



INFORMATION FOR TRAINEE SOLICITORS

This information package is effective as of **3 May 2024**.

The requirements relating to recruitment of trainee solicitors and employment under a trainee solicitor contract (the "Contract") are set out in the Code of Good Practice in the Recruitment of Trainee Solicitors and the **Trainee Solicitors Rules**.

A. RECRUITMENT OF TRAINEE SOLICITORS

The Society has prescribed a Code of Good Practice in the Recruitment of Trainee Solicitors (copy attached).

The Code sets out the respective responsibilities of the principals and the trainees in the recruitment process so that the process may be effective, open and fair.

You are encouraged to adhere to the Code. The Society will monitor its operation and failure to comply with the Code may be referred to the Council; such failure may be taken into consideration in assessing whether you are suitable for registration as a trainee solicitor and/or as a fit and proper person for the purpose of admission as a solicitor.

B. REGISTRATION OF A TRAINEE SOLICITOR CONTRACT (RULE 8)

You must enter into a Contract for a period of 2 years with a solicitor qualified to employ trainee solicitors under section 20 of the Legal Practitioners Ordinance: see Schedule (page 11).

1. FORM OF CONTRACT (*PRACTICE DIRECTION E.2*)

The Society has approved 3 standard forms of Contract.

Form A (copy attached) is for a trainee solicitor entering into a Contract with a solicitor in private practice.

Form B (copy attached) is for a trainee solicitor entering into a Contract with a solicitor employed by the Government of the Hong Kong Special Administrative Region.

Form C (copy attached) is for a trainee solicitor entering into a Contract with a solicitor employed by a company as an in-house solicitor.

The minimum monthly salary of trainee solicitors has been revised to HK\$13,000.00 for the first year of training and HK\$15,000.00 for the second year of training for trainee solicitor contracts commencing from 1 January 2018.

It will not affect trainee solicitor contracts commencing before 1 January 2018.

Contracts which are not in the approved form or which do not provide for the minimum salary will not be accepted for registration.

2. *PROCEDURE (RULE 8)*

Your **original** Contract must be produced to the Society for registration **within one month after execution** together with -

- (a) an application form ("AA") completed by you as the applicant and your principal;
- (b) a certified copy of the Contract for retention by the Society; and
- (c) a cheque for HK\$1,400.00 payable to "The Law Society of Hong Kong".

You may not produce your Contract to the Society until after you have commenced work with your principal.

The commencement date of the Contract can be the date of execution or an earlier or later date as specified in the Contract (rule 8(9)). The commencement date specified in the Contract shall not be a date more than 3 months prior to the date of execution or a date prior to the date on which you pass the PCLL (rule 8(10)). Your contract shall not be registered if the date of commencement is inconsistent with rule 8(10).

If the Society is satisfied as to your character, fitness and suitability to be a trainee solicitor and your documents are in the correct form, your Contract will be registered by the Society. The date of registration will be endorsed on the original Contract and it will be returned to you. You will be advised by letter of the commencement and last dates of your Contract.

3. *LATE PRODUCTION OF CONTRACT (RULE 8(11))*

If a Contract is not produced to the Society within one month of execution, employment under the Contract commences on the date of production of the Contract to the Society. A note to that effect will be endorsed on the Contract and in the register.

The Society has a discretion to extend the date for production of a Contract and to determine the date of commencement of the Contract. This discretion will only be exercised in exceptional cases. It will not be enough for you to establish that it was inconvenient for you to produce the Contract to the Society within the time limit.

An application for the Society to exercise its discretion should be made by providing to the Society -

- (a) a completed general application form ("**DD**") and
- (b) a cheque for HK\$1,400.00 payable to "The Law Society of Hong Kong".

4. PROCEDURE FOR ENTERING INTO A NEW CONTRACT (RULE 13)

If your Contract is terminated by mutual agreement between you and your principal, you must enter into a new Contract for the remaining period. Your employment under the new and first Contract will be recognised by the Society only if they are for a total period of 2 years. The 2 year period must be completed within 3 years prior to your application for admission as a solicitor: rule 6(2).

The Society may grant an extension of the 3 year time limit in exceptional cases. An application for the Society to exercise its discretion should be made by providing to the Society -

- (a) a completed general application form ("**DD**") and
- (b) a cheque for HK\$1,400.00 payable to "The Law Society of Hong Kong".

Your new Contract must be produced to the Society for registration **within one month after** execution accompanied by:

- (a) an application form completed by you as the applicant and your principal ("**BB**");
- (b) a certified copy of the new Contract for retention by the Society;
- (c) the original and a copy of the Release of your previous Contract ("**CC**"); and
- (d) a cheque for HK\$1,400.00 payable to "The Law Society of Hong Kong".

If your documents are in the correct form, the Society will register your Contract. The date of registration will be endorsed on the original Contract and it will be returned to you.

The commencement date of the Contract can be the date of execution or an earlier or later date as specified on the Contract (rule 8(9)). The commencement date specified on the Contract shall not be a date more than 3 months prior to the date of execution or a date prior to the date on which you pass the PCLL (rule 8(10)). Your contract shall not be registered if the date of commencement is inconsistent with rule 8(10).

C. OTHER MATTERS

1. HOLIDAYS AND LEAVE (RULE 9(2))

In calculating the two-year period of a Contract, a maximum of 44 working days shall be allowed for leave, including maternity leave and sick leave.

If you exceed the leave allowance you should notify the Society immediately. The period of your trainee solicitor contract will be extended accordingly. The leave must be taken with the prior written approval of your principal.

2. EMPLOYMENT PRIOR TO CONTRACT (RULE 9A)

The Society has a discretion to allow a reduction in the period of a Contract where it considers that a period of employment in Hong Kong prior to entering into a trainee solicitor contract is relevant work experience.

Where there is a minimum total of 3 years' relevant work experience a reduction of 1 month may be given, with an additional 1 month reduction for every additional year of relevant work experience but the period of reduction shall not exceed 6 months. (rule 9A(3))

Your prior employment will not be recognised unless it is within 10 years of the date of the Contract, and the Society is satisfied that the work experience has provided you with training or experience similar to that provided by a trainee solicitor contract. (rule 9A(4))

An application should be made **at the same time** as the Contract is produced to the Society for registration by providing to the Society (rule 9A(5)) -

- (a) a completed general application form ("**DD**") giving full details of -
 - (i) the name(s) of your previous employer(s);
 - (ii) the duties undertaken in each employment; and
 - (iii) the period of each employment;
- (b) a reference from each of your previous employer(s) specifying the dates of commencement and termination of employment and the duties undertaken in each employment; and
- (c) a cheque for HK\$1,400.00 payable to "The Law Society of Hong Kong".

3. SECONDMENT TO AN IN-HOUSE LEGAL DEPARTMENT IN HONG KONG [RULE 9(3A)]

The Society may allow a secondment of up to 6 months to the legal department of a Company in Hong Kong, provided that you will –

- (a) be seconded to a company which, in the opinion of the Society, is able to provide suitable training for you;

- (b) be supervised by a solicitor holding a current practising certificate who is qualified under section 20 of the Legal Practitioners Ordinance to employ a trainee solicitor or act as his principal;
- (c) continue to have access to your principal; and
- (d) undertake work in the company which is similar to that undertaken by trainee solicitors in Hong Kong.

You must apply for recognition of a secondment as effective employment under your contract not less than 30 days prior to the secondment by providing to the Society:

- (a) a completed application form ("**D1**");
- (b) a letter from your principal about the matters set out in (b) to (d) above; and
- (c) a cheque for \$1,400.00 payable to "The Law Society of Hong Kong".

The Society has made arrangements with a number of Non-Government Organisations and Government Departments to take trainee solicitors on secondment for limited periods. Please see attached Law Society Circular 24-288.

4. *SECONDMENT TO A LAW FIRM OUTSIDE HONG KONG [RULE 9(4)]*

The Society may allow a secondment of up to 6 months to a law firm outside Hong Kong, provided that you will -

- (a) be seconded to a firm which, in the opinion of the Society, is able to provide suitable training for you;
- (b) be supervised in the jurisdiction by a legal practitioner who, in the opinion of the Society, holds qualifications similar or equivalent to those required of a solicitor in Hong Kong who wishes to employ a trainee solicitor or act as his principal;
- (c) continue to have access to your principal in Hong Kong; and
- (d) undertake work in the jurisdiction which is similar to that undertaken by trainee solicitors in Hong Kong.

In considering an application, the Society will take into account the following:

- (i) the relevance of the legal system of the jurisdiction to the legal system in Hong Kong;
- (ii) the professional and ethical standards of the legal profession in that jurisdiction; and
- (iii) any ties that may exist between the trainee solicitor's principal or his principal's firm and the legal practitioner or firm in the jurisdiction outside Hong Kong.

You must apply for recognition of a secondment as effective employment under your Contract not less than 30 days prior to the secondment by providing to the Society:

- (a) a completed application form ("**D1**");
- (b) a letter from your principal about the matters set out in (b) to (d) and (i) to (iii) above; and
- (c) a cheque for HK\$1,400.00 payable to "The Law Society of Hong Kong".

Applications are considered on a case by case basis by the Consents Committee and should also include the following information:

- relevant information relating to the Contract;
- whether this is the first such application or details of earlier applications;
- the office to which you will be seconded;
- the name of principal / solicitor who will supervise you;
- the period of secondment, including the commencement date; and
- areas of training and nature of work to be undertaken.

Please see attached Law Society Circular 02-322.

NB: SECONDMENTS

The total period of secondments during your trainee solicitor contract must not exceed 12 months, unless otherwise allowed by the Council.

5. APPROVAL FOR OTHER EMPLOYMENT (RULE 11)

You must not hold any office or engage in any employment, other than employment under the Contract, without the **prior** consent of the Society **and** your principal. This includes part-time employment after office hours such as teaching.

Any period during which you hold another office or engage in other employment may not be recognised as effective employment under the Contract, unless the Society otherwise directs. You should not assume that the Society's discretion will be exercised in your favour.

An application should be made **before** undertaking the employment or holding the office by providing to the Society-

- (a) a completed application form ("**EE**"); and
- (b) a cheque for HK\$1,400.00 payable to "The Law Society of Hong Kong".

Please see attached Law Society Circular 02-26.

If you change your principal during the term of the other employment or office, you must provide a letter of consent from the new principal at the time that the new Contract is registered with the Society.

6. *TRAINEE SOLICITORS EMPLOYED IN-HOUSE*

You will be required to serve a period of not less than 6 months' secondment to a firm of solicitors in Hong Kong which in the opinion of the Society will enable you to gain experience in those aspects of practice not associated with the work of in-house solicitors. During that secondment you must be supervised by a solicitor who is eligible to employ a trainee solicitor or act as his principal under section 20 of the Legal Practitioners Ordinance.

You must apply to the Society for approval of the secondment at least one month before taking up the secondment, by providing to the Society:

- (a) a completed application form ("**D1**");
- (b) a letter from your principal about the matters set out in Rule 9(5)(b) to (d) and Rule 9(5A) of the Trainee Solicitors Rules; and
- (c) a cheque for HK\$1,400.00 payable to "The Law Society of Hong Kong".

Applications are considered on a case by case basis by the Consents Committee and should also include the following information:

- (a) the name of the firm to which you will be seconded;
- (b) the name of the principal who will supervise you;
- (c) the period of the secondment; and
- (d) the nature of the work to be undertaken.

7. *SUITABLE ALTERNATIVE ARRANGEMENT DURING PROLONGED PERIOD OF ABSENCE OF PRINCIPAL*

Your attention is drawn to the legal obligation imposed on a solicitor who employs or is acting as your principal under a trainee solicitor contract. The solicitor must make suitable alternative arrangement for you to be properly supervised by another solicitor within the firm who is eligible to act as principal under section 20(1) of the Legal Practitioners Ordinance Cap.159 during a prolonged period of absence of the solicitor from the office. If no other solicitor is eligible under section 20(1) of the Legal Practitioners Ordinance within the firm, the solicitor may consider making suitable alternative arrangement pursuant to rule 9(3) of the Trainee Solicitors Rules Cap.159J for you to be employed in the office of another solicitor or qualified person who is eligible under section 20(1) of the Legal Practitioners Ordinance to act as your principal. In case of such a prolonged period of absence of your employer or principal under a trainee solicitor contract and no suitable alternative arrangement of your proper supervision has been made, you should notify the Law Society.

Failure to give the above notice to the Law Society will be taken into account at the time of your application for admission as a solicitor in consideration of whether you have been duly employed as a trainee solicitor for the whole of the period of the trainee solicitor contract. Please see attached Law Society Circular 21-509 (SD) on Trainee Solicitor Training.

8. *CONTINUING PROFESSIONAL DEVELOPMENT (CPD) SCHEME*

As a trainee solicitor, you are required to complete 15 CPD points during each CPD practice year (which commences on 1 November and expires on 31 October the following year).

Commencement of a trainee solicitor contract after the commencement of the CPD practice year

If your trainee solicitor contract commences after the commencement of a CPD practice year, you will be required to complete your CPD requirement on a pro-rata basis.

There have been cases of misinterpretation of the CPD requirement where trainee solicitors completed 15 CPD points for the 12-month period from the commencement of their contract term, instead of in accordance with the pro-rata requirement on the basis of their contract period during a CPD practice year.

Other circumstances

In the event of:

- (1) a suspension of the CPD requirements of a trainee solicitor;
- (2) a reduction of the term of a trainee solicitor contract; or
- (3) a time gap in between two trainee solicitor contracts,

the annual 15 CPD points requirement will also be determined on a pro-rata basis.

You are strongly advised to review the relevant Tables in the CPD Information Package to ascertain the number of points you are required to accumulate in each CPD practice year.

For trainee solicitors, the CPD obligations take effect from the commencement date of their trainee solicitor contract and not the date the contract is registered with the Society.

CPD activities undertaken prior to the end of the period of employment as a trainee solicitor including the time gap in between two trainee solicitor contracts will be counted for CPD purposes.

If you fail to complete the requirements of the CPD Scheme by the date of expiry of your trainee solicitor contract you will not be eligible for admission as a solicitor until the requirements have been completed.

The standard form of trainee solicitor contract requires that your principal give you paid leave to attend the required CPD courses and to pay any fees for these courses.

Should circumstances arise and you need to seek a suspension from the operation of the CPD Scheme, you should contact the Assistant Director of Professional Development at the Society as you are required under the CPD Rules to make an application for a suspension from the operation of the Scheme.

