

Legal Profession (Publicity) Rules

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Legislative History

LEGAL PROFESSION ACT
(CHAPTER 161, SECTION 71(1))

LEGAL PROFESSION (PUBLICITY) RULES

R 13

G.N. No. S 533/1998

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[1st December 1998]

Citation

1. These Rules may be cited as the Legal Profession (Publicity) Rules.

PART I

PRELIMINARY

Definitions

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

“law firm” and “law practice” have the same meaning respectively, as in the Legal Profession (Professional Conduct) Rules (R 1);

“publicity” means any form of advertisement and includes any advertisement —

- (a) printed in any medium for the communication of information;
- (b) appearing in, communicated through or retrievable from, any mass medium, electronic or otherwise; or
- (c) contained in any medium for communication produced or for use by a firm,

and its derivatives, and “publicise”, “publicised” and “publicising” shall be construed accordingly.

Application

3. These Rules shall apply to every advocate and solicitor, whether he is practising as a principal in private practice or in partnership or association with, or in the employment of, another advocate and solicitor or in a law corporation or a limited liability law

partnership.

PART II

GENERAL PRINCIPLES

Publicity to be in accordance with these Rules

4. An advocate and solicitor may, subject to these Rules, publicise his practice or the practice of his law firm or a law corporation of which he is a director or an employee or a limited liability law partnership of which he is a partner or an employee, or allow the employees of the law corporation or limited liability law partnership or agents to do so.

General responsibilities

5.—(1) It shall be the responsibility of every advocate and solicitor to ensure that any publicity relating to his practice or the practice of his law firm or a law corporation of which he is a director or an employee or a limited liability law partnership of which he is a partner or an employee complies with these Rules, whether such publicity is conducted by him or by any other person on his behalf or on behalf of his law practice.

(2) Where an advocate and solicitor becomes aware of any impropriety in any publicity relating to his practice or the practice of his law firm or a law corporation of which he is a director or an employee or a limited liability law partnership of which he is a partner or an employee, it shall be his responsibility to use his best endeavour to procure the rectification or withdrawal of the publicity, and to prevent its recurrence.

(3) Where it appears to the Council that the publicity relating to the practice of any advocate and solicitor or law practice is contrary to any of the provisions of these Rules, the Council may, after making due inquiry into the matter, order the advocate and solicitor or law practice to alter, withdraw, remove or discontinue the publicity or cause the same to be altered, withdrawn, removed or discontinued.

(4) The responsibility of an advocate and solicitor under this rule shall not be capable of being delegated to any other person, whether or not that other person is also an advocate and solicitor.

(5) No publicity relating to the practice of any advocate and solicitor or law practice shall make use of the armorial bearings of the Law Society.

PART III

PUBLICITY WITHIN SINGAPORE

Responsibilities for publicity within Singapore

6.—(1) In publicising his practice or the practice of his law firm or a law corporation of which he is a director or an employee or a limited liability law partnership of which he is a partner or an employee within Singapore, an advocate and solicitor shall ensure that —

- (a) any claim to expertise or specialisation can be justified;
- (b) the publicity does not make any direct or indirect mention —
 - (i) of past cases in which or clients for whom the advocate and solicitor, his law practice or any member thereof had acted where the provision of such information will involve a breach of confidentiality owed to any client or former client; or
 - (ii) of the success rate of the advocate and solicitor, his law practice or any member thereof;
- (c) the publicity does not make any comparison or criticism in relation to the fees charged, or the quality of the services provided, by any other advocate and solicitor or law practice; and
- (d) where an advocate and solicitor who was practising in the law practice has been appointed to the judiciary, the publicity shall not make any reference to his appointment during the tenure of his office, except that nothing in this sub-paragraph shall be construed as prohibiting the inclusion of his name in the publicity where his name appears as the name of the law practice or forms part thereof.

(2) For the purposes of paragraph (1)(a), the following factors will be taken into account in justifying any claim to expertise or specialisation:

- (a) academic qualifications;
- (b) experience;
- (c) proportion of working time involved;
- (d) level of success achieved;
- (e) complexity of law and practice;
- (f) significance of the matters involving the advocate and solicitor or his law firm or a law corporation of which he is a director or an employee or a limited liability law partnership of which he is a partner or an employee;
- (g) assessment by peers; and