
L.N. 153 of 2012

**Solicitors (Professional Indemnity) (Amendment)
Rules 2012**

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

1. Commencement

These Rules come into operation on a day to be appointed by the President of The Law Society of Hong Kong by notice published in the Gazette.

2. Solicitors (Professional Indemnity) Rules amended

The Solicitors (Professional Indemnity) Rules (Cap. 159 sub. leg. M) are amended as set out in rule 3.

3. Rule 8 amended (production of documents and information)

After rule 8(1)—

Add

“(1A) For the purposes of subrule (1)(a), a certified public accountant (practising) is qualified to sign the report referred to in subrule (1)(a)(i) or (ii) only if—

- (a) the accountant is a certified public accountant (practising) holding a practising certificate as provided in the Professional Accountants Ordinance (Cap. 50);
- (b) the accountant has neither been at any time during the period covered by the report, nor subsequently before signing the report, a partner, clerk or servant of the Practice to which the report relates; and

(c) the accountant is not subject to any notice of disqualification under subrule (1B).

(1B) If—

(a) the accountant has been found guilty by the Disciplinary Committee constituted under section 33(3) of the Professional Accountants Ordinance (Cap. 50) of professional misconduct or dishonourable conduct; or

(b) the Council is satisfied that the gross fee income of the Practice reported by the accountant was inaccurate and that the accountant was negligent in signing that report,

the Council may at any time notify the accountant concerned that the accountant is not qualified to sign the report, and the Council may give notice of this fact to any firm on whose behalf the accountant may have signed the report, and after the accountant has been so notified, unless and until the notice of disqualification is withdrawn by the Council, the accountant is not qualified to sign the report.

(1C) In coming to its decision under subrule (1B), the Council must take into consideration any observations or representations made or given by the accountant or on whose behalf by the professional body of which the accountant is a member.”.

Approved this 7th day of September 2012.

Geoffrey MA
Chief Justice

Made this 28th day of September 2012.

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Explanatory Note

These Rules amend the Solicitors (Professional Indemnity) Rules (Cap. 159 sub. leg. M) to prescribe the qualifications that a certified public accountant (practising) must have before the accountant is qualified to sign a report of gross fee income in relation to the practice of a solicitor.