

LAWTECH FUND (“LTF”)
Supplementary Frequently Asked Questions (“FAQ”)
(as of 24 July 2020)

1. Eligibility of applicant

1.1 Clarification on eligibility?

As of 8 April 2020 on the Government’s announcement of the set-up of the LTF and at the time of the payment of the reimbursement where the application is successful:

- (a) in the case of a Hong Kong law firm, the firm must be in practice and the number of Hong Kong solicitors holding a current practising certificate within the firm must be five (5) or less as registered with the Law Society of Hong Kong;
- (b) in the case of a barristers’ chamber, the number of barristers holding a current practising certificate within the set of chambers must be five (5) or less.

1.2 Are part time solicitors in a law firm included when the Joint Committee consider the eligibility of the law firm?

In the case of a Hong Kong law firm, the firm must be in practice and the number of Hong Kong solicitors holding a current practising certificate within the firm must be five (5) or less as of 8 April 2020 on the Government’s announcement of the set-up of the LTF and at the time of the payment of the reimbursement where the application is successful. The number of Hong Kong solicitors include those working full time or part time in the firm.

1.3 Can a law firm with more than 5 solicitors/barristers’ chamber with more than 5 barristers apply for the LTF?

The criteria of eligibility was set by the Government aiming to assist small and medium-size law firms and barristers' chambers in procuring and upgrading information technology systems and arranging for their staff to attend lawtech training courses.

Please see the answer to 1.1 for the criteria.

1.4 Can foreign law firms apply for the LTF?

Only Hong Kong law firms are eligible.

The primary intention of the Government in setting up the LTF was to facilitate remote hearings in court. As foreign firms are not entitled to represent clients in Hong Kong court proceedings, the Government has not extended the LTF to apply to foreign law firms.

1.5 Can service companies apply for the LTF?

An applicant applying for funding under LTF must either be a Hong Kong law firm or a barristers’ chambers.

A law firm applicant should apply with the name of the firm as that registered with the Law Society. A barristers' chambers applicant should apply with the address of the Chambers and names of the members as registered with the Hong Kong Bar Association.

1.6 What would happen if I eventually had to close down my firm before the 2 years period (2 years from the date of reimbursement) due to the economy?

Applicants should have the intention to remain in business for 2 years. Information technology systems and product(s) procured and lawtech training arranged with funds under the LTF should be used for the operation or practice of the Eligible Applicant within 2 years from the date of reimbursement. The Eligible Applicant shall not transfer, sell or dispose of the information technology systems or product(s) within 2 years from the date of reimbursement.

2. Eligible Expenses

2.1 Should the items be already purchased and being in use now?

Only recognised expenses are eligible for reimbursement under the LTF. These refer to expenses (i) committed by an Eligible Applicant during the application period and due for payment to the product/service providers during the application period or shortly thereafter, or (ii) committed before the application period but yet to be due for full payment to the product/service providers on the first day of the application period to:

- (a) procure or upgrade the information technology systems of the Eligible Applicant; and/or
- (b) arrange relevant lawtech training, as recognised by the Joint Committee, for the practitioners and staff (including pupils and trainees) of the Eligible Applicant.

For the avoidance of doubt, recognised expenses do not include:

- (a) any expenses which have been fully paid by an Eligible Applicant before the commencement of the application period; and
- (b) rentals, leasing fees or other fees incurred by an Eligible Applicant for renting or leasing of the information technology systems (including broadband line rental and web hosting services).

The funding is provided on a reimbursable basis. Please attach documentary evidence with the application to verify that the amount being applied for has been committed or partially settled (e.g. invoices, receipts etc). Purchases of information technology systems which have been completed (i.e. with payment fully settled) and lawtech training which has been conducted before the opening of the application period are not eligible for funding under the LTF.

Payment of reimbursement to a successful applicant will only be disbursed after the applicant has submitted **original** documentary evidence to support that the amount being applied for has been settled in full (invoices and receipts etc).

2.2 What supporting documents should we provide to support the application and when should they be submitted?

The following supporting documents should be provided at the time of the application:

- (a) invoice;
- (b) receipt and/or any other document in proof of payment. For the avoidance of doubt, a 'PAID' chop appearing on a sales/cash would not suffice. For payment by cash, a receipt from the vendor must be provided.

Quotations will not be accepted.

The originals of the above documents should be submitted to the Law Society or the Bar Association (as the case may be) upon notification by the Joint Committee that the application has been approved, and shall be kept by the Law Society and the Bar Association for a minimum period of seven (7) years after the end of the Application Period for the Government's inspection purpose.