In exceptional circumstances the Law Society may grant an exemption from the Scheme.

More information regarding the Continuing Professional Development Scheme is contained in the CPD Information Package.

The Society does not keep records of individual practitioners' attendance at courses. All practitioners subject to the CPD Scheme are required to maintain their own record of their training activities with sufficient details for verification purposes. A recommended form of CPD training record can be downloaded from the Society's website at www.hklawsoc.org.hk.

The Society can request production of the training record at any time.

9. RISK MANAGEMENT EDUCATION

With effect from 1 November 2008, the application of the Legal Practitioners (Risk Management Education) Rules ("Rules") has been extended to trainee solicitors whose first trainee solicitor contract commences on or after 1 November 2008.

For trainee solicitors whose first trainee solicitor contract commences on or after 1 November 2008

If your first trainee solicitor contract commences on or after 1 November 2008, you will be subject to the RME obligations as follows:

- (a) During the first practice year in which the Rules apply to you, you shall complete the trainee solicitor's core courses consisting of two half-day modules.
- (b) During the second practice year in which the Rules apply to you, you shall complete a compulsory first elective for trainee solicitors consisting of two half-day modules.

The compliance of RME obligations including the completion of the trainee solicitor's core courses and the compulsory first elective for trainee solicitors is a condition of admission for trainee solicitors.

You should note that the RME practice year runs from 1 November to 31 October. If you start your trainee solicitor contract after the commencement of a practice year, the first practice year for the purposes of the Rules begins on 1 November immediately preceding the date of commencement of your contract and expires on 31 October the following year. The second practice year commences on 1 November immediately after the first practice year and again ends on 31 October the following year. There have been instances of misinterpretation of the RME requirement whereby the trainee solicitors calculate the 12-month period for the first practice year in which they have to complete the core courses from the date of commencement of the trainee solicitor contract, instead of 1 November. Examples on how to calculate the relevant first and second practice years are set out in the section "Frequently Asked Questions" of the RME Information Package.

On the basis that you have completed the trainee solicitor's core courses and the compulsory first elective, you shall be exempted from completion of the non-principal's core courses during the practice year when you start working as a non-principal in a Hong Kong firm after admission as a Hong Kong solicitor. You nevertheless remain subject to the annual RME elective obligations.

For trainee solicitors whose first trainee solicitor contract commences before 1 November 2008

The Rules do not apply to trainee solicitors whose first trainee solicitor contract commences before 1 November 2008. If you fall within this category, you are not subject to any RME obligations as trainee solicitor.

When you work as a non-principal in a Hong Kong firm after admission as a Hong Kong solicitor, you will be subject to the Rules for the first time:

- (a) during the first practice year that the Rules apply to you, you have to complete the non-principal's core courses which consist of two half-day modules;
- (b) during every subsequent practice year, you will complete at least 3 hours of elective courses within each subsequent practice year or failing which, at least 6 hours of elective courses within the immediately succeeding practice year.

The updated RME Information Package is posted on the Society's website at www.hklawsoc.org.hk.

10. *TRAINEE SOLICITOR IDENTITY CARD*

You are advised to apply for a Trainee Solicitor Identity Card at the time when you submit your application for registration of your Contract.

Application form ("FF") for the Card is enclosed. No extra fee will be charged for issuing the Card unless it is for replacement of lost card.

11. *TRAINING CHECKLIST FOR TRAINEE SOLICITORS*

To enhance consistency in the process of training, the Society has prepared a checklist (attached) 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.

D. *GENERAL NOTES*

Applications should be delivered to the reception desk of the Society marked to the attention of the "Registration Section".

You must read the notes at the bottom of the attached forms carefully. Any amendments to the attached forms must be initialled by the persons completing the form.

If your documents are not in a form acceptable to the Society they will be returned to you for amendment. You will not be permitted to bring substitute pages to the Society's office and insert them in the original document in place of the incorrect pages.

Please also refer to the specimen forms prepared which are attached at the back of this package.

All applications will be dealt with strictly in order of receipt and will take at least four weeks to process.

Do not telephone the Society until the expiration of this period. Unnecessary telephone calls slow down the work of the Registration Section.

You will be advised in writing of the results of all applications. All letters and receipts from the Society must be retained until your admission procedures have been completed.

Section 20 of the Legal Practitioners Ordinance provides-

"20. Restrictions on employing trainee solicitors

- (1) No person who has not at some time been in continuous practice as a solicitor in Hong Kong for a period of 5 years shall, without the special leave in writing of the Society, employ a trainee solicitor or act as his principal.
- (2) No person shall employ or act as principal for more than 2 trainee solicitors at the same time.
- (3) No person shall employ a trainee solicitor or act as his principal unless he is practising as a solicitor on his own account or in partnership, without the special leave in writing of the Society.
- (4) If any solicitor employs or acts as principal for a trainee solicitor in contravention of any of the provisions of subsection (1), (2) or (3), the Council may terminate the trainee solicitor's contract upon such terms as it thinks fit.
- (4A) It is not a contravention of subsection (1), (2) or (3) for a person other than a solicitor to employ a trainee solicitor so long as -
 - (a) the trainee solicitor is assigned to a solicitor who acts as his principal;
 - (b) the solicitor who acts as principal is qualified under and complies with subsections (1), (2) and (3); and
 - (c) the solicitor is employed by the same person as the trainee solicitor.
- (5) Any -
 - (a) solicitor; or
 - (b) qualified person,

serving in the -

- (i) Department of Justice; or
- (ii) the Legal Advisory and Conveyancing Office of the Lands Department; or
- (iia) the Land Registry; or
- (iib) the Companies Registry; or
- (iii) Legal Aid Department; or
- (iv) Official Receiver's Office; or
- (v) Intellectual Property Department,

of the Government shall, for the purposes of this section, be deemed to be practising as a solicitor on his own account; and this subsection shall apply in relation to periods before as well as periods after the commencement of the Legal Practitioners (Amendment) Ordinance 1982 (50 of 1982)."

Circular 16-1126(COM) may be referred to as guidelines for Council to exercise its discretion under sections 20 (1) and 20 (3). Please see attached Circular 16-1126.

Code of Good Practice in the recruitment of trainee solicitors

Employers

1. Generally, offers (written or verbal) for employment of trainee solicitors should be made no earlier than 1 August of the year which is 2 years prior to the intended year of commencement of the training contract.
2. Visit dates to institutions of higher education to interview applicants will be agreed in advance between the employer and the appropriate careers' service. Where part of the selection procedure takes place off campus during term time, alternative interview dates will be offered if requested by the student.
3. At interview, the applicant will be told if there are any further stages to the selection process and when these will take place. Applicants will be informed, in writing, preferably within 2 to 4 weeks of the completion of the selection process whether an offer has been made.
4. All offers will be in writing. Applicants will be given at least two weeks to confirm whether or not they wish to accept an offer. The employer will give sympathetic consideration to an applicant's request for an extension to the time limit on an offer provided that a good reason is given. An offer will not be withdrawn before the time limit for acceptance has expired.
5. Where an employer is prepared to provide financial assistance to a student in relation to undergraduate or postgraduate studies, the terms and conditions on which the assistance is offered will be explained in writing when the training contract offer is made. Any time limit for the acceptance of an offer of financial assistance must not have the effect of reducing the time limit for accepting the training contract offer.

Students' responsibilities

6. Students should respond as promptly as possible to an offer of employment as a trainee solicitor. If the student is unable to give a final decision, he or she must ask for time to consider the offer, but must indicate the date by which the decision will be given. In all cases, unless the student has been given an extension of time by the employer, the student must make a decision one way or the other within the relevant time limit for acceptance of offer.
7. A student who receives more than two offers will without delay turn down the excess offers that he/she does not wish to hold.
8. A student should accept offers in writing within the time frame stipulated above.
9. Once a student has accepted an offer, the student must inform all other employers who have made an offer or invited the student to attend for interview and make no further applications for a training contract and accept no further offers.

10. A trainee solicitor contract is defined in S2(1) of the Legal Practitioners Ordinance Cap. 159 as a contract in writing, under which a person is employed as a trainee solicitor for the purpose of being admitted as a solicitor.

The Law Society of Hong Kong

11. The Law Society of Hong Kong will encourage all law firms and potential trainee solicitors to adhere to the Code prior to commencement of training and will monitor the operation of this Code. Non-compliance by trainee solicitors with the Code may be referred to the Council; such non-compliance may be taken into consideration in assessing whether an applicant is suitable for registration as a trainee solicitor and/or as a fit and proper person for the purpose of admission as a solicitor.
12. Under rule 8(2) of the Trainee Solicitors Rules Cap. 159J (“Rules”), the Council may, if it thinks fit, require an applicant to attend before it and to furnish evidence as to his or her character, fitness, and suitability to be a trainee solicitor as the Council may consider necessary. Under rule 8(3) of the Rules, if the Council decides after interviewing the applicant he or she is not suitable to be a trainee solicitor, it shall direct the Secretary General not to register the trainee solicitor contract.
13. Rule 8(1)(a) of the Rules provides that when an applicant applies to register the trainee solicitor contract, the applicant must file the Application for Registration of Trainee Solicitor Contract (“Application Form”).
14. To enable the Council to exercise its power under rule 8(2) and rule 8(3) of the Rules, an applicant is required to declare whether he or she has complied with paragraph 9 of the Code in the Application Form.
15. The Council may take into consideration any special circumstances when evaluating individual cases of non-compliance by trainee solicitors.

TRAINEE SOLICITOR CONTRACT - FORM A

Note: Rule 11 (1) of the Trainee Solicitors Rules (Cap.159J) provides that “subject to these rules, a trainee solicitor shall not hold an office or engage in an employment other than the employment under his trainee solicitor contract, and a period during which he has held such other office or engaged in such other employment is not effective employment as a trainee solicitor, unless the Society otherwise directs.”

THIS TRAINEE SOLICITOR CONTRACT is made the

day of

BETWEEN
of

("the Trainee Solicitor")

AND
of

(the "Principal"), a solicitor and a partner in the firm of

(the "Firm").

1. The Trainee Solicitor commenced employment with the Principal on the day of and will be employed by the Principal from that date for the period of months / years at a salary of \$ per month (or at a salary of \$ per month for the first months / year and at a salary of \$ for the remaining months / year.
2. This contract shall not be terminated except by mutual agreement of the parties or by the Law Society of Hong Kong (the "Society") in the exercise of its powers under section 22 of the Legal Practitioners Ordinance.
3. The Trainee Solicitor and the Principal hereby acknowledge that they have considered the operation of Rule 11 of the Trainee Solicitors Rules and are aware of the potential consequences of any breach of the rule.
4. The Trainee Solicitor agrees to:
 - (1) faithfully and diligently work for the Principal in the profession of a solicitor of the High Court of the Hong Kong Special Administrative Region as a trainee solicitor;
 - (2) deal properly with the money and property of the Principal and the Firm and their clients or employees;

- (3) treat with the utmost confidence all information relating to the Principal and the Firm and their clients and their business;
- (4) readily obey and execute the lawful and reasonable instructions of the Principal and any partner of the Firm and not be absent from the employment of the Principal without the consent of the Principal and to act with diligence, honesty and propriety; and
- (5) complete and maintain an adequate training record ("the Record") and have it available for inspection by the Principal (or, if appropriate, by the Society) until the Trainee Solicitor has been admitted as a Solicitor of the High Court of the Hong Kong Special Administrative Region. The Record shall belong to the Principal and shall be in such form as the Principal shall reasonably prescribe but shall take the style of a Diary of the work and experience of the Trainee Solicitor or a series of checklists covering the basic legal topics in which the Principal has agreed to give the Trainee Solicitor the opportunity of gaining experience as specified in clause 5(1)(b).
- (6) **(Insert any further clauses required, which must not override or negate the standard clauses).*

5. The Principal agrees to:

- (1) provide the Trainee Solicitor with the opportunity (either in the Firm's office or in that of another practising solicitor entitled to take trainee solicitors) to learn the basic skills and characteristics associated with the practice and profession of a solicitor of the High Court and in particular to:-
 - (a) provide the Trainee Solicitor with the opportunity to learn the principles of professional conduct and to practise a range of basic skills. These are:-
 - (i) communication
 - (ii) practice support
 - (iii) legal research
 - (iv) drafting
 - (v) interviewing
 - (vi) negotiation
 - (vii) advocacy.

- (b) provide the Trainee Solicitor with proper training and experience in at least three of the following basic legal topics:-
 - (i) Banking
 - (ii) Civil Litigation
 - (iii) Commercial
 - (iv) Company
 - (v) Criminal Litigation
 - (vi) Family
 - (vii) Insolvency
 - (viii) Intellectual Property
 - (ix) Property
 - (x) Trusts, Wills and Probate;
 - (2) provide, in the form specified in clause 4(5), a Record for the use of the Trainee Solicitor and each calendar month inspect the Record and discuss it with the Trainee Solicitor, or delegate another person to do so;
 - (3) decide, in consultation with the Trainee Solicitor, which courses conducted by the Society or other providers of courses accredited by the Society the Trainee Solicitor must attend to accumulate sufficient points to comply with the Continuing Professional Development Rules and the Legal Practitioners (Risk Management Education) Rules;
 - (4) allow the Trainee Solicitor paid leave to attend the courses referred to in clause 5(3); and
 - (5) pay any fees charged by the Society or accredited providers for the Trainee Solicitor's attendance at the courses referred to in clause 5(3).
 - (6) **(Insert any further clauses required, which must not override or negate the standard clauses).*
6. Any difficulty or dispute between the Trainee Solicitor and the Principal concerning the fulfilment of the provisions of this Contract or the conduct of either party in relation to this Contract may be referred by either of them to the Council of the Society for determination and the decision of the Council shall be final and binding on both parties.

Registration of this agreement shall not imply any approval by the Law Society of any further clauses added to the Law Society's standard form of Contract.

SIGNED by the Trainee Solicitor)
in the presence of :-)

Solicitor of the High Court of the Hong Kong Special Administrative Region/
Commissioner for Oaths/Justice of Peace

SIGNED by the Principal in the)
presence of :-)

Solicitor of the High Court of the Hong Kong Special Administrative Region/
Commissioner for Oaths/Justice of Peace

Notes:

* Delete if inapplicable.

