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**LAW SOCIETY**  
OF HONG KONG

香 港 律 師 會

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## **BECOMING A SOLICITOR**

**(February 2019)**

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## THE PROFILE OF HONG KONG SOLICITORS

There are approximately 9,903 solicitors holding a practising certificate. Taking the total Hong Kong population as 7.449 million, there is approximately one solicitor in every 752 Hong Kong citizens.

In the past 5 years, around an average of 611 solicitors were admitted each year. The average growth rate of practising solicitors per year is about 4.72%.

### Young profession

The solicitors' profession is a relatively young profession with over 68% admitted since 2000. More women seem to be joining the profession as 61% of trainees are female. Interestingly, those who are working as partners of law firms remain predominantly male (around 77%).

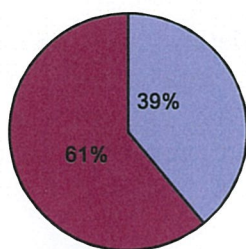


Figure 1a: Gender ratio – Trainee solicitors

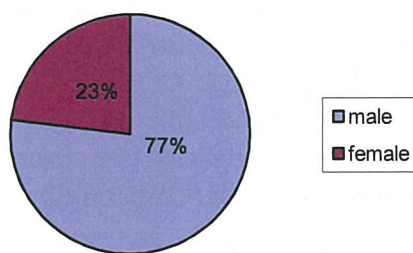


Figure 1b: Gender ratio - Partners

### Firm size

About 89% of the law firms in Hong Kong are sole practitioners and small-sized firms with 2 to 5 partners. A breakdown of the profile of law firms in Hong Kong is as follows:

Size of firm	No. of firms
Sole Practitioners	424
2-5 Partners	393
6-10 Partners	46
11-20 Partners	37
Over 20 Partners	15
<b>Total:</b>	<b>915</b>

*Note: Statistics were taken as at 31 December 2018.*

## **THE WORK OF SOLICITORS**

The range of work that solicitors do is extremely varied.

### **Mode of practice**

Some work in private practice – either on their own or with other solicitors forming partnerships. As private practitioners, solicitors advise a wide range of clients including large corporations, small businesses and individuals on diversified matters peculiar to each type of clients.

Some work “in-house” as employees of corporations and some work in the government as government lawyers.

### **Types of work**

Solicitors are problem solvers. They assist their clients in completing their endeavours in accordance with the applicable laws, rules and regulations. The types of legal services may change over time in order to meet the changing demands of clients and society. The range is wide and covers broadly practice areas like finance, commercial and corporate, property, litigation and private individual work involving family, wills and probate.

As a solicitor, you may be part of an advisory team to a company preparing to go public, or you may help your client draft a will or complete the purchase of a property, assist a bank in drafting a loan document, negotiate on behalf of a large corporation on a franchise agreement, prosecute or defend criminal cases, provide advice on employment law to an aggrieved employee or commence proceedings in court in relation to a contractual dispute.

Some solicitors may choose to specialise in certain areas of practice while some may prefer to be a general practitioner. Alternatively, some may choose to focus on legal education and contribute to the training of the future generation.

