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**No. S 656**

LEGAL PROFESSION ACT  
(CHAPTER 161)

LEGAL PROFESSION  
(PROFESSIONAL CONDUCT) (AMENDMENT)  
RULES 2006

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 2006 and shall come into operation on 1st January 2007.

**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 after the words “2 or more advocates and solicitors” in the definition of “law firm” in paragraph (1), the words “, but does not include a limited liability law partnership”;
- (b) by inserting, immediately after the definition of “law firm” in paragraph (1), the following definition:

“ “law practice” means a law firm, a limited liability law partnership or a law corporation;”;

and
- (c) by inserting, immediately after the words “law firm” wherever they appear in sub-paragraphs (a) and (b) of paragraph (2), the words “or limited liability law partnership”.

**Amendment of rule 8**

**3.** Rule 8 of the principal Rules is amended by deleting paragraph (3) and substituting the following paragraph:

“(3) Where a law firm or a limited liability law partnership engages a locum solicitor, the partners of the law firm or the

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limited liability law partnership shall appoint a partner of the law firm or the limited liability law partnership (as the case may be) as the designated supervising practitioner for the locum solicitor.”.

#### **Amendment of rule 11C**

4. Rule 11C of the principal Rules is amended by deleting the words “law firm” wherever they appear in paragraphs (1) and (2) and substituting in each case the words “law practice”.

#### **Amendment of rule 25**

5. Rule 25 of the principal Rules is amended by inserting, immediately after paragraph (aa), the following paragraph:

“(ab) where the advocate and solicitor is a partner or an employee of a limited liability law partnership, any interest of the limited liability law partnership;”.

#### **Amendment of rule 26**

6. Rule 26 of the principal Rules is amended by inserting, immediately after the words “a director or an employee”, the words “or any limited liability law partnership of which the advocate and solicitor is a partner or an employee”.

#### **Deletion and substitution of rule 27**

7. Rule 27 of the principal Rules is deleted and the following rule substituted therefor:

##### **“Adverse interest**

27. An advocate and solicitor shall decline to represent, or withdraw from representing, a client where the interest of —

- (a) the advocate and solicitor or any member of his family;
- (b) any law corporation (of which the advocate and solicitor is a director or an employee) or any of its directors or employees; or
- (c) any limited liability law partnership (of which the advocate and solicitor is a partner or an employee) or any of its partners or employees,

is adverse to the interest of the client, unless the client having been fully informed, and advised that he should seek independent legal

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advice, consents to the advocate and solicitor acting or continuing to act on his behalf.”.

### **Amendment of rule 29**

8. Rule 29 (2) of the principal Rules is amended by inserting, immediately after the words “law corporation” in the 2nd and penultimate lines, the words “or limited liability law partnership”.

### **Amendment of rule 30**

9. Rule 30 (1) of the principal Rules is amended by inserting, immediately after the words “a director or an employee”, the words “or any partner or employee of the limited liability law partnership of which the advocate and solicitor is a partner or an employee”.

### **Amendment of rule 31**

10. Rule 31 of the principal Rules is amended —

(a) by deleting paragraph (2) and substituting the following paragraph:

“(2) For the purposes of paragraph (1), the term “client” includes a client of the law practice of which the advocate and solicitor is a partner, a director, an associate or an employee, whether or not he handles the client’s work.”; and

(b) by deleting the word “anyway” in paragraph (4) (b) and substituting the words “any way”.

### **Amendment of rule 32**

11. Rule 32 of the principal Rules is amended —

(a) by inserting, immediately after the words “directors or employees” at the end of paragraph (a) of the definition of “associated party”, the words “or, in the case of a limited liability law partnership, of any of its partners or employees”;

(b) by deleting the word “corporation” in paragraph (b) of the definition of “associated party” and substituting the words “body corporate”; and

(c) by deleting the word “corporation” in the definition of “excepted person” and substituting the word “entity”.

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**Amendment of rule 46**

**12.** Rule 46 of the principal Rules is amended —

- (a) by deleting the word “or” at the end of paragraph (c); and
- (b) by inserting, immediately after paragraph (c), the following paragraph:

“(ca) any partner or employee of the limited liability law partnership of the advocate and solicitor; or”.

**Amendment of rule 62**

**13.** Rule 62 (2) of the principal Rules is amended by inserting, immediately after the word “employee” at the end thereof, the words “or a limited liability law partnership of which he is a partner or an employee”.

**Miscellaneous amendments**

**14.** The principal Rules are amended —

- (a) by deleting the words “law firm or law corporation” wherever they appear in the following provisions and substituting in each case the words “law practice”:

Rules 5 (1), (2) and the rule heading, 31 (3) and (4) and 44 (1) and the rule heading;

- (b) by deleting the words “, a law firm or a law corporation” wherever they appear in the following provisions and substituting in each case the words “or a law practice”:

Rules 11A (1) and (2), 11B (1) and 52 (1) and (2); and

- (c) by deleting the words “, law firm or law corporation” wherever they appear in the following provisions and substituting in each case the words “or law practice”:

Rules 11A (2), 11B (1), (2) and (3) and 52 (1) and (2).

*[G.N. Nos. S 410/2001; S 71/2005]*

Made this 1st day of December 2006.

**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).