

**No. S 000 -**

**LEGAL PROFESSION ACT  
(CHAPTER 161)  
LEGAL PROFESSION (QUALIFIED PERSONS)  
(AMENDMENT) RULES 2009**

In exercise of the powers conferred by section 2(2) and (3) of the Legal Profession Act, the Minister for Law, after consultation with the Board of Legal Education, hereby makes the following Rules:

**Citation and commencement**

**1.**—(1) These Rules may be cited as the Legal Profession (Qualified Persons) (Amendment) Rules 2009 and shall, with the exception of rule 2(e), come into operation on [20th July 2009].

(2) Rule 2(e) shall be deemed to have come into operation on 1st April 2006.

**Amendment of rule 2**

**2.** Rule 2 of the Legal Profession (Qualified Persons) Rules (R 15) (referred to in these Rules as the principal Rules) is amended —

(a) by inserting, immediately after the definition of “accelerated course”, the following definition:

“ “approved twinning programme” means a twinning programme —

(a) which leads to —

- (i) any degree specified in the First Schedule which is conferred on or after 1st January 1997;
- (ii) any degree specified in the Third Schedule which is conferred on or after 28th July 2003;
- (iii) any degree specified in the Fourth Schedule which is conferred on or after 1st August 2005; or
- (iv) any degree specified in the Fifth Schedule which is conferred on or after 1st January 2004; and

(b) the teaching of which is undertaken partly by the institution of higher learning which confers that degree and partly by —

- (i) if that degree is conferred on or after 1st January 1997 but before 28th July 2003, one or more of the other institutions of higher learning specified in the First Schedule and the National University of Singapore;
- (ii) if that degree is conferred on or after 28th July 2003 but before 1st January 2004, one or more of the other institutions of higher learning specified in the First and Third Schedules and the National University of Singapore;
- (iii) if that degree is conferred on or after 1st January 2004 but before 1st August 2005, one or more of the other institutions of higher learning specified in the First, Third and Fifth Schedules and the National University of Singapore;
- (iv) if that degree is conferred on or after 1st August 2005 but before 1st April 2008, one or more of the other institutions of higher learning specified in the First, Third, Fourth and Fifth Schedules and the National University of Singapore; or
- (v) if that degree is conferred on or after 1st April 2008, one or more of the other institutions of higher learning specified in the First, Third, Fourth and Fifth Schedules, the National University of Singapore and the Singapore Management University,

and includes any such programme for which a candidate is given credit on account of any relevant diploma in law or relevant non-law degree attained by him prior to his admission as such candidate;”;

- (b) by inserting, immediately after the words “National University of Singapore” in the definition of “Diploma in Singapore Law”, the words “before 1st September 2009”;
- (c) by deleting paragraph (b) of the definition of “full-time internal candidate” and substituting the following definition:
- “(b) a candidate under —
- (i) any correspondence course; or
- (ii) any twinning programme other than an approved twinning programme;”;
- (d) by inserting, immediately after the definition of “full-time candidate”, the following definition:
- “ “Legal Service Officer” means an officer in the Singapore Legal Service;”;
- (e) by deleting the definition of “National University of Singapore” and substituting the following definition:
- “ “National University of Singapore” means —
- (a) in relation to any event occurring before 1st April 2006, the National University of Singapore established under the repealed National University of Singapore Act (Cap. 204, 2002 Ed.); or
- (b) in relation to any event occurring on or after 1st April 2006, the university known as the “National University of Singapore” operated, maintained and promoted by the company limited by guarantee incorporated under the Companies Act (Cap. 50) under the name “National University of Singapore”;”;
- (f) by inserting, immediately after the definition of “National University of Singapore”, the following definitions:
- “ “relevant diploma in law” means a diploma in law, by whatever name called, which is conferred on a person by a polytechnic in Singapore upon that person having successfully completed a course in law conducted by that polytechnic;
- “relevant legal officer” means —
- (a) a Legal Service Officer; or

(b) a legal officer of —

- (i) the Inland Revenue Authority of Singapore;
- (ii) the Intellectual Property Office of Singapore;
- (iii) the Singapore Land Authority;
- (iv) the Maritime and Port Authority of Singapore; or
- (v) the National Environment Agency;

“relevant legal practice or work” means —

(a) active practice as —

- (i) a legal practitioner, by whatever name called, in any jurisdiction other than Singapore; or
- (ii) a foreign lawyer in Singapore; or

