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**No. S 630**

LEGAL PROFESSION ACT  
(CHAPTER 161)

LEGAL PROFESSION (CONTINUING PROFESSIONAL  
DEVELOPMENT) (AMENDMENT) RULES 2016

In exercise of the powers conferred by section 10(1) and (2) of the Legal Profession Act, the Board of Directors of the Singapore Institute of Legal Education, after consulting the Minister for Law and the Council of the Law Society of Singapore, makes the following Rules:

**Citation and commencement**

1. These Rules are the Legal Profession (Continuing Professional Development) (Amendment) Rules 2016 and come into operation on 1 January 2017.

**Amendment of rule 2**

2. Rule 2 of the Legal Profession (Continuing Professional Development) Rules 2012 (G.N. No. S 115/2012) (called in these Rules the principal Rules) is amended —

- (a) by inserting, immediately after the words “Accreditation Committee” in the definition of “accredited CPD activity”, the words “or by the Director under rule 4A”;
- (b) by inserting, immediately after the word “solicitor” in paragraph (a) of the definition of “CPD activity”, the words “or foreign practitioner”;
- (c) by inserting, immediately after the word “solicitor” in the definition of “CPD point”, the words “or foreign practitioner”;

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- (d) by inserting, immediately after the definition of “Director”, the following definition:
- ““foreign practitioner” means a foreign lawyer who is registered under section 36B of the Act;”;
- (e) by deleting the words “or in the School of Law of the Singapore Management University” in paragraph (a) of the definition of “pro bono programme for law students” and substituting the words “the School of Law of the Singapore Management University or the School of Law of the SIM University”;
- (f) by inserting, immediately after the word “solicitor” in paragraph (b) of the definition of “pro bono programme for law students”, the words “or foreign practitioner”;
- (g) by deleting the semi-colon at the end of the definition of “Programmes Committee” and substituting a full-stop; and
- (h) by deleting the definition of “relevant solicitor”.

### **Amendment of rule 3**

#### **3. Rule 3 of the principal Rules is amended —**

- (a) by deleting the word “or” at the end of paragraph (1)(f);
- (b) by deleting the words “relevant solicitor” in paragraph (1)(g) and substituting the word “solicitor”;
- (c) by deleting the full-stop at the end of sub-paragraph (g) of paragraph (1) and substituting the word “; or”, and by inserting immediately thereafter the following sub-paragraph:
- “(h) in the case of a foreign practitioner, speaking or teaching at or participating in a panel discussion in any conference, lecture, seminar or workshop that satisfies the requirements under paragraphs (3) and (4A).”;

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- (d) by inserting, immediately after the word “solicitor” in paragraphs (2)(c), (2A)(b) and (4A)(c), the words “or foreign practitioner”;
  - (e) by inserting, immediately after the word “solicitor’s” in paragraphs (2)(c), (2A)(b)(vi) and (4A)(c), the words “or foreign practitioner’s”;
  - (f) by deleting the words “or (g)” in paragraph (3) and substituting the words “, (g) or (h)”;
  - (g) by inserting, immediately after the words “paragraph (1)(g)” in paragraph (4A), the words “or (h)”.

#### **Amendment of rule 5**

4. Rule 5(1) of the principal Rules is amended by inserting, immediately after the word “solicitor” wherever it appears in sub-paragraphs (b), (c) and (d), the words “or foreign practitioner”.

#### **Amendment of rule 6**

5. Rule 6(1) of the principal Rules is amended —

- (a) by inserting, immediately after the word “solicitors” wherever it appears in sub-paragraph (a), the words “or foreign practitioners”; and
- (b) by deleting sub-paragraph (c) and substituting the following sub-paragraph:
  - “(c) to determine whether any CPD activity should be designated as a mandatory CPD activity for the purposes of rule 9(1)(a) or (2)(a), either for solicitors or foreign practitioners in general or for any class of solicitors or foreign practitioners, and to propose guidelines designating those mandatory CPD activities (if any);”.

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**Amendment of rule 9****6. Rule 9 of the principal Rules is amended —**

- (a) by deleting the words “relevant solicitor” and substituting the word “solicitor”;
- (b) by deleting the word “Schedule” wherever it appears and substituting in each case the words “First Schedule”; and
- (c) by renumbering the rule as paragraph (1) of that rule, and by inserting immediately thereafter the following paragraph:

“(2) Every foreign practitioner who has a foreign practitioner certificate for any period specified in the first column of the Second Schedule must —

- (a) undertake in that calendar year, in accordance with any guidelines issued under rule 14, such CPD activities as the Institute may designate as mandatory CPD activities in those guidelines; and
- (b) obtain —
  - (i) from all CPD activities undertaken by the foreign practitioner in that calendar year, at least the number of CPD points specified in the second column of the Second Schedule; and
  - (ii) from all accredited CPD activities undertaken by the foreign practitioner in that calendar year, at least the number of CPD points specified in the third column of the Second Schedule.”.

