

L. N. 389 of 1998

SOLICITORS' PRACTICE (AMENDMENT) (NO. 4) RULES 1998

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

1. Commencement

These Rules shall come into operation on 1 January 1999.

2. Sharing with non-qualified persons

Rule 4 of the Solicitors' Practice Rules (Cap. 159 sub. leg.) is amended by repealing ", or a solicitor or other duly qualified legal agent practising in the United Kingdom or in some other part of the Commonwealth, ",

3. Schedule amended

The Schedule is amended in Form 1---

(a) by repealing "hereby declare" and substituting "solemnly and sincerely declare";

(b) by repealing paragraph 3 and substituting---

"3. During the period 1 January to 31 December, I/we" have not shared with any person not being a solicitor practising in Hong Kong my/our" profit costs in respect of any business, whether by way of paying or agreeing to pay a commission on business introduced by any such person or otherwise, except as set out in Schedule 1/where a waiver of rule 4 of the Rules was granted by the Council on";

(c) by adding after paragraph 8---

"And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Ordinance (Cap. 11).".

Approved this 7th day of December 1998.

Andrew LI

Chief Justice

Made this 8th day of December 1998.

Anthony W. K. CHOW Shing Hing IP

Herbert H. K. TSOI Mark J. BRADLEY

Raymond C. K. HO Junius K. Y. HO

Frederick K. C. KAN Vincent W. S. LIANG

Michael J. LINTERN-SMITH John Y. C. PANG

Peter K. P. SIT Paul C. Y. TAN

Raymond Y. B. TANG William H. C. TSUI

Roderick B. WOO

Explanatory Note

The main purpose of these Rules is to require all Hong Kong solicitors to be granted a waiver of rule 4 of the Solicitors' Practice Rules (Cap. 159 sub. leg.) of the Council of The Law Society of Hong Kong in order to share profit costs with lawyers qualified in other jurisdictions who are not admitted as solicitors in Hong Kong, and to make a declaration in Form 1 of the Schedule to those Rules that they have not shared their profit costs with any person not being a solicitor practising in Hong Kong except where a waiver has been granted by the Council or as set out in Schedule 1 to Form 1.