### **Limitless opportunities**

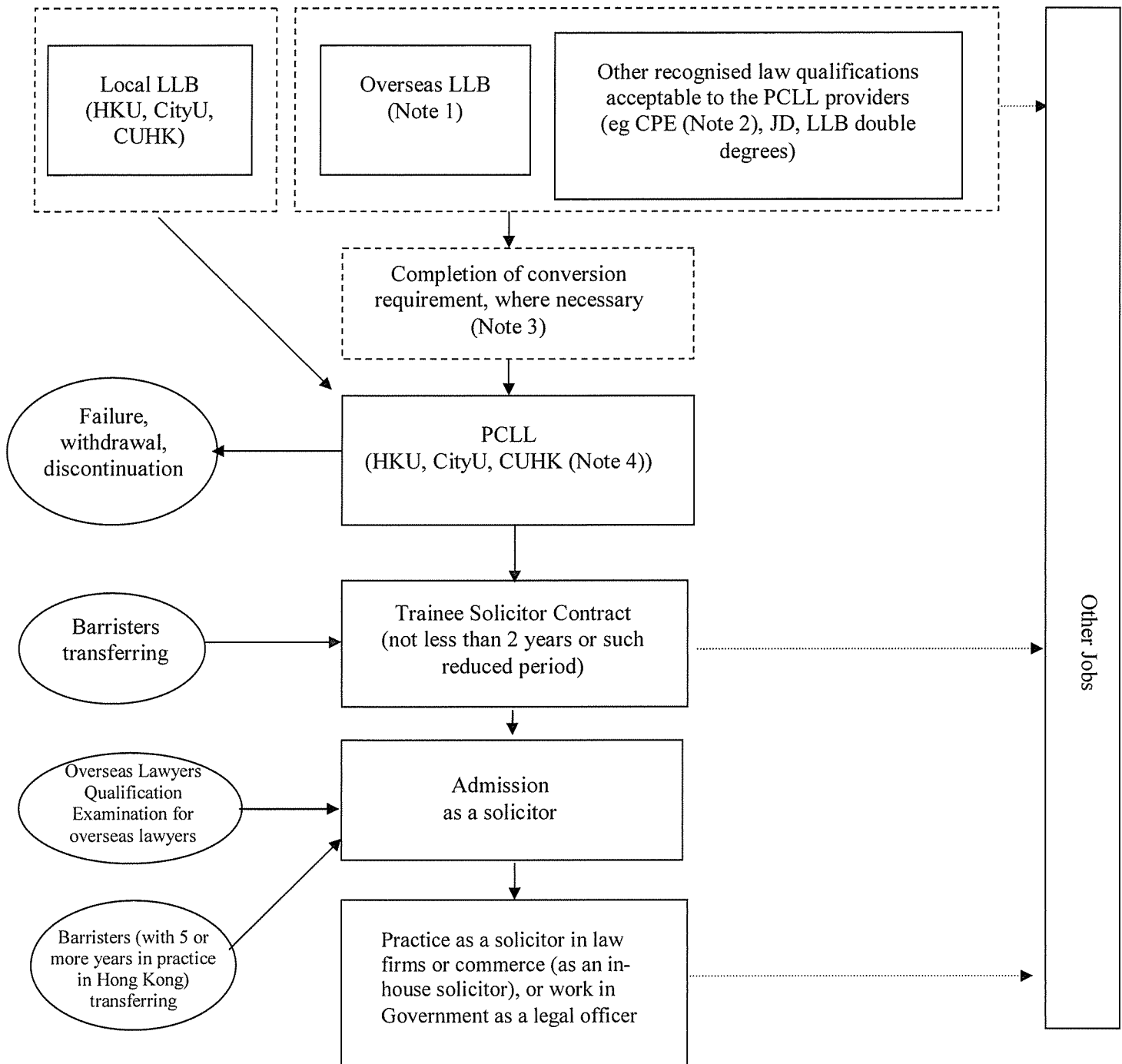
After having qualified as a solicitor, the opportunities are limitless. The diversity of work that a solicitor may do to help his clients and the community is where the attraction to the profession lies.

## **HOW TO BECOME A SOLICITOR**

There are two routes to become a solicitor in Hong Kong:

- (a) via the “trainee solicitor” route; and
- (b) via the “overseas lawyer” route.

