

**L.N. 71 of 2019**

**Solicitor Advocates (Higher Rights of Audience Certificates) Rules**

(Made by the Council of The Law Society of Hong Kong under section 73(1)(de) 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. Higher rights of audience certificates**

- (1) A certificate issued under section 39P(1) of the Ordinance for the higher rights of audience—
    - (a) in respect of civil proceedings, must be in accordance with Form 1 in the Schedule;
    - (b) in respect of criminal proceedings, must be in accordance with Form 2 in the Schedule; or
    - (c) in respect of both civil and criminal proceedings, must be in accordance with Form 3 in the Schedule.
  - (2) A certificate issued under section 39P(4) of the Ordinance must be in accordance with Form 4 in the Schedule.
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## **Schedule**

[r. 2]

### **Forms**

#### **Form 1**

### **Higher Rights of Audience (Civil Proceedings) Certificate**

#### **Legal Practitioners Ordinance (Cap. 159)**

It is certified, under section 39P(1) of the Legal Practitioners Ordinance, that

on .....

[date]

.....  
[full name in English and, if applicable, Chinese]

was granted by the Higher Rights Assessment Board an application for higher rights of audience (as defined by section 39H(3) of the Ordinance) in respect of civil proceedings, and may, subject to section

39O(1) of the Ordinance, exercise those rights as a solicitor under section 39N of the Ordinance with effect from the above date.

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for the Council of The Law  
Society of Hong Kong

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## **Form 2**

### **Higher Rights of Audience (Criminal Proceedings) Certificate**

#### **Legal Practitioners Ordinance (Cap. 159)**

It is certified, under section 39P(1) of the Legal Practitioners Ordinance, that

on .....  
[date]

.....  
[full name in English and, if applicable, Chinese]

was granted by the Higher Rights Assessment Board an application for higher rights of audience (as defined by section 39H(3) of the Ordinance) in respect of criminal proceedings, and may, subject to section 39O(1) of the Ordinance, exercise those rights as a solicitor under section 39N of the Ordinance with effect from the above date.

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for the Council of The Law  
Society of Hong Kong

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### **Form 3**

## **Higher Rights of Audience (Civil and Criminal Proceedings) Certificate**

### **Legal Practitioners Ordinance (Cap. 159)**

It is certified, under section 39P(1) of the Legal Practitioners Ordinance, that

on .....  
[date]

.....  
[full name in English and, if applicable, Chinese]

was granted by the Higher Rights Assessment Board an application for higher rights of audience (as defined by section 39H(3) of the Ordinance) in respect of both civil and criminal proceedings, and may, subject to section 39O(1) of the Ordinance, exercise those rights as a solicitor under section 39N of the Ordinance with effect from the above date.

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for the Council of The Law  
Society of Hong Kong

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## **Form 4**

### **Higher Rights of Audience (Consolidated) Certificate**

#### **Legal Practitioners Ordinance (Cap. 159)**

It is certified, under section 39P(4) of the Legal Practitioners Ordinance, that

.....  
[full name in English and, if applicable, Chinese]

was granted by the Higher Rights Assessment Board an application for higher rights of audience (as defined by section 39H(3) of the Ordinance)

Solicitor Advocates (Higher Rights of Audience Certificates) Rules

Schedule

L.N. 71 of 2019  
B1409

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in respect of civil/criminal\* proceedings on ..... [date], and was additionally granted by the Higher Rights Assessment Board an application for higher rights of audience in respect of civil/criminal\* proceedings on ..... [date], and may, subject to section 39O(1) of the Ordinance, exercise those rights as a solicitor under section 39N of the Ordinance with effect from the above dates accordingly.

.....  
for the Council of The Law  
Society of Hong Kong

\* Delete whichever is inappropriate.

Approved this 16th day of March 2019.

Geoffrey MA  
Chief Justice

Made this 29th day of March 2019.

Melissa K. PANG	Stephen W. S. HUNG	Serina K. S. CHAN	Jonathan ROSS
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### **Explanatory Note**

These Rules provide for the forms of the higher rights of audience certificates issued to solicitor advocates for their higher rights of audience in respect of the following—

- (a) civil proceedings;
- (b) criminal proceedings;
- (c) both civil and criminal proceedings.