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LEGAL PROFESSION ACT (CHAPTER 161)

LEGAL PROFESSION (INTERNATIONAL SERVICES) (AMENDMENT) RULES 2015

In exercise of the powers conferred by section 130W of the Legal Profession Act, the Minister for Law, after consulting the Attorney-General, makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Legal Profession (International Services) (Amendment) Rules 2015 and come into operation on 15 May 2015.

New rule 1A

2. The Legal Profession (International Services) Rules 2008 (G.N. No. S 481/2008) (referred to in these Rules as the principal Rules) are amended by inserting, immediately after rule 1, the following rule:

“Definitions

1A. In these Rules, unless the context otherwise requires, “relevant appeal”, “relevant proceedings” and “Singapore International Commercial Court” have the same meanings as in section 36O(1) of the Act.”.

Amendment of rule 5

3. Rule 5 of the principal Rules is amended —

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

“(2A) Despite paragraph (2), a Joint Law Venture may do all or any of the following through an individual in paragraph (2B):

- (a) appear and plead in any relevant proceedings;
- (b) appear and plead in the Court of Appeal in any relevant appeal;
- (c) represent any party to any relevant proceedings or relevant appeal in any matter concerning those proceedings or in that appeal (as the case may be);
- (d) give advice, prepare documents and provide any other assistance in relation to or arising out of any relevant proceedings or relevant appeal.

(2B) For the purposes of paragraph (2A), the individual is —

- (a) a solicitor who practises in the constituent Singapore law practice of the Joint Law Venture;
- (b) a solicitor registered under section 130N of the Act who practises in the Joint Law Venture or its constituent foreign law practice; or
- (c) a foreign lawyer granted full registration under section 36P of the Act who —
 - (i) is also registered under section 130I or 130K of the Act; and
 - (ii) practises in the Joint Law Venture, its constituent foreign law practice or its constituent Singapore law practice.

(2C) Despite paragraph (2), a Joint Law Venture may do all or any of the following through a foreign lawyer granted restricted registration under section 36P of the Act who is also registered under section 130I or 130K of the Act and practises in the Joint Law Venture, its

constituent foreign law practice or its constituent Singapore law practice:

- (a) appear in any relevant proceedings, solely for the purposes of making submissions on such matters of foreign law as are permitted by the Singapore International Commercial Court, or the Court of Appeal, in accordance with the Rules of Court;
 - (b) appear in the Court of Appeal in any relevant appeal, solely for the purposes of making submissions on such matters of foreign law as are permitted by the Singapore International Commercial Court, or the Court of Appeal, in accordance with the Rules of Court;
 - (c) give advice and prepare documents, solely for the purposes of making submissions, in any relevant proceedings or relevant appeal, on such matters of foreign law as are permitted by the Singapore International Commercial Court, or the Court of Appeal, in accordance with the Rules of Court.”; and
- (b) by inserting, immediately after the word “Singapore” in paragraph (3), the words “, or do all or any of the things referred to in paragraphs (2A)(a) to (d) and (2C)(a) to (c),”.

Amendment of rule 11

4. Rule 11 of the principal Rules is amended by inserting, immediately after paragraph (1), the following paragraphs:

“(1A) Despite paragraph (1), a Qualifying Foreign Law Practice may do all or any of the following through an individual in paragraph (1B):

- (a) appear and plead in any relevant proceedings;
- (b) appear and plead in the Court of Appeal in any relevant appeal;

