

5. 律師登記冊

(1) 司法常務官須備存一份獲法院根據第 4 條認許的所有律師的登記冊，須保管該份律師登記冊及與之有關的所有文件，並須容許任何人在辦公時間內免費查閱該份登記冊。

(2) 由一名法官所簽署的認許證書一經出示，以及在由終審法院首席法官所訂明的費用已繳付予司法常務官及律師會後，司法常務官須將該名獲認許的人的姓名列入律師登記冊。

(3) 高等法院首席法官如認為適當，可隨時命令司法常務官將已從律師登記冊上刪除或剔除的律師的姓名，重新列入律師登記冊。(由 2002 年第 23 號第 99 條修訂)

(由 1994 年第 60 號第 5 條修訂；由 1998 年第 25 號第 2 條修訂)

[比照 1957 c. 27 ss. 6, 7 & 8 U.K.]

6. 執業證書——律師

(1) 律師會經接獲任何律師於任何年份的 11 月以理事會所認可的格式提出的書面申請，並在獲繳付如此訂明的費用後，在符合第 (3) 款的規定下，須發給該名申請人一張由申請日期隨後的 1 月 1 日起計為期一公曆年的律師執業證書。(由 1994 年第 60 號第 6 條修訂)

(1A) 在《1994 年法律執業者(修訂)條例》*(1994 年第 60 號)廢除第 3(1AD) 條之前簽發予根據該條獲認許的律師的執業證書，須有條件規限，即該律師不得獨自或以合夥形式執業。(由 1989 年第 46 號第 3 條增補。由 1994 年第 60 號第 6 條修訂)

(2) 根據第 (1) 款發出的執業證書須採用理事會訂明的格式。

(3) 除非申請人在有需要的情況下已根據第 8 條向理事會交付一份會計師報告，並已遵從理事會根據第 73A 條所訂立的任何彌償規則或獲豁免遵從該等規則，以及已向律師會就將獲發給執業證書的年份繳付會員費，否則執業證書不得根據第 (1) 款發出。(由 1980 年第 75 號第 2 條修訂)

(4) 儘管有第 (1) 款的規定，律師會可按其認為適當的條件，准許在任何時間根據本款申請執業證書，並可在接獲該申請後發給申請人一張期限不超過一公曆年並於發出年份的 12 月 31 日屆滿的執業證書。

(5) 儘管有第 (1) 款的規定，律師會可——

5. Roll of solicitors

(1) The Registrar shall keep a roll of all solicitors admitted by the Court under section 4 and shall have the custody of the roll of solicitors and of all documents relating thereto and shall allow any person to inspect the roll during office hours without payment.

(2) The Registrar, upon production of a certificate of admission signed by a judge and upon payment to the Registrar and to the Society of such fees as may be prescribed by the Chief Justice, shall enter on the roll of solicitors the name of the person admitted.

(3) The Chief Judge may, if he thinks fit, at any time order the Registrar to replace on the roll of solicitors the name of a solicitor whose name has been removed or struck off the roll of solicitors. (Amended 23 of 2002 s. 99)

(Amended 60 of 1994 s. 5)
[cf. 1957 c. 27 ss. 6, 7 & 8 U.K.]

6. Practising certificates—solicitors

(1) The Society, on application in writing by a solicitor in the month of November in any year in a form approved by the Council and on payment of such fee as may be so prescribed, shall, subject to subsection (3), issue to the applicant a practising certificate as a solicitor for the period of one calendar year from 1 January next following the date of the application. (Amended 60 of 1994 s. 6)

(1A) A practising certificate issued to a solicitor admitted under section 3(1AD) before the repeal of that provision by the Legal Practitioners (Amendment) Ordinance 1994 (60 of 1994) is subject to the condition that the solicitor shall not practise on his own account or in partnership. (Added 46 of 1989 s. 3. Amended 60 of 1994 s. 6)

(2) A practising certificate issued under subsection (1) shall be in such form as may be prescribed by the Council.

(3) A practising certificate shall not be issued under subsection (1) unless the applicant has, where necessary, delivered to the Council an accountant's report under section 8, complied with any indemnity rules made by the Council under section 73A or is exempt from them and has paid to the Society the membership subscription in respect of the year for which the practising certificate is to be issued. (Amended 75 of 1980 s. 2)

(4) Notwithstanding subsection (1), the Society may, upon such conditions as it thinks fit, permit an application for a practising certificate to be made under this subsection at any time and upon such application may issue to the applicant a practising certificate for any period not exceeding one calendar year and ending on 31 December in the year in which it is issued.

(5) Notwithstanding subsection (1), the Society may—

* “1994 年法律執業者(修訂)條例”乃“Legal Practitioners (Amendment) Ordinance 1994”之譯名。