## “TRAINEE SOLICITOR” ROUTE



**Note:**

1. Preparatory tuition on LLB courses of some overseas universities available locally
2. Preparatory tuition on CPE (Award of Manchester Metropolitan University) available locally
3. To be eligible for admission to the PCLL, students have to demonstrate competence in 11 core subjects (Contract, Tort, Constitutional Law, Criminal Law, Land Law, Equity, Civil Procedure, Criminal Procedure, Evidence, Business Associations and Commercial Law) and 3 top up subjects (Hong Kong Constitutional Law, Hong Kong Legal System and Hong Kong Land Law if these subjects were not passed at a university LLB / LLB double degrees / JD course in Hong Kong)
4. With effect from 2008/09

**Key:**

HKU – The University of Hong Kong  
 CityU – The City University of Hong Kong  
 CUHK – The Chinese University of Hong Kong  
 LLB – Bachelor of Laws  
 PCLL – Postgraduate Certificate in Laws  
 CPE – Common Professional Examination of England and Wales  
 JD – Doctor of Jurisprudence

## **Postgraduate Certificate in Laws**

To qualify through the “trainee solicitor” route, a person must undergo 2 years of training in a Hong Kong law firm as a trainee solicitor under a trainee solicitor contract.

To enter into a trainee solicitor contract, a person must have completed and passed the Postgraduate Certificate in Laws (“PCLL”).

PCLL is defined in section 2(1) of the Legal Practitioners Ordinance as

*“a Postgraduate Certificate in Laws awarded by the University of Hong Kong, the City University of Hong Kong, the City Polytechnic of Hong Kong or The Chinese University of Hong Kong”*

## **Prerequisite subjects for entry to PCLL**

### **Core subjects**

To be eligible for admission to the PCLL, all students have to demonstrate competence in 11 Core Subjects. These are

Contract	Civil Procedure
Tort	Criminal Procedure
Constitutional Law	Evidence
Criminal Law	Business Associations
Land Law	Commercial Law
Equity	

Graduates who hold a Bachelor of Laws degree from a university, other than one of the three universities offering such degrees in Hong Kong, or other recognized law qualification, acceptable to the PCLL providers may be able to demonstrate competence in these 11 Core Subjects when such have been completed as follows:

- (a) as part of their non-Hong Kong common law qualification; and / or
- (b) as a visiting “internal” student in one of the three universities awarding LLB and / or JD degrees in Hong Kong and passing the requisite examination; and / or
- (c) by passing the relevant subject in the *Hong Kong Conversion Examination for PCLL Admission*.

## Top-up Subjects

Students who have not passed all of the following three subjects at a university LLB / LLB double degrees / JD course in Hong Kong must also demonstrate competence in the following three Top-up Subjects:

Hong Kong Constitutional Law                      Hong Kong Legal System  
Hong Kong Land Law

Such students can demonstrate competence in the three Top-up Subjects in any one of the following ways:

- (a) as a visiting “internal” student in one of the three universities awarding LLB or JD degrees in Hong Kong and passing the requisite examination; and / or
- (b) as part of the Graduate Diploma in English and Hong Kong Law taught and awarded in Hong Kong; and / or
- (c) by passing the relevant subject in the *Hong Kong Conversion Examination for PCLL Admission*.

## The Hong Kong Conversion Examinations for PCLL admission

Students who do not meet the above eligibility requirement for PCLL admission are **not** required to attend any conversion courses. There will not be any mandatory Conversion Courses. Students may prepare for the Hong Kong Conversion Examinations for PCLL Admission through self-study or attend courses to prepare themselves for the Conversion Examinations. The attendance at such courses is in itself insufficient to demonstrate competence in the Core Subjects or Top-up Subjects.

Conversion Examinations will be offered twice a year in the following subjects:

Core Subjects:            Civil Procedure  
                                Criminal Procedure  
                                Commercial Law  
                                Evidence  
                                Business Associations

Top-up Subjects:        Hong Kong Constitutional Law  
                                Hong Kong Legal System  
                                Hong Kong Land Law

All other Core Subjects must be completed as part of a student’s main law qualification.

An Information Package setting out the conversion requirements, examination timetable and syllabi is posted on the Conversion Examination Board website at [www.pcea.com.hk](http://www.pcea.com.hk).