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- (c) represent any party to any relevant proceedings or relevant appeal in any matter concerning those proceedings or in that appeal (as the case may be);
 - (d) give advice, prepare documents and provide any other assistance in relation to or arising out of any relevant proceedings or relevant appeal.
- (1B) For the purposes of paragraph (1A), the individual is —
- (a) a solicitor registered under section 130N of the Act who practises in the Qualifying Foreign Law Practice; or
 - (b) a foreign lawyer granted full registration under section 36P of the Act who —
 - (i) is also registered under section 130I or 130K of the Act; and
 - (ii) practises in the Qualifying Foreign Law Practice.
- (1C) Despite paragraph (1), a Qualifying Foreign Law Practice may do all or any of the following through a foreign lawyer granted restricted registration under section 36P of the Act who is also registered under section 130I or 130K of the Act and practises in the Qualifying Foreign Law Practice:
- (a) appear in any relevant proceedings, solely for the purposes of making submissions on such matters of foreign law as are permitted by the Singapore International Commercial Court, or the Court of Appeal, in accordance with the Rules of Court;
 - (b) appear in the Court of Appeal in any relevant appeal, solely for the purposes of making submissions on such matters of foreign law as are permitted by the Singapore International Commercial Court, or the Court of Appeal, in accordance with the Rules of Court;
 - (c) give advice and prepare documents, solely for the purposes of making submissions, in any relevant proceedings or relevant appeal, on such matters of foreign law as are permitted by the Singapore

International Commercial Court, or the Court of Appeal, in accordance with the Rules of Court.”.

Amendment of rule 14

5. Rule 14 of the principal Rules is amended —

- (a) by deleting the words “paragraph (6B)” in paragraphs (1) and (2) and substituting in each case the words “paragraphs (6B) to (6E)”;
- (b) by deleting the words “notwithstanding paragraphs (1) and (2)” in paragraph (6B)(b) and (c) and substituting in each case the words “despite paragraphs (1), (2) and (6)”;
- (c) by inserting, immediately after paragraph (6B), the following paragraphs:

“(6C) Despite paragraphs (1), (2) and (6), a licensed foreign law practice may do all or any of the following through an individual in paragraph (6D):

- (a) appear and plead in any relevant proceedings;
- (b) appear and plead in the Court of Appeal in any relevant appeal;
- (c) represent any party to any relevant proceedings or relevant appeal in any matter concerning those proceedings or in that appeal (as the case may be);
- (d) give advice, prepare documents and provide any other assistance in relation to or arising out of any relevant proceedings or relevant appeal.

(6D) For the purposes of paragraph (6C), the individual is —

- (a) a solicitor registered under section 130N of the Act who practises in the licensed foreign law practice; or
- (b) a foreign lawyer granted full registration under section 36P of the Act who —

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- (i) is also registered under section 130I or 130K of the Act; and
 - (ii) practises in the licensed foreign law practice.

(6E) Despite paragraphs (1), (2) and (6), a licensed foreign law practice may do all or any of the following through a foreign lawyer granted restricted registration under section 36P of the Act who is also registered under section 130I or 130K of the Act and practises in the licensed foreign law practice:

- (a) appear in any relevant proceedings, solely for the purposes of making submissions on such matters of foreign law as are permitted by the Singapore International Commercial Court, or the Court of Appeal, in accordance with the Rules of Court;
- (b) appear in the Court of Appeal in any relevant appeal, solely for the purposes of making submissions on such matters of foreign law as are permitted by the Singapore International Commercial Court, or the Court of Appeal, in accordance with the Rules of Court;
- (c) give advice and prepare documents, solely for the purposes of making submissions, in any relevant proceedings or relevant appeal, on such matters of foreign law as are permitted by the Singapore International Commercial Court, or the Court of Appeal, in accordance with the Rules of Court.”.

Amendment of rule 19

6. Rule 19 of the principal Rules is amended by inserting, immediately after paragraph (1), the following paragraphs:

“(1A) Despite paragraph (1), a foreign lawyer who is registered under section 130K of the Act, and is also granted full

registration under section 36P of the Act, may do all or any of the following in a Joint Law Venture, foreign law practice or Singapore law practice in which he is so registered to practise:

- (a) appear and plead in any relevant proceedings;
- (b) appear and plead in the Court of Appeal in any relevant appeal;
- (c) represent any party to any relevant proceedings or relevant appeal in any matter concerning those proceedings or in that appeal (as the case may be);
- (d) give advice, prepare documents and provide any other assistance in relation to or arising out of any relevant proceedings or relevant appeal.

