

L. N. 220 of 1998

TRAINEE SOLICITORS (AMENDMENT) RULES 1998

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

1. Employment as a trainee solicitor

Rule 9 of the Trainee Solicitors Rules (Cap. 159 sub. leg.) is amended---

(a) in paragraph (4), by repealing "firm of solicitors in England or Wales" and substituting "law firm in a jurisdiction outside Hong Kong";

(b) by repealing paragraph (5) and substituting---

"(5) The Society may grant the approval under paragraph (4) if it is satisfied that the trainee solicitor who submits an application under that paragraph---

(a) is seconded to a firm which, in the opinion

of the Society, is able to provide suitable training for him;

(b) is supervised in the jurisdiction by a legal practitioner who, in the opinion of the Society, holds qualifications similar or equivalent to those required under the Ordinance or these rules of a solicitor who wishes to employ a trainee solicitor or act as his principal;

(c) continues to have access to his principal in Hong Kong; and

(d) undertakes work in the jurisdiction which

is similar to that undertaken by trainee solicitors in Hong Kong.

(5A) In considering whether it is satisfied as to the matters specified in paragraph (5)(a) the Society shall have regard to, among other things---

(a) the jurisdiction outside Hong Kong mentioned in the application and in particular---

(i) the relevance of the legal system of that jurisdiction to the legal system in Hong Kong;

(ii) the professional and ethical standards of the legal profession in that jurisdiction; and

(b) any ties that may exist between the trainee solicitor's principal or principal's firm and the legal practitioner or firm in the jurisdiction outside Hong Kong."

Approved this 23rd day of April 1998.

Andrew LI

Chief Justice

Made this 23rd day of April 1998.

Vincent W. S. LIANG Herbert H. K. TSOI

Mark J. BRADLEY Raymond C. K. HO

Junius K. Y. HO Ken Y. LIM

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Explanatory Note

These Rules amend the Trainee Solicitors Rules (Cap. 159 sub. leg.) to allow The Law Society of Hong Kong to approve a period of secondment to a law firm outside Hong Kong as effective employment under a trainee solicitor contract. Prior to the amendment, such approval could only be given in respect of secondment to a firm of solicitors in England or Wales.