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No. S 630

LEGAL PROFESSION ACT
(CHAPTER 161)

LEGAL PROFESSION
(MODIFIED APPLICATION OF ACT FOR
INTERNATIONAL SERVICES) (AMENDMENT NO. 2)
RULES 2011

In exercise of the powers conferred by sections 74(3), 75B(3) and 130W(2)(x) 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 (Modified Application of Act for International Services) (Amendment No. 2) Rules 2011 and shall come into operation on 25th November 2011.

Amendment of Fifth Schedule

2. The Fifth Schedule to the Legal Profession (Modified Application of Act for International Services) Rules 2011 (G.N. No. S 242/2011) is amended —

- (a) by deleting the word “A” in paragraph 3(1B) and substituting the words “Subject to rule 17, a”;
- (b) by deleting the words “withdrawn by the Singapore solicitor from his conveyancing account” in paragraph 4(f) and substituting the words “received by the Singapore solicitor”;
- (c) by inserting, immediately after the words “client’s money” in paragraph 7(1)(a), the words “and, where the practitioner is a Singapore solicitor, in the case of any money paid into the client account under rule 4(e) or (f), or any conveyancing money or anticipatory conveyancing money deposited into the client account before 1st August 2011 which continues to be held in the client account under rule 17(1)(a)”;

(d) by inserting, immediately after paragraph 16, the following paragraph:

“Transitional and savings provisions for conveyancing money or anticipatory conveyancing money deposited into client account of Singapore solicitor before 1st August 2011

17.—(1) Notwithstanding anything in these Rules or in Part II of the Conveyancing Rules, a Singapore solicitor may continue to hold any conveyancing money or anticipatory conveyancing money that is deposited into his client account before 1st August 2011 —

- (a) in any case where the money is unclaimed conveyancing money, in accordance with these Rules, until the money is drawn from the client account; or
- (b) in any other case, for a period of 5 months beginning on 1st August 2011.

(2) For a period of 5 months beginning on 1st August 2011 —

- (a) rules 2(1), 3 to 6, 7(1), 9(3), 10, 11 and 11A(8) of these Rules in force on or after 1st August 2011 shall not apply to a Singapore solicitor in respect of any holding by him of any conveyancing money or anticipatory conveyancing money referred to in paragraph (1); and
- (b) rules 2(1), 3 to 6, 7(1), 9(3), 10, 11, 11A(8) and 11B of these Rules in force immediately before 1st August 2011 shall continue to apply to that Singapore solicitor, in respect of that holding by him of the money.

(3) In this rule, “unclaimed conveyancing money” means any conveyancing money or anticipatory conveyancing money deposited into a Singapore solicitor’s client account before 1st August 2011 which the Singapore solicitor is unable to pay to the person entitled to be paid the money by reason that —

- (a) the Singapore solicitor is unable to ascertain —
 - (i) whether that person exists; or
 - (ii) the address of that person;
- (b) the Singapore solicitor has tendered to that person, but that person has not accepted, the money;
- (c) the Singapore solicitor has tendered the money to that person by a cheque, but that person has not encashed the cheque; or
- (d) despite the making of reasonable efforts, the Singapore solicitor is unable to tender the money to that person.”.

[G.N. Nos. S 252/2011; S 436/2011]

Made this 24th day of November 2011.

PANG KIN KEONG
*Permanent Secretary,
Ministry of Law,
Singapore.*

[LAW 32/001/8.21 Vol. 2; AG/LLRD/SL/161/2010/13 Vol. 2]

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