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No. S 71

LEGAL PROFESSION ACT  
(CHAPTER 161)

LEGAL PROFESSION  
(PROFESSIONAL CONDUCT) (AMENDMENT)  
RULES 2005

In exercise of the powers conferred by section 71 of the Legal Profession Act, the Council of the Law Society of Singapore, with the approval of the Chief Justice, hereby makes the following Rules:

**Citation and commencement**

1. These Rules may be cited as the Legal Profession (Professional Conduct) (Amendment) Rules 2005 and shall come into operation on 1st April 2005.

**Amendment of rule 3**

2. Rule 3 of the Legal Profession (Professional Conduct) Rules (R 1) (referred to in these Rules as the principal Rules) is amended —

(a) by inserting, immediately before the definition of “Court”, the following definitions:

““client account” has the same meaning as in the Legal Profession (Solicitors’ Accounts) Rules (R 8);

“client’s money” has the same meaning as in the Legal Profession (Solicitors’ Accounts) Rules;”;

(b) by deleting the full-stop at the end of the definition of “Judge” and substituting a semi-colon, and by inserting immediately thereafter the following definitions:

““solicitor-trustee” has the same meaning as in the Legal Profession (Solicitors’ Trust Accounts) Rules (R 9);

“trust account” has the same meaning as in the Legal Profession (Solicitors’ Trust Accounts) Rules;

“trust money” has the same meaning as in the Legal Profession (Solicitors’ Accounts) Rules.”; and

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(c) by renumbering the rule as paragraph (1) of that rule, and by inserting immediately thereafter the following paragraph:

“(2) In these Rules, unless the context otherwise requires —

- (a) references to an employee of a solicitor or law firm or law corporation shall be construed to include a locum solicitor engaged by the solicitor or law firm or law corporation; and
- (b) references to a member of a law firm or law corporation shall be construed to include a locum solicitor engaged by the law firm or law corporation.”.

**Amendment of rule 5**

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

“(2) Notwithstanding paragraph (1), an advocate and solicitor may practise as a locum solicitor in more than one law firm or law corporation.”.

**Amendment of rule 8**

4. The principal Rules are amended by renumbering rule 8 as paragraph (1) of that rule, and by inserting immediately thereafter the following paragraphs:

“(2) Where a sole proprietor of a law firm engages a locum solicitor, the sole proprietor shall be the designated supervising practitioner for the locum solicitor.

(3) Where a law firm engages a locum solicitor, the partners of the law firm shall appoint a partner of the law firm as the designated supervising practitioner for the locum solicitor.

(4) Where a law corporation engages a locum solicitor, the directors of the law corporation shall appoint a director of the law corporation as the designated supervising practitioner for the locum solicitor.

(5) Without prejudice to paragraph (1), the designated supervising practitioner shall exercise proper supervision over the locum solicitor.”.

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**New rule 11C**

5. The principal Rules are amended by inserting, immediately after rule 11B, the following rule:

**“Notifications by locum solicitors**

**11C.**—(1) Whenever an advocate and solicitor is engaged as a locum solicitor by any law firm, he shall notify the Law Society (not later than 7 days from the commencement of each such engagement) of —

- (a) the name of the law firm engaging him;
- (b) the date of commencement of his engagement by that law firm; and
- (c) the period of his engagement by that law firm.

(2) Whenever an advocate and solicitor ceases to be engaged as a locum solicitor by any law firm, he shall notify the Law Society (not later than 7 days from the cessation of each such engagement) of the date of cessation of his engagement by that law firm.”.

**Amendment of rule 18**

6. The principal Rules are amended by renumbering rule 18 as paragraph (1) of that rule, and by inserting immediately thereafter the following paragraph:

“(2) An advocate and solicitor practising as a locum solicitor shall not —

- (a) hold or receive client’s money or trust money or any security on behalf of a client;
- (b) open, maintain or operate any client account or trust account;
- (c) give instructions in respect of any client account or trust account;
- (d) sign any cheque or effect any instruction for the withdrawal of money from a client account or trust account;
- (e) sign any bill of costs referred to in section 118 of the Act, or any letter accompanying such a bill; or

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(f) act as a solicitor-trustee.”.

[G.N. No. S 410/2001]

Made this 4th day of February 2005.

PHILIP JEYARETNAM  
*President,*  
*Council of the Law Society of Singapore.*

[AG/LEG/SL/161/2002/1 Vol. 3]

(To be presented to Parliament under section 131 of the Legal Profession Act).