

Solicitors' Practice (Amendment) Rules 2017

Rule 1

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Solicitors' Practice (Amendment) Rules 2017

(Made by the Council of The Law Society of Hong Kong under section 73 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' Practice Rules amended

The Solicitors' Practice Rules (Cap. 159 sub. leg. H) are amended as set out in rule 3.

3. Rule 4B amended (control of employment of unqualified persons)

Rule 4B(2), after "another firm"—

Add

"or a foreign firm".

Solicitors' Practice (Amendment) Rules 2017

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Approved this day of 2017.

Chief Justice

Made this day of 2017.

Explanatory Note

These Rules amend the Solicitors' Practice Rules (Cap. 159 sub. leg. H) (*principal Rules*). Rule 4B(2) of the principal Rules is amended to clarify that an unqualified person employed by a Hong Kong firm is not allowed to be employed by another Hong Kong firm or a foreign firm simultaneously except with the written approval of the Council of The Law Society of Hong Kong.

Foreign Lawyers Practice (Amendment) Rules 2017

(Made by the Council of The Law Society of Hong Kong under section 73 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. Foreign Lawyers Practice Rules amended

The Foreign Lawyers Practice Rules (Cap. 159 sub. leg. R) are amended as set out in section 3.

3. Section 8 amended (control of employment of unqualified persons)

After section 8(3)—

Add

- “(4) A principal of a foreign firm must not, except with the written approval of the Council, knowingly employ any unqualified person who is in the part-time or full-time employment of a Hong Kong firm or another foreign firm.”.

Approved this day of 2017.

Chief Justice

Made this day of 2017.

Explanatory Note

These Rules amend the Foreign Lawyers Practice Rules (Cap. 159 sub. leg. R) (*principal Rules*). A new section 8(4) is proposed to be added to the principal Rules to provide that a principal of a foreign firm must not knowingly employ any unqualified person who is in the part-time or full-time employment of a Hong Kong firm or another foreign firm without the written approval of the Council of The Law Society of Hong Kong.

Summary Disposal of Complaints (Solicitors) (Amendment) Rules 2017

(Made by the Council of The Law Society of Hong Kong under section 73 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. Summary Disposal of Complaints (Solicitors) Rules amended

The Summary Disposal of Complaints (Solicitors) Rules (Cap. 159 sub. leg. AD) are amended as set out in section 3.

3. Schedule amended (scheduled items)

The Schedule, under heading “**Foreign Lawyers Practice Rules (Cap. 159 sub. leg. R)**”, after item 7—

Add

“7A.	Section 8(4)	10,000	15,000”.
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Approved this day of 2017.

Chief Justice

Made this day of 2017.

Explanatory Note

These Rules amend the Summary Disposal of Complaints (Solicitors) Rules (Cap. 159 sub. leg. AD) (*the principal Rules*).

2. In the Schedule to the principal Rules, a new item under the Foreign Lawyers Practice Rules (Cap. 159 sub. leg. R) (*FLP Rules*) is added empowering the Council of The Law Society of Hong Kong to deal with the breach of the new section 8(4) of the FLP Rules in a summary manner under section 9A(1A) of the Legal Practitioners Ordinance (Cap. 159).