

L.N. 101 of 2015

Foreign Lawyers Practice (Amendment) Rules 2015

(Made by the Council of The Law Society of Hong Kong under section 73 of the Legal Practitioners Ordinance (Cap. 159) subject to the prior approval of the Chief Justice)

1. Commencement

These Rules come into operation on the day on which the Legal Practitioners (Amendment) Ordinance 2012 (22 of 2012) comes into operation.

2. Foreign Lawyers Practice Rules amended

The Foreign Lawyers Practice Rules (Cap. 159 sub. leg. R) are amended as set out in sections 3 and 4.

3. Section 4 amended (name of firm)

After section 4(2)—

Add

“(3) Despite subsections (1) and (2), for a foreign firm that is not a limited liability partnership within the meaning of section 7AB of the Ordinance—

- (a) if the firm has an English name, the firm must not include, as part of that name—
 - (i) the words “limited liability partnership”;
 - (ii) the abbreviation “L.L.P.” or “LLP”; or
 - (iii) any words or abbreviations that convey the message that the firm is a limited liability partnership within the meaning of that section;

- (b) if the firm has a Chinese name, the firm must not include, as part of that name—
 - (i) the words “有限法律責任合夥”; or
 - (ii) any words or abbreviations that convey the message that the firm is a limited liability partnership within the meaning of that section; and
- (c) if the firm has a name in a language other than English or Chinese, the firm must not include, as part of that name, any words or abbreviations that convey the message that the firm is a limited liability partnership within the meaning of that section.”.

4. Section 9 amended (reporting of particulars)

Section 9(1B)—

Repeal

“A”

Substitute

“Subject to rule 5(1) of the Limited Liability Partnerships (Top-up Insurance) Rules, a”.

Approved this 30th day of April 2015.

Geoffrey MA
Chief Justice

Made this 14th day of May 2015.

Stephen W S HUNG

Junius K Y HO

Sylvia W Y SIU

Brian W GILCHRIST

Thomas S T SO

Huen WONG

Cecilia K W WONG

Gavin P NESBITT

Melissa K PANG

Peter C L LO

Kenneth S Y NG

Denis G BROCK

Michael J LINTERN-SMITH

Joseph C W LI

Nick CHAN

Dieter YIH

Billy W Y MA

Amirali B NASIR

Bonita B Y CHAN

Explanatory Note

These Rules amend the Foreign Lawyers Practice Rules (Cap. 159 sub. leg. R) (*principal Rules*).

2. Section 4 of the principal Rules is amended by adding a new subsection (3) (*new provision*) to make it clear that, except for a foreign firm as defined by section 2 of the Legal Practitioners Ordinance (Cap. 159) (*foreign firm*) that is a limited liability partnership within the meaning of section 7AB of the Ordinance (*limited liability partnership*), a foreign firm—
 - (a) must not include, in its English name, the words “limited liability partnership” or the abbreviation “L.L.P.” or “LLP”, or any words or abbreviations that convey the message that the firm is a limited liability partnership;
 - (b) must not include, in its Chinese name, the words “有限法律責任合夥”, or any words or abbreviations that convey the message that the firm is a limited liability partnership; and
 - (c) must not include, in its any other name, any words or abbreviations that convey the message that the firm is a limited liability partnership.
3. These Rules further make it clear that section 4(1) and (2) of the principal Rules is subject to the new provision.

4. These Rules also amend section 9(1B) of the principal Rules to ensure that after the coming into operation of rule 5 of the Limited Liability Partnerships (Top-up Insurance) Rules (*Top-up Insurance Rules*), there would not be any conflict or inconsistency between the requirement for provision of evidence under section 9(1B) of the principal Rules and the requirement under rule 5 of the Top-up Insurance Rules.