



THE  
**LAW SOCIETY**  
OF HONG KONG  
香港律師會

3/F WING ON HOUSE · 71 DES VOEUX ROAD  
CENTRAL · HONG KONG DX-009100 Central 1  
香港中環德輔道中71號  
永安集團大廈3字樓

TELEPHONE (電話) : (852) 2846 0500  
FACSIMILE (傳真) : (852) 2845 0387  
E-MAIL (電子郵件) : sg@hklawsoc.org.hk  
WEBSITE (網頁) : www.hklawsoc.org.hk

Our Ref :  
Your Ref :  
Direct Line :

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Clerk to Panel  
Panel on Administration  
of Justice and Legal Services  
Legislative Council  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong

By E-mail  
(panel\_ajls@legco.gov.hk)

Dear Sir,

**Solicitor Corporation Rules and consequential amendments**

The Panel on Administration of Justice and Legal Services (“AJLS Panel”) has invited the Law Society to consider the question of whether to allow solicitor corporations to form partnerships.

The Working Party on Solicitor Corporation Rules (“Working Party”) has considered the question.

The Working Party notes the concerns of the AJLS Panel that solicitor corporations might want to form partnerships. However, the Working Party opines it does not appear there is any commercial benefit for solicitor corporations to do so. The Working Party therefore does not envisage such a new creation would likely be formed by solicitor corporations.

The AJLS Panel should also note that rule 8(3) of the draft Solicitor Corporation Rules prohibits a member of a solicitor corporation or an employee of a solicitor corporation who is a solicitor to hold in any capacity (including that of trustee) or beneficially own any interest in, any share in any other solicitor corporation, without the prior written consent of the Council. Rule 8(3) of the 11<sup>th</sup> draft of the Solicitor Corporation Rules is enclosed for your reference.

Yours sincerely,

Vivien Lee  
Director of Standards & Development

Encl.

同心展關懷

caringorganisation

Awarded by The Hong Kong Council of Social Service  
香港社會服務聯會頒發

Incorporated in 1907 as a company limited by guarantee



## Part 3

### Conduct of Solicitor Corporation and its Members, etc.

#### 7. Conduct of solicitor corporation

- (1) A solicitor corporation must not engage in any activity that does not form part of, or is not incidental to, the business of practising as a solicitor or as solicitors.
- (2) A solicitor corporation must at all times be managed and controlled by a solicitor or solicitors.
- (3) A solicitor corporation must not conduct its business in any name other than that approved under these Rules.
- (4) Within 14 days after delivering any document to the Registrar of Companies in purported compliance with the Companies Ordinance (Cap. 32), a solicitor corporation must provide the Society with a copy of the document.

#### 8. Conduct of member and employee

- (1) A member of a solicitor corporation must not create any charge or other third party interest over any share in the corporation.
- (2) For the purpose of attending and voting at any meeting of a solicitor corporation, a member of the corporation must not appoint as a proxy any person other than a solicitor who is a member or employee of the corporation.
- (3) A member of a solicitor corporation, or an employee of a solicitor corporation who is a solicitor (whether the member or employee holds a current practising certificate or not), must not without the prior written consent of the Council—
  - (a) hold in any capacity (including that of trustee), or beneficially own any interest in, any share in any other solicitor corporation;

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- (b) be or act as an officer, consultant or employee of any other solicitor corporation;
  - (c) be or act as a partner, consultant or employee of a firm;  
or
  - (d) practise as a solicitor on the member's or employee's own account.
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