This contract must be witnessed by a Hong Kong solicitor/Commissioner for Oaths/Justice of Peace

Personal Information Collection Statement

The personal data of the data subject collected in this Contract (“the data”) will be used by the Law Society of Hong Kong (“the Society”) for the following purposes:

- (i) The keeping of traineeship records to show the effective employment of trainee solicitors and related matters;
- (ii) The exercise of the powers of the Society conferred upon it by the Legal Practitioners Ordinance (Chapter 159) and its subsidiary legislation; and
- (iii) The performance of the functions of the Society in accordance with its Memorandum and Articles of Association and the attainment of the objects for which the Society is established.

It is obligatory for you to supply the Society with the data in this Contract except as otherwise indicated. The consequence for you if you fail to supply such data is that you will not have complied with the requirements of the Trainee Solicitors Rules.

The data may be provided to such persons within the Society whose proper business it is to have access to and assist in the management of the traineeship records and related matters. The data may also be provided to other persons who may help the Society in attaining the purposes above mentioned.

Any data that is provided to anyone outside of the Society will be restricted to what is necessary and not excessive to achieve any intended purpose.

You have the right to request access to and correction of the data. Any such request should be addressed to the Secretary General, the Law Society of Hong Kong, 3/F, Wing On House, 71 Des Voeux Road Central, Hong Kong.

The Privacy Policy Statement of the Society is available on its website at **www.hklawsoc.org.hk**.

TRAINEE SOLICITOR CONTRACT - FORM B

Note: Rule 11 (1) of the Trainee Solicitors Rules (Cap.159J) provides that “subject to these rules, a trainee solicitor shall not hold an office or engage in an employment other than the employment under his trainee solicitor contract, and a period during which he has held such other office or engaged in such other employment is not effective employment as a trainee solicitor, unless the Society otherwise directs.”

THIS TRAINEE SOLICITOR CONTRACT is made the

day of

BETWEEN

of

("the Trainee Solicitor")

AND

of

(the "Principal"), who are both employees of the Department of Justice / Legal Advisory and Conveyancing Office of the Lands Department / Land Registry / Companies Registry / Legal Aid Department / Official Receiver's Office / Intellectual Property Department* ("the Department") of the Government of the Hong Kong Special Administrative Region ("the Government").

1. The Trainee Solicitor commenced employment with the Government on the day of and will be employed by the Government from that date for the period of months / years* at a salary of \$ per month /or at a salary which is equivalent to half the amount the Trainee Solicitor should receive in the Trainee Solicitor's substantive office with the Government*.
2. This contract shall not be terminated except by mutual agreement of the parties or by the Law Society of Hong Kong (the "Society") in the exercise of its powers under section 22 of the Legal Practitioners Ordinance.
3. The Trainee Solicitor and the Principal hereby acknowledge that they have considered the operation of Rule 11 of the Trainee Solicitors Rules and are aware of the potential consequences of any breach of the rule.
4. The Trainee Solicitor agrees to:-
 - (1) faithfully and diligently work for the Principal in the profession of a solicitor as a trainee solicitor;
 - (2) deal properly with the money and property of the Principal or the Government or its employees;

- (3) keep the secrets of the Principal or the Government and observe the Security Regulations and the Civil Service Regulations of the Government;
- (4) readily obey and execute the lawful and reasonable instructions of the Principal and not be absent from the employment of the Government without the consent of the Principal and to act with diligence, honesty and propriety; and
- (5) complete and maintain an adequate training record ("the Record") and have it available for inspection by the Principal (or, if appropriate, by the Society) until the Trainee Solicitor has been admitted as a Solicitor of the High Court of the Hong Kong Special Administrative Region. The Record shall belong to the Principal and shall be in such form as the Principal shall reasonably prescribe but shall take the style of a Diary of the work and experience of the Trainee Solicitor or a series of checklists covering the basic legal topics in which the Principal has agreed to give the Trainee Solicitor the opportunity of gaining experience as specified in clause 5(1)(b).
- (6) **(Insert any further clauses required, which must not override or negate the standard clauses).*

5. The Principal agrees to:-

- (1) provide the Trainee Solicitor with the opportunity (either in the Department or in another department of the Government under the supervision of an employee of the Government entitled to take trainee solicitors or in the office of a solicitor in private practice entitled to take trainee solicitors) to learn the basic skills and characteristics associated with the practice and profession of a solicitor and in particular to:
 - (a) provide the Trainee Solicitor with the opportunity to learn the principles of professional conduct and to practise a range of basic skills. These are:-
 - (i) communication
 - (ii) practice support
 - (iii) legal research
 - (iv) drafting
 - (v) interviewing
 - (vi) negotiation
 - (vii) advocacy.

- (b) provide the Trainee Solicitor the opportunity to gain reasonable experience in at least three of the following basic legal topics:-
 - (i) Banking
 - (ii) Civil Litigation
 - (iii) Commercial
 - (iv) Company
 - (v) Criminal Litigation
 - (vi) Family
 - (vii) Insolvency
 - (viii) Intellectual Property
 - (ix) International law
 - (x) Property
 - (xi) Trusts, Wills and Probate
- (2) provide, in the form specified in clause 4(5), a Record for the use of the Trainee Solicitor and each calendar month inspect the Record and discuss it with the Trainee Solicitor, or delegate another person to do so;
- (3) decide, in consultation with the Trainee Solicitor, which courses conducted by the Society or other providers of courses accredited by the Society the Trainee Solicitor must attend to accumulate sufficient points to comply with the Continuing Professional Development Rules and the Legal Practitioners (Risk Management Education) Rules;
- (4) allow the Trainee Solicitor paid leave to attend the courses referred to in clause 5(3); and
- (5) pay any fees charged by the Society or accredited providers for the Trainee Solicitor's attendance at the courses referred to in clause 5(3).
- (6) **(Insert any further clauses required, which must not override or negate the standard clauses).*

6. Any difficulty or dispute between the Trainee Solicitor and the Principal concerning the fulfilment of the provisions of this Contract or the conduct of either party in relation to this Contract may be referred by either of them to the Council of the Society for determination and the decision of Council shall be final and binding on both parties.

Registration of this agreement shall not imply any approval by the Law Society of any further clauses added to the Law Society's standard form of Contract.

SIGNED by the Trainee Solicitor)
in the presence of :-)

Solicitor of the High Court of the Hong Kong Special Administrative Region
/Commissioner for Oaths/Justice of Peace

SIGNED by the Principal in the)
presence of :-)

Solicitor of the High Court of the Hong Kong Special Administrative Region
/Commissioner for Oaths/Justice of Peace

Notes:

* Delete if inapplicable.

This contract must be witnessed by a Hong Kong solicitor/Commissioner for Oaths/Justice of Peace

Personal Information Collection Statement

The personal data of the data subject collected in this Contract (“the data”) will be used by the Law Society of Hong Kong (“the Society”) for the following purposes:

- (i) The keeping of traineeship records to show the effective employment of trainee solicitors and related matters;
- (ii) The exercise of the powers of the Society conferred upon it by the Legal Practitioners Ordinance (Chapter 159) and its subsidiary legislation; and
- (iii) The performance of the functions of the Society in accordance with its Memorandum and Articles of Association and the attainment of the objects for which the Society is established.

It is obligatory for you to supply the Society with the data in this Contract except as otherwise indicated. The consequence for you if you fail to supply such data is that you will not have complied with the requirements of the Trainee Solicitors Rules.

The data may be provided to such persons within the Society whose proper business it is to have access to and assist in the management of the traineeship records and related matters. The data may also be provided to other persons who may help the Society in attaining the purposes above mentioned.

Any data that is provided to anyone outside of the Society will be restricted to what is necessary and not excessive to achieve any intended purpose.

You have the right to request access to and correction of the data. Any such request should be addressed to the Secretary General, the Law Society of Hong Kong, 3/F, Wing On House, 71 Des Voeux Road Central, Hong Kong.

The Privacy Policy Statement of the Society is available on its website at **www.hklawsoc.org.hk**.

The Law Society of Hong Kong

TRAINEE SOLICITOR CONTRACT - FORM C

Note: Rule 11 (1) of the Trainee Solicitors Rules (Cap.159J) provides that “subject to these rules, a trainee solicitor shall not hold an office or engage in an employment other than the employment under his trainee solicitor contract, and a period during which he has held such other office or engaged in such other employment is not effective employment as a trainee solicitor, unless the Society otherwise directs.”

THIS TRAINEE SOLICITOR CONTRACT is made the

day of

BETWEEN

of

("the Trainee Solicitor")

AND

of

("the Principal"), who are both employees of
("the Company").

1. The Trainee Solicitor commenced employment with the Company on the day of and will be employed by the Company from that date for the period of months / years at a salary of \$ per month (or at a salary of \$ per month for the first months / year and at a salary of \$ for the remaining months / year).
2. This contract shall not be terminated except by mutual agreement of the parties or by the Law Society of Hong Kong ("the Society") in the exercise of its powers under section 22 of the Legal Practitioners Ordinance.
3. The Trainee Solicitor and the Principal hereby acknowledge that they have considered the operation of Rule 11 of the Trainee Solicitors Rules and are aware of the potential consequences of any breach of the rule.
4. The Trainee Solicitor agrees to:-
 - (1) faithfully and diligently work for the Principal in the profession of a solicitor as a trainee solicitor;

- (2) deal properly with the money and property of the Principal or the Company or its employees;
- (3) treat with the utmost confidence all information relating to the Principal and the Company and its clients and its business;
- (4) readily obey and execute the lawful and reasonable instructions of the Principal and not be absent from the employment of the Company without the consent of the Principal and to act with diligence, honesty and propriety; and
- (5) complete and maintain an adequate training record ("the Record") and have it available for inspection by the Principal (or, if appropriate, by the Society) until the Trainee Solicitor has been admitted as a Solicitor of the High Court of the Hong Kong Special Administrative Region. The Record shall belong to the Principal and shall be in such form as the Principal shall reasonably prescribe but shall take the style of a Diary of the work and experience of the Trainee Solicitor or a series of checklists covering the basic legal topics in which the Principal has agreed to give the Trainee Solicitor the opportunity of gaining experience as specified in clause 5(1)(b).

5. The Principal agrees to:

- (1) provide the Trainee Solicitor with the opportunity (either in the Company's office or in that of another practising solicitor entitled to take trainee solicitors) to learn the basic skills and characteristics associated with the practice and profession of a solicitor of the High Court and in particular to:-
 - (a) provide the Trainee Solicitor with the opportunity to learn the principles of professional conduct and to practise a range of basic skills. These are:-
 - (i) communication
 - (ii) practice support
 - (iii) legal research
 - (iv) drafting
 - (v) interviewing
 - (vi) negotiation
 - (vii) advocacy.

- (b) provide the Trainee Solicitor with proper training and experience in at least three of the following basic legal topics:-
 - (i) Banking
 - (ii) Civil Litigation
 - (iii) Commercial
 - (iv) Company
 - (v) Criminal Litigation
 - (vi) Family
 - (vii) Insolvency
 - (viii) Intellectual Property
 - (ix) Property
 - (x) Trusts, Wills and Probate;
 - (2) provide, in the form specified in clause 4(5), a Record for the use of the Trainee Solicitor and each calendar month inspect the Record and discuss it with the Trainee Solicitor, or delegate another person to do so;
 - (3) decide, in consultation with the Trainee Solicitor, which courses conducted by the Society or other providers of courses accredited by the Society the Trainee Solicitor must attend to accumulate sufficient points to comply with the Continuing Professional Development Rules and the Legal Practitioners (Risk Management Education) Rules;
 - (4) allow the Trainee Solicitor paid leave to attend the courses referred to in clause 5(3); and
 - (5) pay any fees charged by the Society or accredited providers for the Trainee Solicitor's attendance at the courses referred to in clause 5(3).
 - (6) **(Insert any further clauses required, which must not override or negate the standard clauses).*
6. Any difficulty or dispute between the Trainee Solicitor and the Principal concerning the fulfilment of the provisions of this Contract or the conduct of either party in relation to this Contract may be referred by either of them to the Council of the Society for determination and the decision of Council shall be final and binding on both parties.

Registration of this agreement shall not imply any approval by the Law Society of any further clauses added to the Law Society's standard form of Contract.

SIGNED by the Trainee Solicitor)
in the presence of:-)

Solicitor of the High Court of the Hong Kong Special Administrative Region
/Commissioner for Oaths/Justice of Peace

SIGNED by the Principal)
in the presence of:-)

Solicitor of the High Court of the Hong Kong Special Administrative Region
/Commissioner for Oaths/Justice of Peace

Notes:

* Delete if applicable

This contract must be witnessed by a Hong Kong solicitor/Commissioner for Oaths/Justice of Peace

Personal Information Collection Statement

The personal data of the data subject collected in this Contract (“the data”) will be used by the Law Society of Hong Kong (“the Society”) for the following purposes:

- (i) The keeping of traineeship records to show the effective employment of trainee solicitors and related matters;
- (ii) The exercise of the powers of the Society conferred upon it by the Legal Practitioners Ordinance (Chapter 159) and its subsidiary legislation; and
- (iii) The performance of the functions of the Society in accordance with its Memorandum and Articles of Association and the attainment of the objects for which the Society is established.

It is obligatory for you to supply the Society with the data in this Contract except as otherwise indicated. The consequence for you if you fail to supply such data is that you will not have complied with the requirements of the Trainee Solicitors Rules.

The data may be provided to such persons within the Society whose proper business it is to have access to and assist in the management of the traineeship records and related matters. The data may also be provided to other persons who may help the Society in attaining the purposes above mentioned.

Any data that is provided to anyone outside of the Society will be restricted to what is necessary and not excessive to achieve any intended purpose.

You have the right to request access to and correction of the data. Any such request should be addressed to the Secretary General, the Law Society of Hong Kong, 3/F, Wing On House, 71 Des Voeux Road Central, Hong Kong.