## **Trainee solicitor contract**

The 2 years of training to be undertaken after passing the PCLL must be with a Hong Kong law firm, but the trainee solicitor may, subject to prior approval from the Law Society, be seconded to:

- another law firm in Hong Kong for a period not exceeding 12 months; or
- a law firm outside Hong Kong or a company in Hong Kong (including government departments and non-government organizations in Hong Kong) each for a period not exceeding 6 months

during his trainee solicitor contract.

## **Two years of training**

Every trainee solicitor will be required to gain experience in at least three practice areas during his training.

To enhance consistency in the process of training, the Society has prepared a checklist on the basic type of practical training that a trainee solicitor is expected to undergo prior to qualification.

The checklist is aimed at providing general guidance on the basic training and assisting principals and trainees in devising their own training programme. Principals can amend and adapt it to meet the training needs of their own practice.

The training checklist is posted on the Law Society website at [www.hklawsoc.org.hk](http://www.hklawsoc.org.hk).

The period of 2 years of training may, subject to the approval of the Law Society, be reduced if the trainee solicitor has previous relevant work experience.

## **Reduction in the term of training**

3 years of relevant work experience will entitle the trainee solicitor to deduct the term of trainee solicitor contract by one month, with an additional one month reduction for every additional year of relevant work experience up to a maximum of 6 months.