(b) work of a legal nature which is performed as a legal counsel in any corporation or other entity the equity securities of which are listed on the official list of a securities exchange in Singapore or elsewhere;

“relevant legal training” means —

- (a) any supervised training in relation to the practice of Singapore law received, prior to becoming a qualified person, under a formal training arrangement with a Singapore law practice;
- (b) any supervised training received, prior to becoming a qualified person, as a pupil, or through reading in the chambers, of a practising barrister of the United Kingdom or of a member of the Faculty of Advocates in Scotland of more than 7 years’ standing; or
- (c) any supervised training in relation to the practice of foreign law received, prior to becoming a qualified person, under a formal training arrangement with a foreign law practice;

“relevant non-law degree” means any degree in any discipline of study other than law which is

conferred on a person by an institution of higher learning (being an institution of higher learning specified in the First, Third, Fourth or Fifth Schedule, the National University of Singapore or the Singapore Management University) upon that person having successfully completed a course in that discipline of study conducted by that institution of higher learning as a full-time internal candidate of that institution of higher learning;”;  
and

- (g) by deleting the definition of “twinning programme” and substituting the following definition:

““twinning programme” means a course of study the teaching of which is undertaken —

- (a) partly by the institution of higher learning which confers the degree or qualification to which the course leads and partly by any other institution of higher learning; or
- (b) wholly by another institution of higher learning or jointly by several institutions of higher learning in conjunction with the institution of higher learning which confers the degree or qualification to which the course leads,

but does not include any course of study, the teaching of which is undertaken wholly by the institution of higher learning which confers the degree or qualification to which the course leads, for which a candidate is given credit on account of any relevant diploma in law or relevant non-law degree attained by him prior to his admission as such candidate.”.

### **Amendment of rule 5A**

3. The principal Rules are amended by renumbering rule 5A as paragraph (1) of that rule, and by inserting immediately thereafter the following paragraph:

“(2) In this rule, a reference to a person admitted as a candidate for the degree of Bachelor of Laws by the Singapore Management University includes a reference to a person admitted as a candidate for the degree of Doctor of Jurisprudence by the Singapore Management University.”.

### **Amendment of rule 6**

4. Rule 6 of the principal Rules is amended —

- (a) by deleting the word “or” at the end of paragraph (a); and
- (b) by deleting the full-stop at the end of paragraph (b) and substituting the word “; or”, and by inserting immediately thereafter the following paragraph:

“(c) satisfies both of the following requirements:

- (i) he has passed Part A of the Singapore Bar Examinations; and
- (ii) for a continuous period of not less than 6 months, he has received relevant legal training, has been engaged in relevant legal practice or work, or has received relevant legal training and been engaged in relevant legal practice or work.”.

### **Amendment of rule 7**

5. Rule 7 of the principal Rules is amended —

- (a) by deleting the word “or” at the end of paragraph (a); and
- (b) by deleting the full-stop at the end of paragraph (b) and substituting the word “; or”, and by inserting immediately thereafter the following paragraph:

“(c) satisfies both of the following requirements:

- (i) he has passed Part A of the Singapore Bar Examinations; and
- (ii) for a continuous period of not less than 6 months, he has received relevant legal training, has been engaged in relevant legal practice or work, or has received relevant legal training and been engaged in relevant legal practice or work.”.

### **Amendment of rule 8**

6. Rule 8 of the principal Rules is amended —

- (a) by deleting the word “or” at the end of paragraph (1)(i);
- (b) by deleting the full-stop at the end of sub-paragraph (ii) of paragraph (1) and substituting the word “; or”, and by inserting immediately thereafter the following sub-paragraph:

“(iii) satisfies both of the following requirements:

- (A) he has passed Part A of the Singapore Bar Examinations; and
  - (B) for a continuous period of not less than 6 months, he has received relevant legal training, has been engaged in relevant legal practice or work, or has received relevant legal training and been engaged in relevant legal practice or work.”; and
- (c) by deleting paragraph (2) and substituting the following paragraphs:
- “(2) Subject to rule 10, any citizen or permanent resident of Singapore who —
- (a) on or after 1st May 1993, was admitted as a candidate for any degree of Bachelor of Laws specified in the First Schedule by any institution of higher learning in the United Kingdom specified in that Schedule;
  - (b) on or after 1st January 1994, commenced reading the course of study leading to that degree; and
  - (c) before 1st January 1997, was conferred that degree by that institution of higher learning,
- shall, irrespective of the class of honours attained by him, be a qualified person if he —
- (i) has become a barrister-at-law of England or Northern Ireland, a member of the Faculty of Advocates in Scotland, a solicitor in England or Northern Ireland or a writer to the Signet, law agent or solicitor in Scotland;
  - (ii) has obtained the Diploma in Singapore Law; or
  - (iii) satisfies both of the following requirements:
    - (A) he has passed Part A of the Singapore Bar Examinations; and
    - (B) for a continuous period of not less than 6 months, he has received relevant legal training, has been engaged in relevant legal practice or work, or has received relevant legal training and been engaged in relevant legal practice or work.
- (3) Subject to rules 10 and 11, any citizen or permanent resident of Singapore who —

- (a) on or after 1st May 1993, is admitted as a candidate for any degree of Bachelor of Laws specified in the First Schedule by any institution of higher learning in the United Kingdom specified in that Schedule;
- (b) on or after 1st January 1994, commences reading the course of study leading to that degree; and
- (c) on or after 1st January 1997, is conferred that degree by that institution of higher learning,

shall be a qualified person if he —

- (i) has attained at least lower second class honours or the equivalent thereof in relation to that degree; and
- (ii) either —
  - (A) has obtained the Diploma in Singapore Law; or
  - (B) satisfies both of the following requirements:
    - (BA) he has passed Part A of the Singapore Bar Examinations; and
    - (BB) for a continuous period of not less than 6 months, he has received relevant legal training, has been engaged in relevant legal practice or work, or has received relevant legal training and been engaged in relevant legal practice or work.”.

### **Amendment of rule 9**

7. Rule 9 of the principal Rules is amended —

- (a) by deleting “30%” in paragraphs (1)(a), (2)(a) and (2A)(a) and substituting in each case “70%”;
- (b) by deleting sub-paragraph (b) of paragraph (1) and substituting the following sub-paragraph:
  - “(b) either —
    - (i) has obtained the Diploma in Singapore Law; or
    - (ii) satisfies both of the following requirements:



- (A) he has passed Part A of the Singapore Bar Examinations; and
  - (B) for a continuous period of not less than 6 months, he has received relevant legal training, has been engaged in relevant legal practice or work, or has received relevant legal training and been engaged in relevant legal practice or work.”;
- (c) by deleting sub-paragraph (b) of paragraph (2) and substituting the following sub-paragraph:

“(b) either —

- (i) has obtained the Diploma in Singapore Law; or
- (ii) satisfies both of the following requirements:

- (A) he has passed Part A of the Singapore Bar Examinations; and
- (B) for a continuous period of not less than 6 months, he has received relevant legal training, has been engaged in relevant legal practice or work, or has received relevant legal training and been engaged in relevant legal practice or work.”; and

- (d) by deleting sub-paragraph (b) of paragraph (2A) and substituting the following sub-paragraph:

“(b) either —

- (i) has obtained the Diploma in Singapore Law; or
- (ii) satisfies both of the following requirements:

- (A) he has passed Part A of the Singapore Bar Examinations; and
- (B) for a continuous period of not less than 6 months, he has received relevant legal training, has been engaged in relevant legal practice or work, or has received relevant legal

training and been engaged in relevant legal practice or work.”.

### **Amendment of rule 9A**

**8.** Rule 9A of the principal Rules is amended —

- (a) by deleting “40%” in paragraph (1)(b) and substituting “70%”; and
- (b) by deleting sub-paragraph (c) of paragraph (1) and substituting the following sub-paragraph:

“(c) either —

- (i) has obtained the Diploma in Singapore Law; or
- (ii) satisfies both of the following requirements:
  - (A) he has passed Part A of the Singapore Bar Examinations; and
  - (B) for a continuous period of not less than 6 months, he has received relevant legal training, has been engaged in relevant legal practice or work, or has received relevant legal training and been engaged in relevant legal practice or work.”.

### **Amendment of rule 10**

**9.** Rule 10 of the principal Rules is amended —

- (a) by inserting, immediately after the words “approved by the Board” in paragraphs (1), (3) and (4), the words “before [20th July 2009] or by the Minister on or after that date”; and
- (b) by deleting the words “8(1) or (2)” in paragraph (1) and substituting the words “8(1), (2) or (3)”.

