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No. S 753

LEGAL PROFESSION ACT 1966

LEGAL PROFESSION (REGULATED INDIVIDUALS) (AMENDMENT NO. 2) RULES 2022

In exercise of the powers conferred by section 36M of the Legal Profession Act 1966, the Minister for Law makes the following Rules:

Citation and commencement

1. These Rules are the Legal Profession (Regulated Individuals) (Amendment No. 2) Rules 2022 and come into operation on 1 October 2022.

Amendment of rule 2

2. In rule 2(1) of the Legal Profession (Regulated Individuals) Rules 2015 (G.N. No. S 701/2015), before the definition of “general threshold requirements”, 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;”.

Amendment of rule 14

3. In rule 14 of the Legal Profession (Regulated Individuals) Rules 2015 —

(a) in paragraph (1)(c)(ii), replace “the Court of Appeal or the Appellate Division of the High Court” with “the appellate court”; and

(b) after paragraph (1), insert —

“(1A) Despite paragraph (1)(c), a solicitor registered under section 36E of the Act who has in force a practising certificate may not, in 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 (called in this rule the applicable proceedings) —

- (a) plead any matter without the permission of the Singapore International Commercial Court or the appellate court (as the case may be); or
- (b) make a submission on any matter of Singapore law.

(1B) In considering whether to grant permission under paragraph (1A)(a), the Singapore International Commercial Court or the appellate court (as the case may be) may take into account any relevant factor, including the following factors:

- (a) the nature of the factual and legal issues involved in the applicable proceedings;
- (b) the role of the solicitor mentioned in paragraph (1A) in the applicable proceedings;
- (c) the extent of the international elements involved in the applicable proceedings, including —

- (i) the amount of assets or properties in one or more foreign countries;
- (ii) the obligations and liabilities that are governed by the laws of one or more foreign countries; and
- (iii) the governing law of the underlying agreement.”.

[G.N. Nos. S 629/2016; S 516/2017; S 1053/2020; S 256/2022]

Made on 15 September 2022.

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

[LAW 06/011/004; AG/LEGIS/SL/161/2020/13 Vol. 1]

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