2.3 Will payment made by an individual for and on behalf of the law firm/barristers' chambers be considered?

The payment made by a partner and/or authorized person of the Applicant firm/chamber will be considered eligible provided all partners of the Applicant firm/members of the Applicant chambers sign on the Application form. As a condition of reimbursement, the title and interest in the product procured vests with the Applicant and the Applicant shall not transfer, sell or dispose of the product within 2 years from the date of the reimbursement.

3. Information technology systems / lawtech training

3.1 Is there a list of approved/recognized information technology systems and lawtech training?

All applications will be considered on a case-by-case basis and the Joint Committee will not provide approved/recognized lists of information technology systems and lawtech training.

In general, the following will be considered subject to the final decision of the Joint Committee:

- (a) common hardware, computer peripherals (e.g. printers, scanners, display monitors), smart phones, tablets, video conferencing facilities and software used for the practice of law in Hong Kong;
- (b) **website development package** for enhancing a law firm's practice;
- (c) installation or configuration service fee that arises from procuring the IT systems.

In general, consultation fee will not be eligible.

3.2 Will subscription-based product or services be considered?

Subscription of software or services which is procured by the Eligible Applicant as a package and settled by a fixed payment for the committed period in advance will be considered on a case-by-case basis.

For example, in the case of broadband network enhancement, service fees incurred for the purchase of broadband equipment will be considered as recognised expenses, but rental of optical fibre and broadband lines will not be recognised.

For the avoidance of doubt, fees incurred on a monthly basis for the subscription of software or service, are not recognised expenses.

3.3 I understand that the cost of installing equipment for remote hearings may be allowed as part of the cost of proceedings. If the cost was allowed in taxation, can I claim that cost under the LawTech Fund again?

No.

3.4 Is CPD/RME course eligible recognised under LTF?

For the purpose of applications under the LTF,

“lawtech training” refers to the relevant lawtech training as recognised and approved by the Joint Committee.

Funding support of lawtech training under LTF is restricted to training participated by the practitioners and staff in HK, be it face to face or online training. In general, any kind of training that relates to technology and lawtech and participated by the practitioners and staff in HK will be considered.

For online training, the training company can be overseas provided that the practitioners and staff take the course in Hong Kong.

4. Others

4.1 Is there a limited number of applications to be processed?

All applications submitted by Eligible Applicants to the Joint Committee between 28 April 2020 and 6 September 2020 (further extended deadline) will be processed. The processing order will be on a first-come-first-served basis according to the time and date of receipt of a complete and valid application.

4.2 Can an applicant resubmit a new application after the original application has been rejected?

All applications submitted by Eligible Applicants to the Joint Committee between 28 April 2020 and 6 September 2020 (further extended deadline) will be processed. Applicants may submit a new application within the application period.

4.3 Where may I find information related to the Lawtech Fund?

The LawTech Fund is open for application from 28 April 2020 to 6 September 2020 (further extended deadline). The application form, guidance notes and FAQ are available at the Law Society website https://www.hklawsoc.org.hk/pub_e/popup/20200427/lawtech.asp.

4.4 Are there any video conferencing facility (VCF) specifications and software requirement for the court?

Members may refer to Judiciary's website for the technical specifications of the Judiciary's video conferencing facilities, and check the Judiciary's website for possible updates during the application period.

4.5 How will I know if a VCF system can be connected to the court for remote hearings?

The Judiciary has conducted a number of testing sessions with The Law Society of Hong Kong and Hong Kong Bar Association. The following brands have systems tested compatibility with the court video conferencing facilities for remote hearings:

Hardware option:

- Avaya
- Cisco
- Huawei
- Poly

Software Option:

- Polycom RealPresence Desktop version 3.10
- Yealink VC Desktop version 1.27

Court users should check with their vendor on the required bandwidth and relevant set up including number of required IP addresses, cameras, microphones etc. (non-exhaustive), prior to the purchase, to ensure the optimal result in conducting a remote hearing. Members must rely on their own technical advice based on the information and communications technology systems they use in their firms.

4.6 Can I apply for the LawTech Fund in addition to other eligible government funds? E.g. TVP and D-Biz Programme?

Eligible applicants have to confirm in the application that they have not applied for or received and will not apply for or receive any financial grant or subsidy from the Government or any public sources in relation to the procurement of the information technology systems or the arrangement of the lawtech training which forms the subject matter of the application under the LTF.

5. Enquiries from product/service providers

5.1 Is there an approved list of products, services or lawtech trainings under the LTF? How can vendors be listed on this list?

All applications will be considered on a case-by-case basis in accordance with the Guidance Notes. The Joint Committee will not comment on individual products/services.