### **Amendment of rule 11**

**10.** Rule 11 of the principal Rules is amended —

- (a) by inserting, immediately after the words “approved by the Board” in paragraphs (1) and (3), the words “before [20th July 2009] or by the Minister on or after that date”; and
- (b) by deleting “8(2)(ii)” in paragraph (1) and substituting “8(3)”.

### **Deletion and substitution of rule 12**

**11.** Rule 12 of the principal Rules is deleted and the following rule substituted therefor:

#### **“Restrictions relating to combined degrees**

**12.** Notwithstanding rules 8, 9 and 9A, no person who is conferred a combined degree that consists of a degree in law by any of the institutions of higher learning specified in the First, Third, Fourth or Fifth Schedule shall be a qualified person unless —

- (a) the combined degree course leading to that degree is approved by the Board before [20th July 2009] or by the Minister on or after that date; and
- (b) the person concerned satisfies such other requirements as the Board or the Minister, as the case may be, may specify.”.

### **Amendment of rule 15**

**12.** Rule 15 of the principal Rules is amended —

- (a) by inserting, immediately after the words “the Board may,” in paragraph (1), the words “before [20th July 2009] and”;
- (b) by inserting, immediately after paragraph (2) the following paragraph:
 

“(3) For the purposes of rules 10(1), (3) and (4), 11(1) and (3) and 12, the Minister may, on or after [20th July 2009], after consultation with the Board and subject to such conditions as he thinks fit to impose, by notification in the *Gazette*, specify the courses that are approved by him for the purposes of those rules.”; and
- (c) by inserting, immediately after the word “Board’s” in the rule heading, the words “or Minister’s”.

### **Deletion and substitution of rule 15A**

**13.** Rule 15A of the principal Rules is deleted and the following rule substituted therefor:

#### **“Exemption from requirement for relevant legal training or relevant legal practice or work**

**15A.**—(1) Any person referred to in rule 6, 7, 8(1), (2) or (3), 9(1), (2) or (2A) or 9A(1) shall be exempted from the requirement under rule 6(c)(ii), 7(c)(ii), 8(1)(iii)(B), (2)(iii)(B) or (3)(ii)(B)(BB), 9(1)(b)(ii)(B), (2)(b)(ii)(B) or (2A)(b)(ii)(B)

or 9A(c)(ii)(B), as the case may be, if, with the approval of the Board and for a continuous period of not less than 6 months (such period beginning after he has satisfied the requirement under rule 6(c)(i), 7(c)(i), 8(1)(iii)(A), (2)(iii)(A) or (3)(ii)(B)(BA), 9(1)(b)(ii)(A), (2)(b)(ii)(A) or (2A)(b)(ii)(A) or 9A(c)(ii)(A), as the case may be), he has received supervised training in relation to the practice of Singapore law —

- (a) through working —
  - (i) as a Legal Service Officer; or
  - (ii) under the supervision of a relevant legal officer (referred to in this paragraph as a qualifying relevant legal officer) who is an advocate and solicitor of not less than 5 years' standing and who, for a total of not less than 5 out of the 7 years immediately preceding the date of commencement of the supervised training, has been a relevant legal officer or has been in active practice in a Singapore law practice or both;
- (b) through working under the supervision of 2 or more qualifying relevant legal officers; or
- (c) partly through working as a Legal Service Officer and partly through working under the supervision of one or more qualifying relevant legal officers.

(2) Any person referred to in rule 6, 7, 8(1), (2) or (3), 9(1), (2) or (2A) or 9A(1) who, on or before 1st August 2009, has been engaged in relevant work for a continuous period of not less than 6 months shall be exempted from the requirement under rule 6(c)(ii), 7(c)(ii), 8(1)(iii)(B), (2)(iii)(B) or (3)(ii)(B)(BB), 9(1)(b)(ii)(B), (2)(b)(ii)(B) or (2A)(b)(ii)(B) or 9A(c)(ii)(B), as the case may be.

(3) In paragraph (2), “relevant work” means work of a legal nature, including prosecution, advocacy, drafting of legal documents, rendering of legal opinions, legal research and preparation for litigation or arbitration —

- (a) in a Singapore law practice or a foreign law practice;
- (b) as an Assistant Public Prosecutor in the Attorney-General's Chambers;
- (c) as a legal executive, by whatever name called, in the Attorney-General's Chambers, in any statutory body or law office in the public service, in the Academy or in the Society;
- (d) as a legal editor in the Academy; or

