduct of proceedings in client's interest
- **55 Duty to Court**
- 56 Not to mislead or deceive Court
- 57 Client's perjury or fraud
- 58 Duty to cease to act
- 59 Facts, arguments and allegations
- **60 Conduct of Court proceedings**
- 61 Scandalous or annoying statements or questions
- 62 No communication with witness under cross-examination
- 63 Communication with Court
- 64 Solicitor not to act if he is a witness

PDF created date on: 27 Feb 2022

- 65 Relationship with client or Court
- **66 Interviewing of witnesses**
- 67 Statements to press or media
- 68 Payments to witnesses
- 69 Letter of demand
- 70 Entering judgment by default
- 71 Allegations against another solicitor

## Part V DEFENDING ACCUSED PERSONS

- 72 Defending accused regardless of personal opinion
- 73 Duty of defence counsel
- 74 Confession by client
- 75 Advising client to plead
- 76 Absence from criminal trial
- 77 Continuing to act if accused absconds
- 78 Disclosure of previous convictions
- 79 Evidence from accused
- 80 Mitigation plea
- 81 Acting after conviction and sentence
- 82 Bail

PDF created date on: 27 Feb 2022