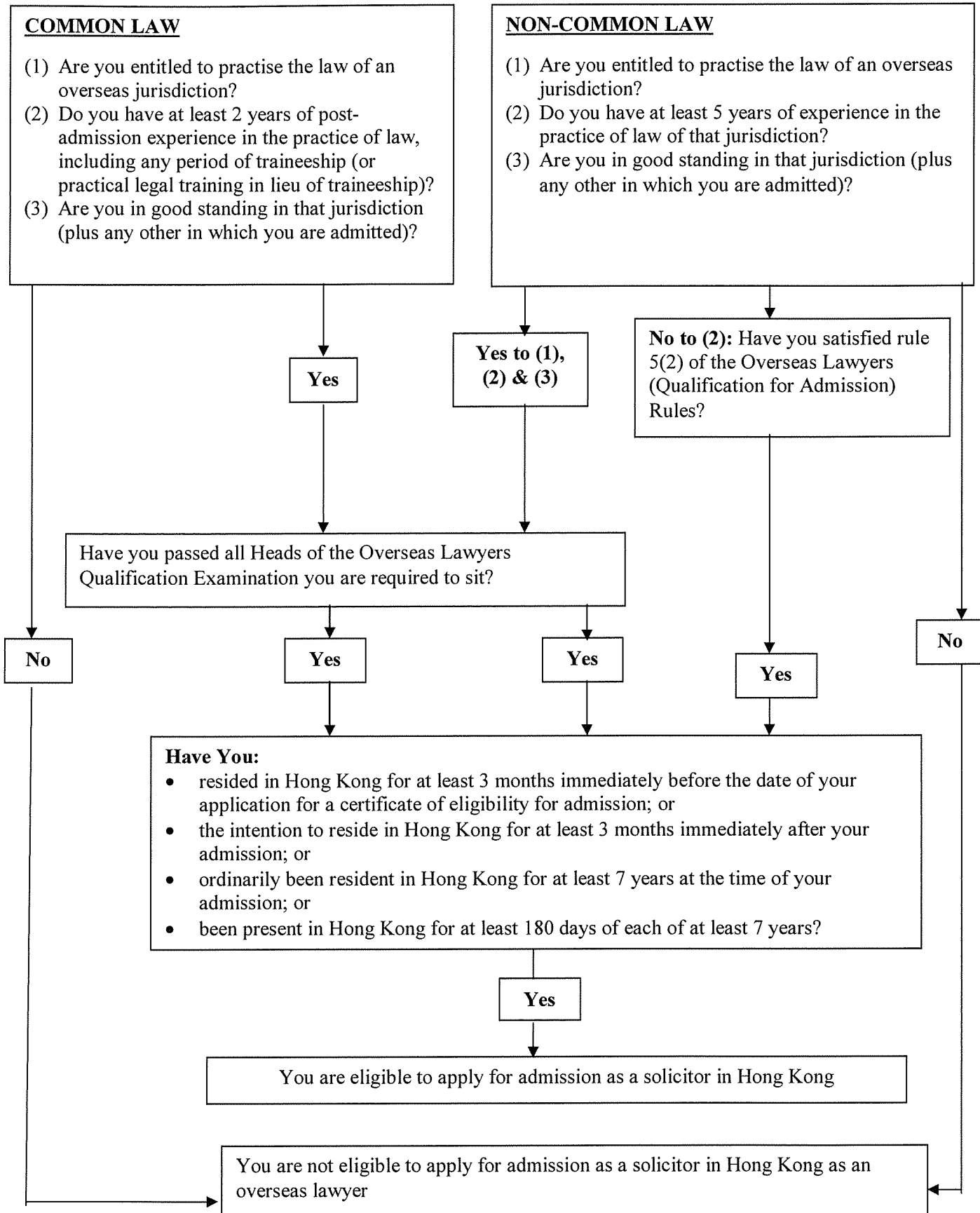
## **Admission**

Upon completion of the trainee solicitor contract and declaration by the principal that the trainee solicitor is fit to be a solicitor, the trainee solicitor can proceed to apply for admission.

Comprehensive Information Packages on the procedures for admission as a solicitor through the “trainee solicitor route” enclosing the sample application forms, standard trainee solicitor contract and training checklist are posted on the Law Society website at [www.hklawsoc.org.hk](http://www.hklawsoc.org.hk).



## “OVERSEAS LAWYER” ROUTE



## **Experience requirement**

If you are admitted in a common law jurisdiction, you must satisfy the Law Society that you have at least two years of post-admission experience in the practice of the law of your jurisdiction of admission (including any period credited in respect of articles or equivalent) in order to be eligible to sit the Overseas Lawyers Qualification Examination. The post-admission experience in the practice of the law of your jurisdiction of admission can include any period credited in respect of articles or traineeship or where there is no statutory requirement for you to gain admission through trainee solicitor training or articles of clerkship in your jurisdiction of admission, experience gained during a practical legal training course which is the statutory requirement in lieu of such trainee solicitor training or articles of clerkship. This requirement can be satisfied by working as a qualified lawyer in your home jurisdiction, or as a registered foreign lawyer in Hong Kong.

If you are admitted in a non-common law jurisdiction, you must satisfy the Law Society that you have had not less than 5 years of experience in the practice of the law of the jurisdiction of your admission in order to be eligible to sit the Examination.

Applicants must demonstrate that they have already gained the necessary experience at the time when they submit their applications.

## **Examination**

The Examination is held annually in Hong Kong, normally in October / November each year. The period for acceptance of applications to sit or be exempted from the Examination will be announced by way of a Law Society Circular in advance.

There are 5 Written Heads for candidates from common law jurisdictions and an additional Oral Head for candidates from non-common law jurisdictions:

### Written Heads

Head I – Conveyancing  
Head II – Civil and Criminal Procedure  
Head III – Commercial and Company Law  
Head IV – Accounts and Professional Conduct  
Head VI – Hong Kong Constitutional Law

### Oral Head

Head V – Principles of Common Law

## **Standard**

The test papers for each Head of the Examination are set at the standard expected of a newly qualified solicitor in Hong Kong who has completed a law degree (or its equivalent), the professional training course (PCLL) and a two-year traineeship prior to admission.

## **Preparation**

Preparation for the Examination by candidates should be carried out by way of self study and research in accordance with the published syllabi and reading lists and taking into account the standards established by the Law Society in relation to each Head of the Examination.

