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**No. S 383**

LEGAL PROFESSION ACT  
(CHAPTER 161)

LEGAL PROFESSION  
(REPRESENTATION IN SINGAPORE  
INTERNATIONAL COMMERCIAL COURT)  
(AMENDMENT) RULES 2021

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

**Citation and commencement**

1. These Rules are the Legal Profession (Representation in Singapore International Commercial Court) (Amendment) Rules 2021 and come into operation on 28 June 2021.

**Amendment of First Schedule**

2. The First Schedule to the Legal Profession (Representation in Singapore International Commercial Court) Rules 2014 (G.N. No. S 851/2014) is amended —

(a) by inserting, immediately after the definition of “registered foreign lawyer” in paragraph 2, the following definitions:

““Third-Party Funder” has the meaning given by section 5B(10) of the Civil Law Act (Cap. 43);

“third-party funding contract” has the meaning given by section 5B(10) of the Civil Law Act;”;

(b) by inserting, immediately after paragraph 4, the following paragraphs:

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**“Disclosure of third-party funding**

4A.—(1) When conducting any relevant proceedings or relevant appeal before the Court, a registered foreign lawyer must disclose to the Court, and to every other party to the proceedings or appeal —

- (a) the existence of any third-party funding contract related to the costs of the proceedings or appeal; and
  - (b) the identity and address of any Third-Party Funder involved in funding the costs of the proceedings or appeal.
- (2) The disclosure under sub-paragraph (1) must be made —
- (a) on the date of commencement of the relevant proceedings or relevant appeal where the third-party funding contract is entered into before the date of commencement of those proceedings or that appeal; or
  - (b) as soon as practicable after the third-party funding contract is entered into where the third-party funding contract is entered into on or after the date of commencement of the relevant proceedings or relevant appeal.

**Prohibition against financial and other interests in Third-Party Funder**

4B.—(1) A registered foreign lawyer must not, directly or indirectly, hold any share or other ownership interest in a Third-Party Funder if —

- (a) the registered foreign lawyer represents a client in any relevant proceedings or any relevant appeal; and
- (b) that client has a third-party funding contract with the Third-Party Funder in relation to such proceedings or appeal.

*Illustration*

Where a registered foreign lawyer directly holds a share or other ownership interest in the law practice of which he or she is a member and that law practice in turn holds a share or other ownership interest in the Third-Party Funder, the registered foreign lawyer indirectly holds an ownership interest in the Third-Party Funder.

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(2) A registered foreign lawyer must not, directly or indirectly, receive any commission, fee or share of proceeds from the Third-Party Funder mentioned in sub-paragraph (1).

*Illustration*

Where the law practice, of which a registered foreign lawyer is a member, receives a commission, fee or share of proceeds from the Third-Party Funder and that law practice passes on the benefits from such commission, fee or share of proceeds to the registered foreign lawyer through a share of the profits of the practice, dividends or other remuneration, the registered foreign lawyer indirectly receives that commission, fee or share of proceeds from that Third-Party Funder.

(3) Sub-paragraph (2) does not prohibit a registered foreign lawyer from receiving any fee, disbursement or expense payable by the client mentioned in sub-paragraph (1) for the provision of legal services by the registered foreign lawyer or the law practice of which the registered foreign lawyer is a member to that client.”; and

(c) by deleting the words “paragraph (1)” in paragraph 7(3) and substituting the words “sub-paragraph (1)”.

*[G.N. Nos. S 277/2015; S 691/2015; S 696/2018;  
S 1041/2020]*

Made on 15 June 2021.

SUNDARESH MENON  
*Chief Justice.*

LUCIEN WONG  
*Attorney-General.*

TAY YONG KWANG  
*Justice of the Court of Appeal.*

STEVEN CHONG  
*Justice of the Court of Appeal.*

BELINDA ANG SAW EAN  
*Judge of the Appellate Division.*

QUENTIN LOH  
*Judge of the Appellate Division.*

VINODH COOMARASWAMY  
*Judge.*

VINCENT HOONG SENG LEI  
*Presiding Judge of the State Courts.*

CHRISTOPHER TAN PHENG WEE  
*District Judge and Registrar of the  
State Courts.*

FRANCIS XAVIER, SC  
*Advocate and Solicitor.*

KUAH BOON THENG, SC  
*Advocate and Solicitor.*

[SUPCT.RNJ.009.0200; LAW 32/006/070;  
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(To be presented to Parliament under section 185 of the Legal  
Profession Act).