(1B) Despite paragraph (1), a foreign lawyer who is registered under section 130K of the Act, and is also granted restricted registration under section 36P of the Act, may do all or any of the following in a Joint Law Venture, foreign law practice or Singapore law practice in which he is so registered to practise:

- (a) appear in any relevant proceedings, solely for the purposes of making submissions on such matters of foreign law as are permitted by the Singapore International Commercial Court, or the Court of Appeal, in accordance with the Rules of Court;
- (b) appear in the Court of Appeal in any relevant appeal, solely for the purposes of making submissions on such matters of foreign law as are permitted by the Singapore International Commercial Court, or the Court of Appeal, in accordance with the Rules of Court;
- (c) give advice and prepare documents, solely for the purposes of making submissions, in any relevant proceedings or relevant appeal, on such matters of foreign law as are permitted by the Singapore International Commercial Court, or the Court of Appeal, in accordance with the Rules of Court.”.

Amendment of rule 21

7. Rule 21 of the principal Rules is amended by inserting, immediately after paragraph (1), the following paragraphs:

“(1A) Despite paragraph (1), a foreign lawyer who is registered under section 130I of the Act, and is also granted full registration under section 36P of the Act, may do all or any of the following in a Joint Law Venture, Qualifying Foreign Law Practice, licensed foreign law practice or Singapore law practice:

- (a) appear and plead in any relevant proceedings;
- (b) appear and plead in the Court of Appeal in any relevant appeal;
- (c) represent any party to any relevant proceedings or relevant appeal in any matter concerning those proceedings or in that appeal (as the case may be);
- (d) give advice, prepare documents and provide any other assistance in relation to or arising out of any relevant proceedings or relevant appeal.

(1B) Despite paragraph (1), a foreign lawyer who is registered under section 130I of the Act, and is also granted restricted registration under section 36P of the Act, may do all or any of the following in a Joint Law Venture, Qualifying Foreign Law Practice, licensed foreign law practice or Singapore law practice:

- (a) appear in any relevant proceedings, solely for the purposes of making submissions on such matters of foreign law as are permitted by the Singapore International Commercial Court, or the Court of Appeal, in accordance with the Rules of Court;
- (b) appear in the Court of Appeal in any relevant appeal, solely for the purposes of making submissions on such matters of foreign law as are permitted by the Singapore International Commercial Court, or the Court of Appeal, in accordance with the Rules of Court;
- (c) give advice and prepare documents, solely for the purposes of making submissions, in any relevant

proceedings or relevant appeal, on such matters of foreign law as are permitted by the Singapore International Commercial Court, or the Court of Appeal, in accordance with the Rules of Court.”.

Amendment of rule 30

8. Rule 30 of the principal Rules is amended —

- (a) by deleting the word “and” at the end of paragraph (1)(a)(ii);
- (b) by deleting the full-stop at the end of sub-paragraph (b) of paragraph (1) and substituting the word “; and”, and by inserting immediately thereafter the following sub-paragraph:

“(c) despite sub-paragraph (a), do all or any of the following in a Joint Law Venture or its constituent foreign law practice, a Qualifying Foreign Law Practice or a licensed foreign law practice in which he is so registered to practise:

- (i) appear and plead in any relevant proceedings;
 - (ii) appear and plead in the Court of Appeal in any relevant appeal;
 - (iii) represent any party to any relevant proceedings or relevant appeal in any matter concerning those proceedings or in that appeal (as the case may be);
 - (iv) give advice, prepare documents and provide any other assistance in relation to or arising out of any relevant proceedings or relevant appeal.”; and
- (c) by inserting, immediately after the words “practise Singapore law” in paragraph (2), the words “, and do all or any of the things referred to in paragraph (1)(c)(i) to (iv),”.

Made on 11 May 2015.

NG HOW YUE
*Permanent Secretary,
Ministry of Law,
Singapore.*

[LAW 32/001/8.15 Vol. 13; AG/LEGIS/SL/161/2015/6 Vol. 1]

(To be presented to Parliament under section 131 of the Legal Profession Act).