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**APPLICATION FOR REGISTRATION OF
TRAINEE SOLICITOR CONTRACT**

A. TRAINEE SOLICITOR'S PART

- (1) (a) Full name in English:
- (b) Full name in Chinese, if applicable:
- (c) Alias(es) used in Hong Kong or elsewhere in English if applicable:
- (d) Alias(es) used in Hong Kong or elsewhere in Chinese, if applicable:
- (1A) I have not ever before changed my name in Hong Kong or elsewhere and my full name in English and in Chinese (if applicable) have at all times been the same as that stated in Part A(1)(a) and (b) above

OR*

I have changed my name in Hong Kong and/or elsewhere as follows:-

Former name in English	Former Name in Chinese	Jurisdiction in which change of name was effected	Period during which the former name was used
---------------------------	---------------------------	---	--

- (2) Address:
- (3) Telephone number:
- (4) I was born on the day of , in and a copy of *my birth certificate / a statutory declaration of one of my parents / notarial certificate** and a copy of my *Hong Kong identity card / passport** are attached.
- (5) I have not been convicted of any offence in any Court of Hong Kong or elsewhere (other than a motoring offence not resulting in disqualification)

OR*

Excluding motoring offences not resulting in disqualification, I have been convicted of the following offence(s) in a Court of Hong Kong and/or elsewhere

Offence	Date of Conviction	Penalty	Jurisdiction
---------	--------------------	---------	--------------

- (5A) I have not been found guilty of any disciplinary offence involving dishonesty by the institute(s) at which I completed my academic and professional stages of legal education.

OR*

I have been found guilty of the following disciplinary offence(s) involving dishonesty by the institute(s) at which I completed my academic and professional stages of legal education.:

Disciplinary Offence	Date of finding	Penalty	Institute that issued the finding
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- (6) Full details of my employment history are set out below:

Name of employer	Position	Date commenced	Date ceased
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OR*

I have not engaged in any employment prior to entering into a trainee solicitor contract with the principal named below.

- (7) I have passed the Postgraduate Certificate in Laws and a certified copy of my certificate(s) is attached.
- (8) I was not required to sit any supplementary examinations to obtain my certificate referred to in paragraph (7) above.

OR*

I was required to sit supplementary examinations in the subjects listed below to obtain my certificate referred to in paragraph (7) above.

Subject	Date of examination
---------	---------------------

- (8A) I have not ever been declared bankrupt in Hong Kong or elsewhere and there are no such proceedings pending against me in Hong Kong or elsewhere.

OR*

I have been declared bankrupt in Hong Kong and/or elsewhere and details of the bankruptcy order are as follows:

Date of bankruptcy order	Jurisdiction	Date of discharge of the bankruptcy order
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OR*

There are bankruptcy proceedings pending against me in Hong Kong and/or elsewhere and details are as follows:

Date of commencement of proceedings	Status of proceedings	Jurisdiction
--	-----------------------	--------------

- (8B) I have complied with paragraph 9 of the Code of Good Practice in the Recruitment of Trainee Solicitors ("Code").

OR*

I have not complied with paragraph 9 of the Code which results or has resulted in a breach of contract.

Details are as follows:

Details of failure to comply with paragraph 9 which results or has resulted in a breach of contract, including date, person(s), law firm(s) and contract(s) involved	Remedial actions taken, if any
--	--------------------------------

- (9) I apply for registration of my trainee solicitor contract dated the _____ day of _____ with the principal named below.

B. PRINCIPAL'S PART

- (1) Full name:
- (2) Address:
- (3) I am a solicitor of the High Court of the Hong Kong Special Administrative Region and I have been in continuous practice as a solicitor in Hong Kong for over 5 years. I am practising as a solicitor in Hong Kong on my own account or in partnership.

OR*

I am a solicitor of the High Court of the Hong Kong Special Administrative Region and I have been granted special leave by the Law Society of Hong Kong to employ trainee solicitors pursuant to section 20 of the Legal Practitioners Ordinance. I am practising as a solicitor in Hong Kong on my own account or in partnership.

OR*

I am an employee of the *Department of Justice / Legal Advisory and Conveyancing Office of the Lands Department / Land Registry / Companies Registry / Legal Aid Department / Official Receiver's Office / Intellectual Property Department** and am a *solicitor / person qualified to be admitted as a solicitor**. I have practised as a solicitor in Hong Kong, as defined in section 20(5) of the Legal Practitioners Ordinance, for a continuous period of over 5 years.

OR*

I am an employee of _____ and am a solicitor of the High Court of the Hong Kong Special Administrative Region. I have been granted special leave by the Law Society of Hong Kong to employ trainee solicitors or act as their principal pursuant to section 20(3) of the Legal Practitioners Ordinance.

- (4) I am not employed as assistant by another solicitor.
- (5) I *employ / act as principal for** *one / two** trainee solicitors, including the trainee solicitor named above.
- (6) The trainee solicitor named above has been continuously employed by *me / #* _____ * since the _____ day of _____ and is still employed by *me / #* _____. *. During that period the trainee solicitor has been employed in a way compatible with employment as a trainee solicitor.

AND we make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Ordinance (cap 11).

DECLARED at)
HONG KONG SAR this day of)
.....)

.....
Trainee Solicitor

Before me:
Commissioner for Oaths/Solicitor of the High Court
of the Hong Kong Special Administrative Region/Justice of Peace

DECLARED at)
HONG KONG SAR thisday of)
.....)

.....
Principal

Before me:
Commissioner for Oaths/Solicitor of the High Court
of the Hong Kong Special Administrative Region/Justice of Peace

[Please read the notes on the back of this form carefully]

**Notes for completing Application for
Registration of Trainee Solicitor Contract ("Form AA")**

A. The following documents **must be attached to your Form AA** -

- (1) the original Trainee Solicitor Contract (which will be returned to you after registration)
- (2) a certified copy of the Trainee Solicitor Contract for retention by the Law Society
- (3) a copy of **one** of the following (certified by your principal):
 - your birth certificate or official proof of birth issued by the Government department or authority of your place of birth if birth certificate or official proof of birth is available at the time of your birth;
 - if birth certificate or official proof of birth is not available at the time of your birth, you have to provide:-
 - (i) a statutory declaration made by one of your parents on your birth details before a Commissioner for Oaths or a Justice of Peace or a solicitor of the High Court of the Hong Kong Special Administrative Region holding a current practising certificate (and who is not a principal or an employee of your firm/company); or
 - (ii) a declaration made by one of your parents on your birth details notarized by a notary public outside Hong Kong; or
 - (iii) a Notarial Certificate issued by the Notary Public Office of PRC on your birth details.
- (4) a copy of **one** of the following (certified by your principal):
 - your Hong Kong Identity Card; or
 - the pages of your passport which show your personal particulars
- (5) a copy of **one** of the following (certified by your principal):
 - your Postgraduate Certificate in Laws from The University of Hong Kong, City University of Hong Kong or Chinese University of Hong Kong confirming the award.

A suitable form of wording to appear on certified documents is:

"I certify that this is a true copy of the"

Solicitor of the High Court of the Hong Kong Special Administrative Region

Date: ____ / ____ / ____"

- (6) a cheque for HK\$1,400.00 payable to “The Law Society of Hong Kong”.
- B. If you are not using the Tool kit to complete Form AA, the symbol * means delete by drawing a line through whichever is inapplicable to you and the symbol # requires the insertion of the name of your company if you are employed in-house.
- C. All names used in connection with the Trainee Solicitor Contract registration application must be identical to the names in the HKID card and birth certificate. A statutory declaration is required for any variance.
- D. Convictions which are “spent” under the Rehabilitation of Offenders Ordinance, Cap. 297 should be disclosed by virtue of section 4(1)(c) of that Ordinance.
- E. Details of failure to comply with paragraph 9 of the Code of Good Practice in the Recruitment of Trainee Solicitors (“Code”) which results or has resulted in a breach of contract should include but is not limited to the following:
- (1) When you accepted an offer of employment as trainee solicitor;
 - (2) When you withdrew from the contract;
 - (3) What remedial actions have been taken by you to remedy the breach, including, for example, whether and when any release from the contract with the law firm concerned has been sought.
 - (4) Any mitigating circumstances which you would like the Council to take into consideration under paragraph 15 of the Code including your reasons/proposed justifications for failure to comply with paragraph 9 of the Code.
- F. Even if a release has been procured with the law firm, it is still necessary for you to disclose the details in paragraph (8B) of Part A of this Form AA.
- G. You must also attach copies of any employment and/or trainee solicitor contracts signed with the law firm(s) concerned and all relevant correspondence with the law firm(s).
- H. Under paragraph 11 of the Code, the Council may take into consideration any failure to comply with the Code in determining whether an applicant is suitable for registration as a trainee solicitor and/or whether is a fit and proper person for admission as a Hong Kong solicitor. Factors which may be considered by the Council may include:
- (1) The matters listed in paragraph E;
 - (2) Information submitted by any third parties such as the employer from whom you have sought a release and the employer whose training contract you are seeking to register;
 - (3) All the circumstances pertaining to your application for registration of training contract.

- I. All salary figures must be inserted in the Trainee Solicitor Contract for the Law Society's records. Any subsequent salary adjustments should be notified to the Law Society.
- J. Your Form AA must be declared before a Commissioner for Oaths or a Justice of Peace or a Solicitor of the High Court of the HKSAR holding a current practising certificate (and who is not a principal or an employee of your firm or an employee of your company).
- K. You must provide certified English translations of all documents submitted in support of your application which are not in English or Chinese.

If you **do not wish** the Society to use or provide your permitted kinds of personal data to the permitted classes of transferees for use in direct marketing as described in the attached Personal Information Collection Statement, **you should tick in the box below. Please note that this will result in your ceasing to receive some of the information and materials the Society has in the past been providing trainee solicitors with although such information may still be accessed should you voluntarily search for the same in the Society's website.**

☐ I do not wish the Society to use or provide to other persons for use the permitted kind of personal data for direct marketing

If you do not tick in the check box above, you shall be treated to have indicated no objection to the use of your permitted kinds of personal data by the Society and the provision of the said data to the permitted classes of transferees for use in offering or advertising the availability of the marketing subjects.

If at any time in the future you wish to withdraw your consent, you may exercise your opt-out right by notifying the Society. The following is the designated email address of the Society which you may use to notify the Society your opt-out request:

opting@hklawsoc.org.hk

**Signature of
Applicant**

Date

Personal Information Collection Statement

The personal data of the data subjects collected in this Application (“the data”) will be used by the Law Society of Hong Kong (“the Society”) for the following purposes:

- (i) The processing of this Application and related matters;
- (ii) The exercise of the powers of the Society conferred upon it by the Legal Practitioners Ordinance (Chapter 159) and its subsidiary legislation; and
- (iii) The performance of the functions of the Society in accordance with its Memorandum and Articles of Association and the attainment of the objects for which the Society is established.

It is obligatory for you to supply the Society with the data requested in this application form except as otherwise indicated. The consequence for you if you fail to supply such data is that you will not have complied with the requirements of the Trainee Solicitors Rules.

The said data may be provided to such persons within the Society whose proper business it is to have access to and assist in the processing of this Application and related matters. The data may also be provided to other persons who may help the Society in attaining the purposes above mentioned.

Any data that is provided to anyone outside of the Society will be restricted to what is necessary and not excessive to achieve any intended purpose.

You have the right to request access to and correction of the data. Any such request should be addressed to the Secretary General, the Law Society of Hong Kong, 3/F, Wing On House, 71 Des Voeux Road Central, Hong Kong.

The Privacy Policy Statement of the Society is available on its website at **www.hklawsoc.org.hk**.

Use of personal data for direct marketing purposes

To attain the objects for which the Society is established, it is necessary for the Society to use, albeit a minimum amount of, your personal data. The Society may use your name, firm or company name and contact details (i.e. office and home addresses, email address, phone and fax numbers as may from time to time be provided to, updated and collected by the Society) (collectively “**the permitted kind of personal data**”) for the purpose of offering to you or advertising the availability of the following goods, services and facilities (collectively “**the marketing subjects**”):

- (i) Continuing Professional Development (“CPD”) and Risk Management Education (“RME”) courses and/or examination preparatory courses provided by relevant course providers;

- (ii) Training courses, workshops, seminars, local and overseas visits to develop and enhance professional standards of the legal profession;
- (iii) Events or activities to be held in the Society Secretariat;
- (iv) Social, sports and recreational activities organized by the Society alone, jointly with other parties or by other parties;
- (v) Rewards, loyalty, privilege, discount, or co-branding programmes or promotions for banking services and products, research systems and services, credit cards, insurance services and products, real estate, telecommunications services, travel, transport, resorts, hotels, leisure products, gifts, electronic products, foods and wine/spirit consumables, apparel, footwear, sports goods, luxurious consumer products, beauty, health and household products and services;
- (vi) Ticketing services for concerts, talks, seminars, sports and special events;
- (vii) Information on publications, books, newspapers, journals and magazines available for subscriptions;
- (viii) Translation services, law costs drafting services, legal research services, professional services offered by persons such as China Appointed Attesting Officers, Accredited General Mediators, Notaries Public and Civil Celebrants of Marriages, banking, credit cards, insurance, accountancy services, information and communications technologies services, recruitment and human resource management services; and
- (ix) Charitable, educational, philanthropic, social, pro-bono and other activities that solicit contributions, donations or participation.

If you wish to receive information of the above marketing subjects, it may be necessary for the Society, with your consent, which includes an indication of no objection, to provide the permitted kinds of personal data to the following classes of transferees (collectively **“the permitted classes of transferees”**):

- (a) Persons, institutes and organisations which provide CPD and RME courses or which provide or organise social, sports and recreational activities for members of the legal profession;
- (b) Publishers, marketing agents, research, survey, translation service providers, search, investigation and other legal services providers, recruitment and human resource agencies, information and communications technologies service providers;
- (c) Organisations which carry out pro-bono, charitable, educational, philanthropic, social or other activities that solicit contributions, donations or participation; and
- (d) Commercial entities, public bodies and co-branding partners which carry out the kinds of marketing subjects stated above which may be approved by the Society

and in the transfer of such data for the offering or advertising the availability of the aforesaid marketing subjects the Society may receive money or other property from or through the permitted classes of transferees.

A. TRAINEE SOLICITOR'S PART

- ## B. PRINCIPAL'S PART

- (1) Full name:
- (2) Address:
- (3) I am a solicitor of the High Court of the Hong Kong Special Administrative Region and I have been in continuous practice as a solicitor in Hong Kong for over 5 years. I am practising as a solicitor in Hong Kong on my own account or in partnership.

OR*

I am a solicitor of the High Court of the Hong Kong Special Administrative Region and I have been granted special leave by the Law Society of Hong Kong to employ trainee solicitors pursuant to section 20 of the Legal Practitioners Ordinance. I am practising as a solicitor in Hong Kong on my own account or in partnership.

OR*

I am an employee of the *Department of Justice / Legal Advisory and Conveyancing Office of the Lands Department / Land Registry / Companies Registry / Legal Aid Department / Official Receiver's Office / Intellectual Property Department* * and am a *solicitor / person qualified to be admitted as a solicitor** . I have practised as a solicitor in Hong Kong, as defined in section 20(5) of the Legal Practitioners Ordinance, for a continuous period of over 5 years.