Candidates are reminded that practicality should be an important consideration when they answer the questions in the Examination. They are expected to approach the issues from a practical perspective.

To assist the candidates in preparing for the Examination, the Law Society has produced some guidance notes on examination techniques.

An Information Package and a Supplementary Information Package on the application procedure, examination fees, syllabi, past examination papers and results, examiners' comments, guidance notes on examination techniques and admission procedure after passing the Examination together with the application form are posted on the Law Society website at [www.hklawsoc.org.hk](http://www.hklawsoc.org.hk).

## **FOREIGN LAWYER**

Pending qualification as a Hong Kong solicitor, an overseas qualified lawyer may practise as a foreign lawyer in Hong Kong offering his services to the public as a practitioner of the law of his jurisdiction of admission provided that he is registered as a foreign lawyer with the Law Society.

A foreign lawyer must offer his services from within a Hong Kong firm or a foreign firm.

The foreign lawyer legislation is not intended to apply to in-house lawyers, who do not offer their services to the public as practitioners of foreign law.

### **Registration requirement**

If a foreign lawyer does not have at least 2 years of post-qualification experience in the full-time practice of foreign law, his registration may be subject to a condition on supervision, that is, he may be required to be supervised by a lawyer qualified in the same jurisdiction in his firm.

### **Scope of work**

A foreign lawyer is prohibited from practising Hong Kong law, but he may give advice on or handle any matter which -

- (a) is expected to be subject to the law of a jurisdiction other than Hong Kong; or
- (b) involves private or public international law.

Information on registration as a foreign lawyer setting out the application procedure together with the application form is posted on the Law Society website at [www.hklawsoc.org.hk](http://www.hklawsoc.org.hk).

## **LIFELONG LEARNING**

The Law Society believes in the benefits of a commitment to lifelong learning and thus places paramount importance in ensuring the establishment and promotion of high standards of work within the profession.

### **Continuing professional development**

Continuing professional development is the systematic maintenance, improvement and broadening of relevant knowledge and skills to enable a professional to successfully carry out his professional duties and responsibilities throughout his career. The Law Society introduced a mandatory Continuing Professional Development Scheme (“CPD Scheme”) in 1998. All practitioners to whom the CPD Scheme applies are required to obtain 15 CPD points each practice year. It has been extended to all trainee solicitors and all solicitors with a practising certificate since 2003.

The CPD Scheme has been designed to be as flexible as possible so that the relevant number of CPD points may be acquired in a time conscious and cost effective manner. The Law Society has taken into consideration the need for busy practitioners to have a variety of means by which they can comply with CPD requirements by permitting and encouraging methods of learning other than simply attendance at traditional lecture-based courses. For example, legal research, writing legal articles and books, long distance learning courses and the preparation and presentation of courses are recognised as CPD activities.

### **Risk management education**

The Law Society recognises the need to raise awareness of risk issues within law firms and to promote good risk management of legal practice.

The Risk Management Education (“RME”) Programme, which aims at equipping the participants with the tools and techniques to implement effective processes and systems to manage key operational risks facing them on a daily basis, came into operation in 2004. It first applied to partners and sole practitioners and has, since November 2006, applied to non-principals as well. It was further extended to trainee solicitors in 2008 and to foreign lawyers in 2009.

The Programme requires practitioners to complete a one-off core programme on RME and then short RME courses or approved RME activities (totalling 3 hours) every subsequent practice year.

Information Packages on details of the CPD Scheme and the RME Programme are posted on the Law Society website at [www.hklawsoc.org.hk](http://www.hklawsoc.org.hk).

## **THE ROLE OF THE LAW SOCIETY**

The Law Society of Hong Kong has been established for over 100 years. It is responsible mainly for:

- (1) supporting and protecting the character, status and interests of solicitors in Hong Kong;
- (2) establishing and promoting good standards of practice;
- (3) ensuring compliance by solicitors with relevant laws, codes, regulations and practice directions;
- (4) developing and maintaining the work of solicitors in all areas of the law, legal practice and legal procedures;
- (5) ensuring the view of solicitors is accurately and purposefully communicated (including matters of public policy); and
- (6) providing services to solicitors.