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**Amendment of rule 10**

7. Rule 10 of the principal Rules is amended —

- (a) by deleting the words “relevant solicitor” in paragraphs (1) and (2) and substituting in each case the words “solicitor or foreign practitioner”; and
- (b) by deleting paragraph (3) and substituting the following paragraph:

“(3) A solicitor or foreign practitioner need not comply with paragraphs (1) and (2) in relation to any CPD activity undertaken by him, if —

- (a) he does not rely on that CPD activity for the purposes of satisfying the requirement under rule 9(1)(a) or (2)(a), as the case may be; and
- (b) he does not rely on any CPD points obtained by undertaking that CPD activity for the purposes of satisfying the requirement under rule 9(1)(b)(i) or (ii) or (2)(b)(i) or (ii), as the case may be.”.

**Amendment of rule 11**

8. Rule 11 of the principal Rules is amended —

- (a) by deleting the words “relevant solicitor” in paragraphs (1) and (2) and substituting in each case the words “solicitor or foreign practitioner”;
- (b) by deleting the word “and” at the end of paragraph (1)(b)(i); and
- (c) by deleting the full-stop at the end of sub-paragraph (ii) of paragraph (1)(b) and substituting a semi-colon, and by inserting immediately thereafter the following sub-paragraphs:

“(iii) if he has made a declaration under rule 5(4)(e)(i) of the Legal Profession (Regulated Individuals) Rules 2015

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(G.N. No. S 701/2015) stating that he has complied with that CPD requirement, a statement of his reasons for making that declaration; and

- (iv) if he has made a declaration under rule 5(4)(e)(ii) of the Legal Profession (Regulated Individuals) Rules 2015 stating that the Compliance Committee has granted him a waiver of that CPD requirement, the particulars of the waiver granted by the Compliance Committee.”.

### **Amendment of rule 12**

**9.** Rule 12 of the principal Rules is amended —

- (a) by deleting the words “relevant solicitor” in paragraphs (6) and (7) and substituting in each case the words “solicitor or foreign practitioner”; and
- (b) by inserting, immediately after the words “the solicitor” in paragraph (7), the words “or foreign practitioner”.

### **Amendment of rule 14**

**10.** Rule 14(3) of the principal Rules is amended —

- (a) by deleting sub-paragraph (d) and substituting the following sub-paragraph:
- “(d) designate any CPD activity as a mandatory CPD activity for the purposes of rule 9(1)(a) or (2)(a), for solicitors or foreign practitioners in general or for any class of solicitors or foreign practitioners;”; and
- (b) by inserting, immediately after the word “solicitor” in sub-paragraph (g), the words “or foreign practitioner”.

## Deletion of Schedule and new First and Second Schedules

11. The Schedule to the principal Rules is deleted and the following Schedules substituted therefor:

### “FIRST SCHEDULE

Rule 9(1)

#### CPD REQUIREMENTS APPLICABLE TO SOLICITORS

<i>First column</i> <i>Number of years’ standing on 1 January in calendar year</i>	<i>Second column</i> <i>Period in calendar year when practising certificate is in force</i>	<i>Third column</i> <i>Minimum number of CPD points from all CPD activities</i>	<i>Fourth column</i> <i>Minimum number of CPD points from accredited CPD activities</i>
1. Less than 5	(a) more than 8 months	16	8
	(b) more than 5 months up to 8 months	8	4
	(c) 5 months or less	0	0
2. 5 to 15	(a) more than 8 months	8	4
	(b) more than 5 months up to 8 months	4	2
	(c) 5 months or less	0	0
3. More than 15	(a) more than 5 months	4	2
	(b) 5 months or less	0	0

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**SECOND SCHEDULE**

Rule 9(2)

**CPD REQUIREMENTS APPLICABLE TO FOREIGN PRACTITIONERS**

<i>First column</i> <i>Period in calendar year</i> <i>when foreign</i> <i>practitioner certificate is</i> <i>in force</i>	<i>Second column</i> <i>Minimum number of</i> <i>CPD points from all</i> <i>CPD activities</i>	<i>Third column</i> <i>Minimum number of</i> <i>CPD points from</i> <i>accredited CPD</i> <i>activities</i>
1. More than 8 months	8	4
2. More than 5 months up to 8 months	4	2
3. 5 months or less	0	0

[G.N. No. S 784/2014]

Made on 9 December 2016.

V K RAJAH, SC  
*Chairman,*  
*Singapore Institute of Legal*  
*Education.*

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(To be presented to Parliament under section 185 of the Legal Profession Act).