OR*

I am an employee of _____ and am a solicitor of the High Court of Hong Kong Special Administrative Region. I have been granted special leave by the Law Society of Hong Kong to employ trainee solicitors or act as their principal pursuant to section 20(3) of the Legal Practitioners Ordinance.

- (4) I am not employed as assistant by another solicitor.
- (5) I *employ / act as principal for** *one / two** trainee solicitors, including the trainee solicitor named above.
- (6) The trainee solicitor named above has been continuously employed by *me / #* _____ * since the _____ day of _____ and is still employed by *me / #* _____. * During that period the trainee solicitor has been employed in a way compatible with employment as a trainee solicitor.

AND we make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Ordinance (Cap 11).

DECLARED at)
HONG KONG SAR this day of)
.....)

.....
Trainee Solicitor

Before me:
Commissioner for Oaths/Solicitor of the High Court
of the Hong Kong Special Administrative Region/Justice of Peace

DECLARED at)
HONG KONG SAR this day of)
.....)

.....
Principal

Before me:
Commissioner for Oaths/Solicitor of the High Court
of the Hong Kong Special Administrative Region/Justice of Peace

[Please read the notes on the following page of this form carefully]

**Notes for completing Application for Registration of
New Trainee Solicitor Contract (“Form BB”)**

- A. The following documents must be produced to the Law Society with your Form BB –
- (1) the original of your new Trainee Solicitor Contract (which will be returned to you after registration);
 - (2) a certified copy of your new Trainee Solicitor Contract for retention by the Law Society;
 - (3) the original Release of your earlier Trainee Solicitor Contract;
 - (4) a certified copy of your Release for retention by the Law Society; and
 - (5) a cheque of HK\$1,400.00 payable to “The Law Society of Hong Kong”.
- B. All copy documents submitted with your Form BB must be certified by your new principal. A suitable form of wording to appear on certified documents is :

“I certify that this is a true copy of the

Solicitor of the High Court of the Hong Kong Special Administrative Region

Date: ____/____/____”

- C. If you are not using the Tool kit to complete Form BB, the symbol * means delete by drawing a line through whichever is inapplicable to you and the symbol # requires the insertion of the name of your company if you are employed in-house.
- D. Your Form BB must be declared before a Commissioner for Oaths or a Justice of Peace or a Solicitor of the High Court of the HKSAR holding a current practising certificate (and who is not a principal or an employee in your firm or an employee of your company).

Personal Information Collection Statement

The personal data of the data subjects collected in this Application (“the data”) will be used by the Law Society of Hong Kong (“the Society”) for the following purposes:

- (i) The processing of this Application and related matters;
- (ii) The exercise of the powers of the Society conferred upon it under the Legal Practitioners Ordinance (Chapter 159) and its subsidiary legislation; and
- (iii) The performance of the functions of the Society in accordance with its Memorandum and Articles of Association and the attainment of the objects for which the Society is established.

It is obligatory for you to supply the Society with the data requested in this application form except as otherwise indicated. The consequence for you if you fail to supply such data is that you will not have complied with the requirements of the Trainee Solicitors Rules.

The data may be provided to such persons within the Society whose proper business it is to have access to and assist in the processing of this Application and related matters. The data may also be provided to other persons who may help the Society in attaining the purposes above mentioned.

Any data that is provided to anyone outside of the Society will be restricted to what is necessary and not excessive to achieve any intended purpose.

You have the right to request access to and correction of the data. Any such request should be addressed to the Secretary General, the Law Society of Hong Kong, 3/F, Wing On House, 71 Des Voeux Road Central, Hong Kong.

The Privacy Policy Statement of the Society is available on its website at **www.hklawsoc.org.hk**.

TRAINEE SOLICITORS RULES

RELEASE

THIS RELEASE is made the day of

BETWEEN
of

(the "Principal"), a solicitor and a partner in *the firm of / employed by**

AND
of

(the "Trainee Solicitor") .

IT IS MUTUALLY AGREED that the employment of the Trainee Solicitor under the Trainee Solicitor Contract entered into between the parties on the day of and registered with The Law Society of Hong Kong on the day of of and all rights and obligations under it shall after the day of absolutely cease and determine.

AND that the Trainee Solicitor's last day of employment under the Trainee Solicitor Contract with the Principal shall be the day of .

SIGNED by the Principal)

in the presence of)

Solicitor of the High Court of the Hong Kong Special Administrative Region

SIGNED by the Trainee Solicitor)

in the presence of)

Solicitor of the High Court of the Hong Kong Special Administrative Region
Note:

This release must be witnessed by a Hong Kong solicitor holding a current practising certificate.

* delete whichever is inapplicable

Personal Information Collection Statement

The personal data of the data subjects collected in this Release (“the data”) will be used by the Law Society of Hong Kong (“the Society”) for the following purposes:

- (i) The keeping of traineeship records to show the release of trainee solicitors and related matters;
- (ii) The exercise of the powers of the Society conferred upon it under the Legal Practitioners Ordinance (Chapter 159) and its subsidiary legislation; and
- (iii) The performance of the functions of the Society in accordance with its Memorandum and Articles of Association and the attainment of the objects for which the Society is established.

It is obligatory for you to supply the Society with the data requested in this form except as otherwise indicated. The consequence for you if you fail to supply such data is that you will not have complied with the requirements of the Trainee Solicitors Rules.

The data may be provided to such persons within the Society whose proper business it is to have access to and assist in the management of the traineeship records and related matters. The data may also be provided to other persons who may help the Society in attaining the purposes above mentioned.

Any data that is provided to anyone outside of the Society will be restricted to what is necessary and not excessive to achieve any intended purpose.

You have the right to request access to and correction of the data. Any such request should be addressed to the Secretary General, the Law Society of Hong Kong, 3/F, Wing On House, 71 Des Voeux Road Central, Hong Kong.

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TRAINEE SOLICITORS RULES
GENERAL FORM OF APPLICATION

(1) Name:

(2) Address:

(3) Telephone number:

(4) I apply to the Law Society of Hong Kong under rule * of the Trainee Solicitors Rules.

(5) I make the following application: #

(6) @

Signed by the trainee solicitor)
this day of)
)

Notes:

* Refer to the rule under which the application is made.

State briefly the nature of the application.

@ State concisely in numbered paragraphs the facts on which reliance is placed in support of the application.

Personal Information Collection Statement

The personal data collected in this Application (“the data”) will be used by the Law Society of Hong Kong (“the Society”) for the following purposes:

- (i) The processing of this Application and related matters;
- (ii) The exercise of the powers of the Society conferred upon it under the Legal Practitioners Ordinance (Chapter 159) and its subsidiary legislation; and
- (iii) The performance of the functions of the Society in accordance with its Memorandum and Articles of Association and the attainment of the objects for which the Society is established.

It is obligatory for you to supply the Society with the data requested in this application form except as otherwise indicated. The consequence for you if you fail to supply such data is that the Society will not be able to process this Application.

The data may be provided to such persons within the Society whose proper business it is to have access to and assist in the processing of this Application and related matters. The data may also be provided to other persons who may help the Society in attaining the purposes above mentioned.

Any data that is provided to anyone outside of the Society will be restricted to what is necessary and not excessive to achieve any intended purpose.

You have the right to request access to and correction of the data. Any such request should be addressed to the Secretary General, the Law Society of Hong Kong, 3/F, Wing On House, 71 Des Voeux Road Central, Hong Kong.

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**TRAINEE SOLICITORS RULES
APPLICATION FOR SECONDMENT**

1. Name :
2. Firm name and address :
3. Firm telephone number :
4. I apply to the Law Society of Hong Kong under Rule *9(3A) or 9(4) of the Trainee Solicitors Rules.
5. I make the following application for recognition of a secondment to
(firm name) in
(country) as effective employment under my Trainee Solicitor Contract.
 - i. I commenced my *1st or 2nd Trainee Solicitor Contract with
(principal name) as my principal on
(date);
 - ii. I will be seconded to (country) office in the
(department) between
and (date);
 - iii. I will be supervised by (name)
who is qualified on (admission date) and is a *partner
or associate. He is eligible to employ a trainee solicitor under *section
20 of the Legal Practitioners Ordinance or alternative qualifications of
;
 - iv. I will continue to have access to my principal in Hong Kong through
_____ (facilities available for
training and for communication between the trainee and the principal);
 - v. I will undertake work in (country) which is similar
to that undertaken by trainee solicitors in Hong Kong; and
 - vi. This is my *first or second application, previously I was seconded to
(country) for (months).

Signed by the trainee solicitor)

This day of)
)

Signed by the Supervisor)

This day of)

*delete whichever is inappropriate

Personal Information Collection Statement

The personal data of the data subjects collected in this Application (“the data”) will be used by the Law Society of Hong Kong (“the Society”) for the following purposes:

- (i) The processing of this Application and related matters;
- (ii) The exercise of the powers of the Society conferred upon it under the Legal Practitioners Ordinance (Chapter 159) and its subsidiary legislation; and
- (iii) The performance of the functions of the Society in accordance with its Memorandum and Articles of Association and the attainment of the objects for which the Society is established.

It is obligatory for you to supply the Society with the data requested in this application form except as otherwise indicated. The consequence for you if you fail to supply such data is that the Society will not be able to process this Application.

The data may be provided to such persons within the Society whose proper business it is to have access to and assist in the processing of this Application and related matters. The data may also be provided to other persons who may help the Society in attaining the purposes above mentioned.

Any data that is provided to anyone outside of the Society will be restricted to what is necessary and not excessive to achieve any intended purpose.

You have the right to request access to and correction of the data. Any such request should be addressed to the Secretary General, the Law Society of Hong Kong, 3/F, Wing On House, 71 Des Voeux Road Central, Hong Kong.

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**APPLICATION TO HOLD OFFICE WHILE UNDER
A TRAINEE SOLICITOR CONTRACT**

A. TRAINEE SOLICITOR'S PART

(1) Name:

(2) Address:

(3) Telephone number:

(4) *I apply for a direction of The Law Society of Hong Kong that my period of employment under my trainee solicitor contract is effective, notwithstanding that during the period in respect of which this application is made I was engaged in an office or employment other than the employment of my principal. The reason why I did not submit this application either at commencement of engagement in an office or employment or commencement of the trainee solicitor contract is [insert relevant information].*

*OR **

I apply for the consent of The Law Society of Hong Kong to my engaging in an office or employment other than the employment of my principal.

(5) *I am / was / will be** engaged in an office or employment as #:

(6) The name of my other employer or office is:

(7) *I will be / have been** engaged in that employment or office for the period from
to .

(8) My salary in respect of such employment or office *is / was / will be** \$ per annum.

(9) The work involved *is / was / will be** of the following nature@ :

(10) The average time I *am / was / will be** engaged in this office or employment each week /
is hours.

(11) A copy of my contract or offer of employment is attached.

B. PRINCIPAL'S PART

(1) Name:

(2) Address:

(3) I consent to the abovenamed trainee solicitor engaging in the office or employment set out in Part A.

Signed by the)
trainee solicitor)

Signed by the)
principal)

Date:

Notes:

* Delete whichever is inapplicable.

Specify the title of your other office or employment.

@ If your work is partly on a non legal character, you must specify the percentage of time spent on non-legal work.

You must attach a copy of your employment contract or letter or other evidence of your part-time employment or office. The copy must be certified by your principal. A suitable form of wording is:

"I certify that this is a true copy of the

Solicitor of the High Court of the Hong Kong Special Administrative Region

Date: ____/____/____"

Explanatory Note

From 1st January 1997, an explanatory note must be attached to the "Application to hold office while under a Trainee Solicitor Contract" (Form "EE") which should include the following information :

- (i) nature of business of the Company with which the applicant will be employed;
- (ii) major activities of the Company; and
- (iii) whether or not it is a public listed company.

Personal Information Collection Statement

The personal data collected in this Application (“the data”) will be used by the Law Society of Hong Kong (“the Society”) for the following purposes:

- (i) The processing of this Application and related matters;
- (ii) The exercise of the powers of the Society conferred upon it under the Legal Practitioners Ordinance (Chapter 159) and its subsidiary legislation; and
- (iii) The performance of the functions of the Society in accordance with its Memorandum and Articles of Association and the attainment of the objects for which the Society is established.

It is obligatory for you to supply the Society with the data requested in this application form except as otherwise indicated. The consequence for you if you fail to supply such data is that the Society will not be able to process this Application.

The data may be provided to such persons within the Society whose proper business it is to have access to and assist in the processing of this Application and related matters. The data may also be provided to other persons who may help the Society in attaining the purposes above mentioned.

Any data that is provided to anyone outside of the Society will be restricted to what is necessary and not excessive to achieve any intended purpose.

You have the right to request access to and correction of the data. Any such request should be addressed to the Secretary General, the Law Society of Hong Kong, 3/F, Wing On House, 71 Des Voeux Road Central, Hong Kong.

The Privacy Policy Statement of the Society is available on its website at **www.hklawsoc.org.hk**.

Application for Trainee Solicitor Identity Card

To : The Law Society of Hong Kong

Please issue a Trainee Solicitor Identity Card to my trainee solicitor

_____ (_____) of
(surname first) (Chinese name)

_____ (email address: _____)
(name of firm) (Tel. No.: _____)

whose Hong Kong Identity Card No. is _____

A photo of the applicant is also attached.

Date : _____
(signature of Principal)

(name of Principal)

Notes to Trainee Solicitor :

1. A **proper passport-sized photo** with your name written at the back of the photo has to be provided.
2. No fees will be charged for issuing the Trainee Solicitor Identity Card unless it is for replacement of lost card, the fee for which is HK\$100.00.

FOR OFFICIAL USE ONLY

Application approved _____
Date of Issue _____
Expiry Date _____

Personal Information Collection Statement

The personal data collected in this Application (“the data”) will be used by the Law Society of Hong Kong (“the Society”) for the following purposes:

- (i) The processing of this Application and related matters;
- (ii) The exercise of the powers of the Society conferred upon it under the Legal Practitioners Ordinance (Chapter 159) and its subsidiary legislation; and
- (iii) The performance of the functions of the Society in accordance with its Memorandum and Articles of Association and the attainment of the objects for which the Society is established.

