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No. S 752

LEGAL PROFESSION ACT 1966

LEGAL PROFESSION (LAW PRACTICE ENTITIES) (AMENDMENT NO. 3) RULES 2022

In exercise of the powers conferred by section 184 of the Legal Profession Act 1966, the Minister for Law makes the following Rules:

Citation and commencement

1. These Rules are the Legal Profession (Law Practice Entities) (Amendment No. 3) Rules 2022 and come into operation on 1 October 2022.

Amendment of rule 2

2. In rule 2(1) of the Legal Profession (Law Practice Entities) Rules 2015 (G.N. No. S 699/2015) (called in these Rules the principal Rules) —

(a) before the definition of “Central Provident Fund Board”, insert —

““appellate court” means the court to which an appeal against a decision of the Singapore International Commercial Court is to be made under section 29C of the Supreme Court of Judicature Act 1969;” and

(b) after the definitions of “relevant appeal”, “relevant proceedings” and “Singapore International Commercial Court”, insert —

““section 36P(1A) proceedings” means any relevant proceedings, relevant appeal, or proceedings that are preliminary to any relevant proceedings or relevant appeal,

prescribed by the Legal Profession (Representation in Singapore International Commercial Court) Rules 2014 (G.N. No. S 851/2014) for the purposes of section 36P(1A) of the Act;”.

Amendment of rule 52

3. In rule 52 of the principal Rules, after paragraph (4), insert —

“(4A) Despite paragraph (3), a Joint Law Venture may not, in any section 36P(1A) proceedings, do any of the following through an individual in paragraph (4)(b):

(a) plead any matter without the permission of the Singapore International Commercial Court or the appellate court (as the case may be) under rule 14(1A)(a) of the Legal Profession (Regulated Individuals) Rules 2015 (G.N. No. S 701/2015);

(b) make a submission on any matter of Singapore law.

(4B) Despite paragraph (3), a Joint Law Venture may not, in any section 36P(1A) proceedings, do any of the following through an individual in paragraph (4)(c):

(a) plead any matter without the permission of the Singapore International Commercial Court or the appellate court (as the case may be) under section 36P(1A)(a) of the Act;

(b) make a submission on any matter of Singapore law.”.

Amendment of rule 57

4. In rule 57 of the principal Rules, after paragraph (3), insert —

“(3A) Despite paragraph (2), a Qualifying Foreign Law Practice may not, in any section 36P(1A) proceedings, do any of the following through an individual in paragraph (3)(a):

(a) plead any matter without the permission of the Singapore International Commercial Court or the appellate court (as the case may be) under

rule 14(1A)(a) of the Legal Profession (Regulated Individuals) Rules 2015;

(b) make a submission on any matter of Singapore law.

(3B) Despite paragraph (2), a Qualifying Foreign Law Practice may not, in any section 36P(1A) proceedings, do any of the following through an individual in paragraph (3)(b):

(a) plead any matter without the permission of the Singapore International Commercial Court or the appellate court (as the case may be) under section 36P(1A)(a) of the Act;

(b) make a submission on any matter of Singapore law.”.

Amendment of rule 59

5. In rule 59 of the principal Rules, after paragraph (7), insert —

“(7A) Despite paragraph (6), a licensed foreign law practice may not, in any section 36P(1A) proceedings, do any of the following through an individual in paragraph (7)(a):

(a) plead any matter without the permission of the Singapore International Commercial Court or the appellate court (as the case may be) under rule 14(1A)(a) of the Legal Profession (Regulated Individuals) Rules 2015;

(b) make a submission on any matter of Singapore law.

(7B) Despite paragraph (6), a licensed foreign law practice may not, in any section 36P(1A) proceedings, do any of the following through an individual in paragraph (7)(b):

(a) plead any matter without the permission of the Singapore International Commercial Court or the appellate court (as the case may be) under section 36P(1A)(a) of the Act;

(b) make a submission on any matter of Singapore law.”.

Miscellaneous amendments**6. In the principal Rules —**

(a) in the following provisions, replace “, the Court of Appeal or the Appellate Division of the High Court” with “or the appellate court”:

Rule 52(5)(a), (b) and (c)

Rule 57(4)(a), (b) and (c)

Rule 59(8)(a), (b) and (c); and

(b) in the following provisions, replace “in the Court of Appeal or the Appellate Division of the High Court” with “in the appellate court”:

Rule 52(3)(b) and (5)(b)

Rule 57(2)(b) and (4)(b)

Rule 59(6)(b) and (8)(b).

*[G.N. Nos. S 480/2018; S 1052/2020; S 254/2022;
S 255/2022]*

Made on 15 September 2022.

LOH KHUM YEAN
*Permanent Secretary,
Ministry of Law,
Singapore.*

[LAW 06/011/004; AG/LEGIS/SL/161/2020/12 Vol. 1]

(To be presented to Parliament under section 185 of the Legal Profession Act 1966).