All solicitors must first be admitted as members of the Law Society before they are entitled to apply for a practising certificate.



## **BECOMING A STUDENT MEMBER**

If you are considering a career in law, it will be helpful to know more about the legal field and keep yourself updated on the happenings in the legal circle as early as possible.

Law students and trainee solicitors including a trainee solicitor seconded to Hong Kong from another common law jurisdiction under the terms of a trainee solicitor contract may apply to the Law Society to become student members.

### **Privileges**

Student membership status is a form of non-voting membership of the Law Society. Student members will be issued with a Law Society identity card and will receive

- (a) access to the Law Society's weekly circulars on the website;
- (b) access to the members only website;
- (c) use of the Law Society's Online Library; and
- (d) participation in the events of the Law Society and Law Society groups.

Student membership however does not grant the right to vote in Law Society elections or to stand for election to the Council or Committees of the Law Society.

### **How to apply**

If you wish to become a student member of the Law Society, you need to complete an application form and send it to the Law Society together with a letter of good standing from the University, Law School or Department at which you are currently studying law indicating that you are a bona fide student and the course in which you are participating, the date of commencement of your studies and the date upon which it is anticipated those studies will conclude. This is not required in respect of an application by a trainee solicitor whose contract is registered with the Law Society.

The membership fee is HK\$50 but the membership fee for the calendar year 2019 has been waived by the Council.

The application form is posted on the Law Society website at [www.hklawsoc.org.hk](http://www.hklawsoc.org.hk).

## **BECOMING AN ASSOCIATE MEMBER**

Any person who holds a legal professional qualification outside Hong Kong may apply to become an associate member of the Law Society.

### **Privileges**

Associate membership status is a form of non-voting membership of the Law Society. Associate members will receive all the privileges that solicitor members receive. These include:

- (a) receipt of the Law Society's weekly circulars;
- (b) receipt of the Law Society's monthly Journal "Hong Kong Lawyer";
- (c) access to the members only website;
- (d) use of the Law Society's Online Library; and
- (e) participation in the events of the Law Society and Law Society groups.

Associate membership however does not grant the right to vote in Law Society elections or to stand for election to the Council or Committees of the Law Society.

### **How to apply**

If you wish to become an associate member of the Law Society, you need to complete an application form and send it to the Law Society together with a letter from your own professional body (Law Society or Bar Association) confirming that you are a member of that professional body and entitled to practise under your own professional title in your home jurisdiction, and that you are in good standing with your professional body. This letter or certificate of good standing should have been issued not more than three months prior to the application for affiliate status.

The annual membership fee is HK\$1,500.

Foreign lawyers who are currently registered with the Law Society are exempt from the above provision.

The application form is posted on the Law Society website at [www.hklawsoc.org.hk](http://www.hklawsoc.org.hk).



## CONTACT US

The Law Society of Hong Kong  
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Central, Hong Kong

Website: <http://www.hklawsoc.org.hk>  
E-mail: [sg@hklawsoc.org.hk](mailto:sg@hklawsoc.org.hk)  
Telephone: (852) 2846-0500  
Facsimile: (852) 2845-0387

Staff at the Law Society are happy to assist in any enquiries you may have about information contained in this booklet.

Any enquiries relating to the admission routes should be directed to the Assistant Director, Regulation and Guidance on 2846-0523 or at [adrg@hklawsoc.org.hk](mailto:adrg@hklawsoc.org.hk) and any enquiries relating to the application for membership should be directed to the Assistant Director, Registration on 2846-0527 or at [regist@hklawsoc.org.hk](mailto:regist@hklawsoc.org.hk).

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