It is obligatory for you to supply the Society with the data requested in this application form except as otherwise indicated. The consequence for you if you fail to supply such data is that the Society will not be able to process this Application.

The data may be provided to such persons within the Society whose proper business it is to have access to and assist in the processing of this Application and related matters. The data may also be provided to other persons who may help the Society in attaining the purposes above mentioned.

Any data that is provided to anyone outside of the Society will be restricted to what is necessary and not excessive to achieve any intended purpose.

You have the right to request access to and correction of the data. Any such request should be addressed to the Secretary General, the Law Society of Hong Kong, 3/F, Wing On House, 71 Des Voeux Road Central, Hong Kong.

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SPECIMEN

The Law Society of Hong Kong

TRAINEE SOLICITOR CONTRACT - FORM A

THIS TRAINEE SOLICITOR CONTRACT is made the 31st day of OCTOBER 2007

BETWEEN

CHAN TAI MAN PETER of RM 9, 5/F, 6 POK FU LAM RD, HONG KONG
("the Trainee Solicitor")

DATE OF
EXECUTION

NAME OF TRAINEE SOLICITOR (AS ON
HKID CARD) AND RESIDENTIAL ADDRESS

AND

WONG DAVID of 40/F, TWO EXCHANGE SQUARE, HONG KONG
(the "Principal"), a solicitor and a partner in the firm of ABC & CO. (the "Firm").

DATE OF
COMMENCE-
MENT

1
** THE DATE
CAN BE AS FAR
BACK AS 3
MTHS FROM
THE DATE OF
EXECUTION

The Trainee Solicitor commenced employment with the principal on the 1st day of AUGUST 2007 and will be employed by the Principal from that date for the period of 24 months / ~~years~~ at a salary of \$13,000 per month (or at a salary of \$13,000 per month for the first 3 months / ~~year~~ and at a salary of \$15,000 for the remaining months / ~~year~~.)

2. This contract shall not be terminated except by mutual agreement of the parties or by the Law Society of Hong Kong (the "Society") in the exercise of its powers under section 22 of the Legal Practitioners Ordinance.
3. The Trainee Solicitor and the Principal hereby acknowledge that they have considered the operation of Rule 11 of the Trainee Solicitors Rules and are aware of the potential consequences of any breach of the rule.
4. The Trainee Solicitor agrees to:
 - (1) faithfully and diligently work for the Principal in the profession of a solicitor of the High Court of the Hong Kong Special Administrative Region as a trainee solicitor;
 - (2) deal properly with the money and property of the Principal and the Firm and their clients or employees;
 - (3) treat with the utmost confidence all information relating to the Principal and the Firm and their clients and their business;
 - (4) readily obey and execute the lawful and reasonable instructions of the Principal and any partner of the Firm and not be absent from the employment of the Principal without the consent of the Principal and to act with diligence, honesty and propriety; and

- (5) complete and maintain an adequate training record ("the Record") and have it available for inspection by the Principal (or, if appropriate, by the Society) until the Trainee Solicitor has been admitted as a Solicitor of the High Court of the Hong Kong Special Administrative Region. The Record shall belong to the Principal and shall be in such form as the Principal shall reasonably prescribe but shall take the style of a Diary of the work and experience of the Trainee Solicitor or a series of checklists covering the basic legal topics in which the Principal has agreed to give the Trainee Solicitor the opportunity of gaining experience as specified in clause 5(1)(b).
- (6) **(Insert any further clauses required, which must not override or negate the standard clauses).*


5. The Principal agrees to:

- (1) provide the Trainee Solicitor with the opportunity (either in the Firm's office or in that of another practising solicitor entitled to take trainee solicitors) to learn the basic skills and characteristics associated with the practice and profession of a solicitor of the High Court and in particular to:-
 - (a) provide the Trainee Solicitor with the opportunity to learn the principles of professional conduct and to practise a range of basic skills. These are:-
 - (i) communication
 - (ii) practice support
 - (iii) legal research
 - (iv) drafting
 - (v) interviewing
 - (vi) negotiation
 - (vii) advocacy.

- (b) provide the Trainee Solicitor with proper training and experience in at least three of the following basic legal topics:-
 - (i) Banking
 - (ii) Civil Litigation
 - (iii) Commercial
 - (iv) Company
 - (v) Criminal Litigation
 - (vi) Family
 - (vii) Insolvency
 - (viii) Intellectual Property
 - (ix) Property
 - (x) Trusts, Wills and Probate.
 - (2) provide, in the form specified in clause 4(5), a Record for the use of the Trainee Solicitor and each calendar month inspect the Record and discuss it with the Trainee Solicitor, or delegate another person to do so;
 - (3) decide, in consultation with the Trainee Solicitor, which courses conducted by the Society or other providers of courses accredited by the Society the Trainee Solicitor must attend to accumulate sufficient points to comply with the Continuing Professional Development Rules and the Legal Practitioners (Risk Management Education) Rules;
 - (4) allow the Trainee Solicitor paid leave to attend the courses referred to in clause 5(3); and
 - (5) pay any fees charged by the Society or accredited providers for the Trainee Solicitor's attendance at the courses referred to in clause 5(3).
 - (6) **(Insert any further clauses required, which must not override or negate the standard clauses).*
6. Any difficulty or dispute between the Trainee Solicitor and the Principal concerning the fulfilment of the provisions of this Contract or the conduct of either party in relation to this Contract may be referred by either of them to the Council of the Society for determination and the decision of the Council shall be final and binding on both parties.

Registration of this agreement shall not imply any approval by the Law Society of any further clauses added to the Law Society's standard form of Contract.

SIGNED by the Trainee Solicitor)
in the presence of :-)



PLS PRINT THE FULL NAME
OF THE WITNESS
SOLICITOR AND THE NAME
OF HIS/HER FIRM/COMPANY
UNDER THE SIGNATURE

Solicitor of the High Court of the Hong Kong Special Administrative Region/
Commissioner for Oaths/Justice of Peace

SIGNED by the Principal in the)
presence of :-)

Solicitor of the High Court of the Hong Kong Special Administrative Region/
Commissioner for Oaths/Justice of Peace

Notes:

* Delete if inapplicable.

This contract must be witnessed by a Hong Kong solicitor/Commissioner for Oaths/Justice of Peace

SPECIMEN

The Law Society of Hong Kong

"AA"

APPLICATION FOR REGISTRATION OF TRAINEE SOLICITOR CONTRACT

A. TRAINEE SOLICITOR'S PART

(1) (a) Full name in English: CHAN TAI MAN PETER

NAME OF TRAINEE
SOLICITOR (AS ON
HKID CARD)

(b) Full name in Chinese, if applicable:

(c) Alias(es) used in Hong Kong or elsewhere in English if applicable:

(d) Alias(es) used in Hong Kong or elsewhere in Chinese, if applicable:

(1A) I have not ever before changed my name in Hong Kong or elsewhere and my full name in English and in Chinese (if applicable) have at all times been the same as that stated in Part A(1)(a) and (b) above

OR*

I have changed my name in Hong Kong and/or elsewhere as follows:-

Former name in English	Former Name in Chinese	Jurisdiction in which change of name was effected	Period during which the former name was used
---------------------------	---------------------------	---	--

(2) Address: RM 9, 5/F, 6 POK FU LAM RD, HONG KONG

(3) Telephone number: 2555-1234 (HOME) 9123-9123 (MOBILE)

RESIDENTIAL
ADDRESS &
TELEPHONE NO.

DELETE
AS
APPROP-
RIATE

(4) I was born on the 1ST day of JANUARY 1984, in HONG KONG and a copy of my birth certificate / ~~a statutory declaration of one of my parents / notarial certificate*~~ and a copy of my Hong Kong identity card / ~~passport*~~ are attached.

(5) I have not been convicted of any offence in any Court of Hong Kong or elsewhere (other than a motoring offence not resulting in disqualification).

DELETE
AS
APPRO-
PRIATE

~~OR*~~

~~Excluding motoring offences not resulting in disqualification. I have been convicted of the following offence(s) in a Court of Hong Kong and/or elsewhere:~~

Offence	Date of Conviction	Penalty	Jurisdiction
--------------------	-------------------------------	--------------------	-------------------------

- (5A) I have not been found guilty of any disciplinary offence involving dishonesty by the institute(s) at which I completed my academic and professional stages of legal education.

~~OR*~~

~~I have been found guilty of the following disciplinary offence(s) involving dishonesty by the institute(s) at which I completed my academic and professional stages of legal education.:~~

Disciplinary Offence	Date of finding	Penalty	Institute that issued the finding
---------------------------------	----------------------------	--------------------	--

- (6) Full details of my employment history are set out below:

Name of employer	Position	Date commenced	Date ceased
ABC TRADING CO.	CLERK	01 JULY 2005	30 JULY 2007

OR*

I have not engaged in any employment prior to entering into a trainee solicitor contract with the principal named below.

- (7) I have passed the Postgraduate Certificate in Laws and a certified copy of my certificate(s) is attached.

- (8) ~~I was not required to sit any supplementary examinations to obtain my certificate referred to in paragraph (7) above.~~

OR*

I was required to sit supplementary examinations in the subjects listed below to obtain my certificate referred to in paragraph (7) above.

Subject	Date of examination
i.e.	
CIVIL PROCEDURE	23 JULY 2007
PROFESSIONAL PRACTICE	30 JULY 2007

- (8A) I have not ever been declared bankrupt in Hong Kong or elsewhere and there are no such proceedings pending against me in Hong Kong or elsewhere.

~~**OR***~~

~~I have been declared bankrupt in Hong Kong and/or elsewhere and details of the bankruptcy order are as follows:~~

Date of bankruptcy order	Jurisdiction	Date of discharge of the bankruptcy order
--------------------------	--------------	---

~~**OR***~~

~~There are bankruptcy proceedings pending against me in Hong Kong and/or elsewhere and details are as follows:~~

Date of commencement of proceedings	Status of proceedings	Jurisdiction
-------------------------------------	-----------------------	--------------

DELETE
AS
APPROPRIATE

- (8B) I have complied with paragraph 9 of the Code of Good Practice in the Recruitment of Trainee Solicitors ("Code").

~~OR*~~

~~I have not complied with paragraph 9 of the Code which results or has resulted in a breach of contract.~~

~~Details are as follows:~~

~~Details of failure to comply with paragraph 9 which results or has resulted in a breach of contract, including date, person(s), law firm(s) and contract(s) involved~~

~~Remedial actions taken, if any~~

**DELETE
AS
APPRO-
PRIATE**

- (9) I apply for registration of my trainee solicitor contract dated the 31st day of OCTOBER 2007 with the principal named below.

B. PRINCIPAL'S PART

**DATE OF EXECUTION BEING THE
DATE STATED ON THE FIRST LINE
OF THE TRAINEE SOLICITOR
CONTRACT**

- (1) Full name: WONG DAVID

- (2) Address: 40/F, TWO EXCHANGE SQUARE, HONG KONG

- (3) I am a solicitor of the High Court of the Hong Kong Special Administrative Region and I have been in continuous practice as a solicitor in Hong Kong for over 5 years. I am practising as a solicitor in Hong Kong on my own account or in partnership.

~~OR*~~

~~I am a solicitor of the High Court of the Hong Kong Special Administrative Region and I have been granted special leave by the Law Society of Hong Kong to employ trainee solicitors pursuant to section 20 of the Legal Practitioners Ordinance. I am practising as a solicitor in Hong Kong on my own account or in partnership.~~

**DELETE
AS
APPRO-
PRIATE**

~~OR*~~

~~I am an employee of the *Department of Justice / Legal Advisory and Conveyancing Office of the Lands Department / Land Registry / Companies Registry / Legal Aid Department / Official Receiver's Office / Intellectual Property Department** and am a *solicitor / person qualified to be admitted as a solicitor**. I have practised as a solicitor in Hong Kong, as defined in section 20(5) of the Legal Practitioners Ordinance, for a continuous period of over 5 years.~~

~~OR*~~

~~I am an employee of _____ and am a solicitor of the High Court of the Hong~~

**DELETE
AS
APPRO-
PRIATE**

Kong Special Administrative Region. I have been granted special leave by the Law Society of Hong Kong to employ trainee solicitors or act their principal pursuant to section 20(3) of the Legal Practitioners Ordinance.

(4) I am not employed as assistant by another solicitor.

PLS CAREFULLY CHECK THE NUMBER OF TRAINEE SOLICITORS EMPLOYED BY THE PRINCIPAL INCLUDING THE APPLICANT TRAINEE SOLICITOR

(5) I ~~employ~~ / *act as principal for** ~~one~~ / *two** trainee solicitors, including the trainee solicitor named above.

** THE DATE CAN BE AS FAR BACK AS 3 MTHS FROM THE DATE OF EXECUTION

(6) The trainee solicitor named above has been continuously employed by *me* / #

* since

day of AUGUST 2007 and is still employed by *me* / #

*. Dur

COMMENCE-
MENT DATE
OF TRAINEE
SOLICITOR
CONTRACT

period the trainee solicitor has been employed in a way compatible with employment as a trainee solicitor.

AND we make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Ordinance (cap 11).

DECLARED at ABC & Co.)
3/F, 6 DES VOEUX CENTRAL, H.K.)
HONG KONG SAR this 31st day of)
OCTOBER 2007)

DECLARED AT
WHERE AND
WHEN??

Trainee Solicitor

Before me:
Commissioner for Oaths/Solicitor of the High Court
of the Hong Kong Special Administrative Region/Justice of Peace

PLS PRINT THE FULL NAME
OF THE WITNESS
SOLICITOR AND THE NAME
OF HIS/HER FIRM/COMPANY
UNDER THE SIGNATURE

DECLARED at)
HONG KONG SAR thisday of)
.....)

**IMPORTANT: THIS DOCUMENT
MUST NOT BE WITNESSED BY A
SOLICITOR WHO IS AN EMPLOYEE
OR PRINCIPAL OF YOUR FIRM**

Principal

Before me:
Commissioner for Oaths/Solicitor of the High Court
of the Hong Kong Special Administrative Region/Justice of Peace

[Please read the notes on the back of this form carefully]



Index Reference :

Law Society : General

CIRCULAR 24-288 (COM)

2 May 2024

24-288 (COM) SECONDMENT OF TRAINEE SOLICITORS TO GOVERNMENT DEPARTMENTS

1. Introduction

- (a) The Law Society has made arrangements with a number of government departments to take trainee solicitors on secondment for limited periods.
- (b) The object of the arrangements is to enable trainee solicitors to gain experience in the work of the participating government departments and to have an understanding of the manner in which they function, which will be of mutual benefit to the trainee solicitors and the government departments.
- (c) Remuneration of the trainee solicitor during the secondment will remain the responsibility of the principal of the trainee solicitor.

2. Participants

- (a) Participating government departments, the scope of experience available and the contact persons are set out below.

(i) Department of Justice

Positions available	Civil Division, Prosecutions Division, Law Drafting Division, International Law Division and Law Reform Commission Secretariat (*specify one only when applying)
Duration of secondment	3 or 4 months
Contact person and details	Ms. Stephanie Fung, Senior Executive Officer (Personnel) 2 (Telephone: 3703 6581; E-mail: stephaniefung@doj.gov.hk)



Applications to be submitted to	Director of Administration and Development Administration and Development Division Department of Justice Collection Box, G/F, Main Wing Justice Place, 18 Lower Albert Road Central, Hong Kong
Training details	Civil Division <ul style="list-style-type: none">• Attending District Court Chambers' applications (e.g. charging orders)• Attending summons hearing before a High Court Master• Assisting counsel in court or tribunal hearings• Research work• Drafting legal advice, pleadings and other legal documents Prosecutions Division <ul style="list-style-type: none">• Research work• Preparing cases for trial• Assisting counsel in court hearings• Attending in-house lectures/seminars Law Drafting Division <ul style="list-style-type: none">• Drafting legislation in both Chinese and English languages• Research work• Attending meetings with policy bureaux and departments• Observing meetings of bills committee of the Legislative Council



<p>Note: The Department would like to remind trainee solicitors that during the secondment period, the secondee is required to work full-time in the Department.</p>	<p>International Law Division</p> <ul style="list-style-type: none"> • Research work • Assisting in drafting legal advice, requests for legal cooperation and court documents • Attending meetings with policy bureaux and departments • Attending conferences/events organized by the International Law Division • Assisting preparation for/attending court hearings • Attending in-house training sessions <p>Law Reform Commission Secretariat</p> <ul style="list-style-type: none"> • Research work • Assisting counsel in the preparation of research materials, discussion/consultation papers and reports • Attending suitable meetings with stakeholders, if so required, and press conferences as observer • Assisting in other undertakings by the Secretariat
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(ii) **Companies Registry** (up to 2 positions each year)

Duration of secondment	2 to 3 months
Contact person and details	<p>Ms. Kitty Tsui, Registry Solicitor Companies Registry 15/F, Queensway Government Offices 66 Queensway, Hong Kong (Telephone: 2867 2819; Fax: 2869 1007 Email: kittytsui@cr.gov.hk)</p>
Expectations/Requirements	<ul style="list-style-type: none"> • Assist with research work relating to the Companies Ordinance and its subsidiary legislation • Prepare cases for prosecution in the Magistrates Court in respect of regulatory offences under the



	<p>Companies Ordinance</p> <ul style="list-style-type: none">• Consider cases relating to alterations to Articles of Association• General legal advisory work
--	--

(iii) Lands Department (1 to 2 positions each year)

Duration of secondment	1 to 2 months
Contact person and details/ Applications to be submitted to	Miss Helen Chan, Asst Dir/Legal (HK&TW) Legal Advisory and Conveyancing Office Lands Department 20/F, North Point Government Offices 333 Java Road, North Point, Hong Kong (Telephone: 2231 3727; Fax: 2845 1017 Email: adlhktw@landsd.gov.hk)
Training details	<ul style="list-style-type: none">• Perform preliminary title checking• Prepare requisitions in acquisition of land cases• Check Deed of Mutual Covenant• Check documents related to applications for pre-sale consent under the Lands Department Consent Scheme• Carry out specific research and draft legal advice• Check execution of land documents

(iv) Official Receiver's Office (1 position^Ø)

Duration of secondment	3 months
Contact person and details	Mr. Alvin Sin, Assistant Official Receiver (Legal Services) 1 Official Receiver's Office 10/F., High Block, Queensway Government Offices 66 Queensway, Hong Kong (Telephone: 2867 2457; Fax: 3105 0435;



	E-mail: aswsin@oro.gov.hk
Training possibilities	<ul style="list-style-type: none">• Involvement in Court work, including prosecution of insolvency-related offences under the Companies and the Bankruptcy Ordinances Disqualification proceedings against delinquent directors of companies that have been wound up• Experience in applications brought not only by the OR but also by liquidators and trustees from the private sector• Research and advisory roles on legal issues relating to Hong Kong law and that of other jurisdictions• Drafting work, including reports and affidavits• Experience in procedural matters and preparation of forms and Court papers• Experience in the conduct of interviews• General experience in the work of the Official Receiver's Office

∅ *The secondees may not be sitting in a cellular office.*

3. Procedure

- (a) Trainee Solicitors wishing to take advantage of these arrangements should first seek the consent of their principal for them to make enquiries about the availability of places.
- (b) An application should then be submitted to the contact person of the relevant government department.
- (c) When agreement has been reached with the government department as to the dates and supervision proposals, the principal and the trainee solicitor should notify the Law Society of the intended secondment under rule 9(3) of the Trainee Solicitors Rules by way of a letter enclosing a copy of the agreement within 14 days of the date of the agreement.
- (d) A sample of the agreement can be downloaded by clicking [here](#).



THE
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4. Note

As part of the decision-making process, trainee solicitors and principals should pay attention to the training details offered by the government departments in the arrangement, in particular, whether the secondment offers the same training and experience as that which is offered by a solicitors' firm in the practice area. Trainee solicitors and principals should also consider whether the secondment provides sufficient training and experience if the trainee solicitor wishes to rely on the secondment solely as one of the at least 3 basic legal topics for the purpose of admission. Reference can be made to the Training Checklist for Trainee Solicitors posted on the Law Society's website www.hklawsoc.org.hk on the basic type of practical training that a trainee solicitor is expected to undergo prior to qualification.

5. Circular 23-278 (COM) is deleted.

**AGREEMENT FOR
TRAINEE SOLICITOR SECONDMENT TO GOVERNMENT OFFICES (GOS)**

I. GOS' PART

1. Name of GOS:
2. Address :
3. Department that the trainee solicitor will be attached :
4. Size of relevant Dept:
5. Name of Head of relevant Dept:
6. Supervisor's Name during secondment :
7. Supervisor's year of admission and jurisdiction :
(who is eligible to employ trainee solicitor under section 20 of the Legal Practitioners Ordinance)
8. Duration of Secondment :

II. SECONDEE'S INFORMATION

1. Name :
2. Firm :
3. Address :
4. Telephone number:
5. I apply for secondment to [Name of Dept] of GOS under Rule 9(3) of the Trainee Solicitors Rules.
6. Principal's Name :
7. Commencement Date of Trainee Solicitor Contract:
8. Last Date of Trainee Solicitor Contract:

9. Duration of Secondment:
10. Supervisor's Name during secondment:
11. I will undertake work which is similar to that undertaken by trainee solicitors in Hong Kong.
12. I will continue to have access to my Principal in Hong Kong.

III. PRINCIPAL'S PART

1. Name:
2. Address :
3. I consent to the abovenamed trainee solicitor to be seconded to [Name of Dept] of GOS and pursuant to Rule 9(3) of the Trainee Solicitors Rules such period of secondment will be effective employment under the Trainee Solicitor Contract.

Signed by GOS representative)

Signed by the trainee solicitor)

Signed by the Principal)

Date :

Personal Information Collection Statement

The personal data of the data subject collected in this Agreement ("the data") will be used by the Law Society of Hong Kong ("the Society") for the following purposes:

- (i) The keeping of traineeship records to show the effective employment of trainee solicitors and related matters;
- (ii) The exercise of the powers of the Society conferred upon it by the Legal Practitioners Ordinance (Chapter 159) and its subsidiary legislation; and
- (iii) The performance of the functions of the Society in accordance with its Memorandum and Articles of Association and the attainment of the objects for which the Society is established.

It is obligatory for you to supply the Society with the data in this Agreement except as otherwise indicated. The consequence for you if you fail to supply such data is that the Society will not be able to process the application for trainee solicitor secondment.

The data may be provided to such persons within the Society whose proper business it is to carry out the purposes above mentioned. The data may also be provided to other persons who may help the Society in attaining the purposes above mentioned.

Any data that is provided to anyone outside of the Society will be restricted to what is necessary and not excessive to achieve any intended purpose.

You have the right to request access to and correction of the data. Any such request should be addressed to the Secretary General, the Law Society of Hong Kong, 3/F, Wing On House, 71 Des Voeux Road Central, Hong Kong.

The Privacy Policy Statement of the Society is available on its website at **www.hklawsoc.org.hk**.

TRAINEE SOLICITORS RULES

**APPLICATION FOR SECONDMENT TO
NON-GOVERNMENT OFFICES (NGOS) OR GOVERNMENT OFFICES (GOS)
UNDER RULE 9(3) OF THE TRAINEE SOLICITORS RULES**

I. TRAINEE SOLICITOR'S PART

1. Name :
2. Firm :
3. Address :
4. Telephone number:
5. I apply for secondment to NGOS/GOS' under Rule 9(3) of the Trainee Solicitors Rules.
6. Principal's Name :
7. Commencement Date of Contract:
8. Last Date of Contract:
9. Destination of Secondment:
10. Duration of Secondment:
11. Supervisor's Name during secondment:
12. Supervisor's year of admission & Jurisdiction :
(who is eligible to employ trainee solicitor under Legal Practitioners Ordinance)
13. Department that the trainee solicitor will be attached:
14. I will undertake work which is similar to that undertaken by trainee solicitors in Hong Kong.
15. I will continue to have access to my principal in Hong Kong.

...../2

Legislation

16. Rule 9(3) of the Trainee Solicitors Rules [Cap.159 (sub. leg)] provides that :

"A trainee solicitor may, subject to the prior approval in writing of his principal, spend a period not exceeding 1 year employed in the office of another solicitor or qualified person in Hong Kong, if that solicitor or qualified person is eligible to employ a trainee solicitor under the Ordinance, and that period is effective employment under his trainee solicitor contract."

II. PRINCIPAL'S PART

1. Name:
2. Address :
- 3.

I consent to the abovenamed trainee solicitor application for secondment to NGOS/GOS set out in Part I.

Signed by the trainee solicitor)

Signed by the Principal)

Date :

Personal Information Collection Statement

The personal data of the data subject collected in this Application (“the data”) will be used by the Law Society of Hong Kong (“the Society”) for the following purposes:

- (i) The processing of this Application and related matters;
- (ii) The exercise of the powers of the Society conferred upon it under the Legal Practitioners Ordinance (Chapter 159) and its subsidiary legislation; and
- (iii) The performance of the functions of the Society in accordance with its Memorandum and Articles of Association and the attainment of the objects for which the Society is established.

It is obligatory for you to supply the Society with the data in this form except as otherwise indicated. The consequence for you if you fail to supply such data is that the Society will not be able to process this Application.

The data may be provided to such persons within the Society whose proper business it is to carry out the purposes above mentioned. The data may also be provided to other persons who may help the Society in attaining the purposes above mentioned.

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Index Reference :

Trainee Solicitors

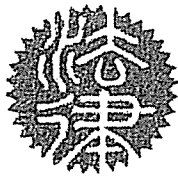
CIRCULAR 02-322 (COM)

7 October 2002

TRAINEE SOLICITORS

Overseas Secondments Rule 9(4) of the Trainee Solicitors Rules

1. Rules 9(4), 9(5), (5A) and 9(7) of the Trainee Solicitors Rules are applicable to applications for secondment of Trainee Solicitors to overseas jurisdictions.
2. The Consents Committee wishes to draw the attention of principals and trainee solicitors to the requirement under rule 9(7) of the Trainee Solicitors Rules that applications for consent for overseas secondment must be made not less than 30 days prior to the secondment.
3. Applications are considered on a case by case basis by the Consents Committee and should be submitted on "Form D". The following information must be included:
 - relevant information relating to the applicant's trainee solicitor contract;
 - whether this is the first such application or details of earlier applications;
 - the office to which the trainee solicitor will be seconded;
 - the name of principal/solicitor who will supervise the trainee solicitor;
 - the period of secondment, including the commencement date;
 - areas of training and nature of work to be undertaken; and
 - confirmation required under rule 9(3B) of the Rules.
4. Failure to obtain prior approval might result in the secondment not constituting effective employment under the training contract. This would result in the trainee solicitor having to extend the period of training.
5. For further information please contact the Assistant Director, Registration on 2846 0517.



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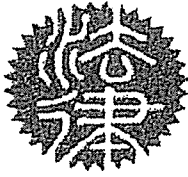
CIRCULAR 02-26 (COM)

28 January 2002

TRAINEE SOLICITORS

Engagement in any other Office or Employment Rule 11 of the Trainee Solicitors Rules

1. By virtue of rule 11(1) of the Trainee Solicitors Rules, trainee solicitors are prohibited from holding any office (such as a directorship) or engaging in any employment (such as law lecturing) during the term of the contract, save with the written consent of their principals and the Society. Any period during which a trainee solicitor contravenes this provision does not constitute effective employment as a trainee solicitor unless the Society otherwise so directs.
2. It is possible for trainee solicitors to obtain the prior written consent of their principals and of the Society to enable them to hold an office or engage in other employment. This ensures that a trainee solicitor contract is not ineffectual during this period. Consent can be given subject to such terms and conditions as the Society considers fit.
3. Applications for consent are considered on a case by case basis by the Consents Committee. Approval of such applications should not be regarded as a mere formality.
4. The Consents Committee wishes to draw the attention of principals and trainee solicitors to these aspects. Applications for consent should be made before taking up the office or engaging in the employment.
5. Applications must be in the form approved by the Society and accompanied by the prescribed fee.
6. For further information please contact the Assistant Director, Registration on 2846 0565.
7. Circular 98-162(COM) is superseded.



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Index Reference :

Regulations: Legal
Practitioners Ordinance,
Practice Directions and Rules

CIRCULAR 16-1126 (COM)

28 December 2016

LEGAL PRACTITIONERS ORDINANCE SECTIONS 20(1) AND 20(3)

Applications for Leave to Employ a Trainee Solicitor
or Act as His Principal by Solicitors
who were previously Overseas Lawyers
and by In-House Solicitors

1. A set of Guidelines for applications under:
 - (a) section 20(1) of the Legal Practitioners Ordinance, for solicitors who were previously overseas lawyers to employ trainee solicitors or act as their principal; and
 - (b) section 20(3) of the Legal Practitioners Ordinance, for in-house solicitors to employ trainee solicitors or act as their principalcan be downloaded by clicking [here](#).
2. The Council has resolved that with effect from 1 January 2017, the administrative fee for applications under sections 20(1) and 20(3) of the Legal Practitioners Ordinance is \$2,500.
3. Circular 04-115 (COM) is superseded.
4. Any enquiries can be directed to the Assistant Director, Regulation and Guidance on 2846-0503.

**SECTIONS 20(1) AND 20(3) OF THE LEGAL PRACTITIONERS ORDINANCE -
APPLICATIONS FOR LEAVE TO EMPLOY A TRAINEE SOLICITOR OR ACT AS HIS
PRINCIPAL BY SOLICITORS WHO WERE PREVIOUSLY OVERSEAS LAWYERS
AND BY IN-HOUSE SOLICITORS**

A. SOLICITORS WHO WERE PREVIOUSLY OVERSEAS LAWYERS

Section 20(1) of the Legal Practitioners Ordinance states as follows:

"20. Restrictions on employing trainee solicitors

- (1) No person who has not at some time been in continuous practice as a solicitor in Hong Kong for a period of 5 years shall, without the special leave in writing of the Society, employ a trainee solicitor or act as his principal.

...."

A solicitor who was previously an overseas lawyer may be granted special leave under section 20(1) to employ a trainee solicitor or act as his principal if -

- (1) he holds an unconditional practising certificate;
- (2) he can satisfy the Society that he has 5 years' continuous experience in the practice of law since qualification and prior to the commencement of the trainee solicitor contract in question;
- (3) he has been resident and in practice in Hong Kong for a continuous period of 12 months prior to the commencement of the trainee solicitor contract in question;
- (4) he is either:
- (a) a partner in or sole proprietor of the firm; or
 - (b) where the firm is a branch of an overseas firm, he is -
 - (i) a partner in the overseas firm; and
 - (ii) the branch of the firm in Hong Kong has been in existence for at least three years before the commencement of the trainee solicitor contract in question; and
- (5) he can satisfy the Society that the nature of the firm's practice in Hong Kong is sufficiently wide to provide adequate training for the trainee solicitor and, in the case of a solicitor falling within paragraph 4(a) above, that his experience is sufficiently extensive to ensure the provision of such training.

Procedure for making an application under section 20(1) by a solicitor who was previously an overseas lawyer

Applications must be made by statutory declaration. Applicants are required to provide specific dates, rather than general references to months and years. The statutory declaration must contain the following information:

1. *Academic and legal or professional qualifications:*

Details of all university degrees and other legal or professional qualifications, including the dates and jurisdictions of admission and/or the dates of gaining the qualifications.

2. *History of employment:*

- (a) All periods of employment, whether with solicitors' firms or otherwise, stating -
 - (i) exact dates of commencing and ceasing employment;
 - (ii) the positions held;
 - (iii) whether the positions were part-time or full-time; and
 - (iv) if part-time, the average hours worked per week;
- (b) the nature of the work in which the applicant engaged during each period of employment and the position held; and
- (c) if applicable, the reason for any gap between periods of employment.

The applicant's history of employment should be verified by certified copies of letters from his respective employers.

B. IN-HOUSE SOLICITORS

Section 20(3) of the Legal Practitioners Ordinance states as follows:

"20. Restrictions on employing trainee solicitors

...

- (3) No person shall employ a trainee solicitor or act as his principal unless he is practising as a solicitor on his own account or in partnership, without the special leave in writing of the Society.

..."

A solicitor who has acquired "substantial experience" in the law in Hong Kong as an in-house solicitor in commerce and industry, and who is not practising on his own account or in partnership, may be granted special leave under section 20(3) of the Legal Practitioners Ordinance to employ a trainee solicitor or act as his principal if -

- (1) he holds an unconditional practising certificate;
- (2) he has either:
 - (a) five years' cumulative substantial experience in the practice of law in Hong Kong both in the practice of a solicitor and in service as an in-house solicitor in commerce or industry; or
 - (b) five years' substantial experience in service as an in-house solicitor in commerce or industry in Hong Kong (subject to the supervision of a solicitor holding an unconditional practising certificate or otherwise entitled to hold such a certificate);
- (3) he can satisfy the Society that he can provide the trainee solicitor the opportunity to learn the basic skills and characteristics associated with the practice and profession of a solicitor of the High Court and in particular to:
 - (a) give the trainee solicitor the opportunity to gain reasonable experience in at least three of the following basic legal topics -
 - (i) banking;
 - (ii) civil litigation;
 - (iii) commercial;
 - (iv) company;
 - (v) criminal litigation;
 - (vi) family;
 - (vii) insolvency;
 - (viii) intellectual property;
 - (ix) property;
 - (x) trusts, wills and probate; and

* see Note on page 5

- (b) provide the trainee solicitor with the opportunity to learn the principles of professional conduct and to practise the following basic skills:
 - (i) communication;
 - (ii) practice support;
 - (iii) legal research;
 - (iv) drafting;
 - (v) interviewing;
 - (vi) negotiation;
 - (vii) advocacy; and
- (4) he can satisfy the Society that the trainee solicitor will serve a period of not less than 6 months' secondment to a firm of solicitors in Hong Kong and will be supervised by a solicitor who is eligible to employ a trainee solicitor or act as his principal under the Ordinance; and
- (5) he can satisfy the Society that the nature of the company's legal business in Hong Kong is sufficiently wide to provide adequate training for the trainee solicitor, that his experience is sufficiently extensive to ensure the provision of such training and that the training provided will be comparable to that provided within private practice.

Procedure for making an application under section 20(3) by an in-house solicitor

Applications must be made by statutory declaration. Applicants are required to provide specific dates, rather than general references to months and years. The statutory declaration must contain the following information:

1. *Academic and legal or professional qualifications:*

Details of all university degrees and other legal or professional qualifications, including the dates and jurisdictions of admission and/or the dates of gaining the qualifications.

2. *History of employment:*

- (a) All periods of employment, whether with solicitors' firms or otherwise, stating -
 - (i) exact dates of commencing and ceasing employment;
 - (ii) the positions held;
 - (iii) whether the positions were part-time or full-time; and
 - (iv) if part-time, the average hours worked per week;
- (b) the nature of the work in which the applicant engaged during each period of employment and the position held; and
- (c) if applicable, the reason for any gap between periods of employment.

The applicant's history of employment should be verified by certified copies of letters from his respective employers.

3. *The company:*

- (a) the nature of the company's business;
- (b) the size of the company, in terms of the number of employees and the number of departments within the company; and
- (c) the size of the company's legal department, including the names of all solicitors and whether they hold unconditional practising certificates.

4. *Secondment to a Hong Kong firm:*

A statement that the trainee solicitor will serve a period of not less than 6 months' secondment to a firm of solicitors in Hong Kong, and that during the secondment the trainee solicitor will be supervised by a solicitor who is eligible to employ a trainee solicitor or act as his principal under the Ordinance.

At least one month before taking up the secondment, the trainee solicitor must apply for approval by the Society by providing the following information:

- (a) the firm to which the trainee solicitor will be seconded;
- (b) the name of the principal who will supervise the trainee solicitor;
- (c) the period of the secondment; and
- (d) the nature of the work to be undertaken.

Note:

* "substantial experience"

When considering whether an applicant has "substantial experience" (by which is meant post-qualification experience) the Society will take into account any relevant factors brought to its attention by the applicant, including (but not limited to):

- (a) the type of practice, including the breadth and areas of work undertaken;
- (b) partnership experience;
- (c) the jurisdictions in which the applicant has practised.

Training Checklist for Trainee Solicitors

I. Aim

To enhance consistency in the process of training, the Law 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.

In handling the tasks set out in specific practice areas, trainees should be closely supervised by experienced practitioners.

II. Requirements in trainee solicitor contract

In the standard form of a Hong Kong trainee solicitor contract (Clause 5(1)), a principal is required to provide his trainee solicitor with the opportunity to learn:

- (a) the principles of professional conduct;
- (b) the basic skills of
 - (i) communication
 - (ii) practice support
 - (iii) legal research
 - (iv) drafting
 - (v) interviewing
 - (vi) negotiation
 - (vii) advocacy;
- (c) at least 3 of the following legal practice areas:
 - (i) banking
 - (ii) civil litigation
 - (iii) commercial
 - (iv) company
 - (v) criminal litigation
 - (vi) family
 - (vii) insolvency
 - (viii) intellectual property
 - (ix) property
 - (x) trusts, wills and probate
 - (xi) international law

III Training Checklist for Trainee Solicitors

To make the training effective, trainee solicitors should be given regular guidance and feedback on their performance.

Where feedback on performance is expected to be given by the principal, there will be two boxes against the item, each marked with “T” and “P” representing training given to trainee and feedback given by principal respectively.

Trainees can tick in the boxes where appropriate.

	Area	Briefing / Training / Practical Experience	Target Outcome	Duration (with dates)
1.	Induction	<p>(a) Briefing on office procedures</p> <p><input type="checkbox"/> • Office hours</p> <p><input type="checkbox"/> • Salary payments</p> <p><input type="checkbox"/> • Leave application</p> <p><input type="checkbox"/> • Liaison with other departments</p> <p><input type="checkbox"/> • Secretarial support</p>	<p>Gain an understanding of</p> <p>(i) the work environment</p> <p>(ii) the firm’s background</p> <p>(iii) the people to work with</p> <p>(iv) the office procedures to follow</p> <p>(v) the requirements to fulfill as a trainee</p>	

	Area	Briefing / Training / Practical Experience	Target Outcome	Duration (with dates)
1.	Induction (cont'd)	<p>(b) Briefing on office and IT systems</p> <ul style="list-style-type: none"> <input type="checkbox"/> • Filing system <input type="checkbox"/> • Archiving system <input type="checkbox"/> • Library <input type="checkbox"/> • Research facilities <input type="checkbox"/> • Computer software in use <input type="checkbox"/> • Use of Internet <input type="checkbox"/> • Use of E-mail <p>(c) Briefing on structure of training</p> <ul style="list-style-type: none"> <input type="checkbox"/> • Registration of trainee solicitor contract <input type="checkbox"/> • Seat rotation <input type="checkbox"/> • Requirement on the completion and maintenance of a training record for the duration of the contract <input type="checkbox"/> • Continuing professional development requirement for trainees <input type="checkbox"/> • Student membership of the Law Society 		

	Area	Briefing / Training / Practical Experience	Target Outcome	Duration (with dates)
2.	Professional ethics	<p>Experience in applying major ethical principles in real cases:</p> <p>(a) Fiduciary duty</p> <p>T P • Act in client's best interests with honesty, openness and fairness</p> <p>T P • Handle conflict check (between solicitor and client and between clients)</p> <p>T P • Identify any potential or actual conflict</p> <p>T P • Take appropriate action to deal with any actual conflict or to avoid any potential conflict arising in the future</p> <p>(b) Confidentiality</p> <p>T P • Recognise and comply with the duty of confidentiality owed to clients</p> <p>(c) Professional undertakings</p> <p>T P • Draft professional undertakings taking into account the effect and the responsibilities embodied in such undertakings</p> <p>T P • Follow up on the performance of the professional undertakings</p>	<p>Ability to</p> <p>(i) recognise and resolve ethical dilemmas</p> <p>(ii) identify and discharge duties and obligations as a solicitor in accordance with rules of professional conduct applicable to Hong Kong solicitors</p>	

	Area	Briefing / Training / Practical Experience	Target Outcome	Duration (with dates)
2.	Professional ethics (cont'd)	<p>(d) Professional fees</p> <p>T P • Draft written advice on cost estimates / availability of legal aid</p> <p>T P • Draft bills of costs (interim and final)</p> <p>T P • Draft written records of agreed fees</p> <p>T P • Follow up on the settlement of the bills / agreed fees</p> <p>T P • Understand the office procedures on issue of receipts and payment of fees into office / client accounts / third parties</p> <p>T P • Understand the prohibition against profit sharing with unqualified persons</p>		

	Area	Briefing / Training / Practical Experience	Target Outcome	Duration (with dates)
3.	Communication skills	<div> <div>T</div> <div>P</div> <div>(a)</div> <div>Draft letters to clients, internal notes and memos</div> </div> <div> <div>T</div> <div>P</div> <div>(b)</div> <div>Report orally to clients and others by telephone or at meetings</div> </div>	<p>Ability to</p> <p>(i) identify with respect to a proposed communication:</p> <ul style="list-style-type: none"> - the purpose; and - the most appropriate and effective way of making it; and <p>(ii) present thoughts, advice and submission orally and in writing in a logical, clear and succinct manner, having regard to the circumstances and the recipient to whom the communication is directed.</p>	

	Area	Briefing / Training / Practical Experience	Target Outcome	Duration (with dates)
4.	Practice support skills	<div> <div>T</div> <div>P</div> <div>(a)</div> <div>Run small transactions under close supervision and gain experience in case management</div> </div> <div> <div>T</div> <div>P</div> <div>(b)</div> <div>Work on larger transactions as a member of a team and gain experience in team work</div> </div>	<p>Ability to</p> <div> <div>(i)</div> <div>manage personal workload efficiently;</div> </div> <div> <div>(ii)</div> <div>work effectively as a team member;</div> </div> <div> <div>(iii)</div> <div>use information technology competently to improve work efficiency;</div> </div> <div> <div>(iv)</div> <div>keep appropriate file records in an orderly manner and render timely bills;</div> </div> <div> <div>(v)</div> <div>keep clients fully informed of all developments in their matter in a professional manner;</div> </div> <div> <div>(vi)</div> <div>recognise any signs of client dissatisfaction and act appropriately;</div> </div> <div> <div>(vii)</div> <div>conduct each matter in a way that minimises any risk to client and law firm;</div> </div> <div> <div>(viii)</div> <div>identify clients' problems and objectives and generate possible solutions for evaluation based on merits and risks;</div> </div> <div> <div>(ix)</div> <div>plan and review progress of case / transaction and bring matters to a timely and client-satisfactory conclusion.</div> </div>	

	Area	Briefing / Training / Practical Experience	Target Outcome	Duration (with dates)
5.	Legal research skills	<div> <div>T</div> <div>P</div> <div>(a)</div> <div>Research specific legal issues using traditional and computerised research tools and sources</div> </div> <div> <div>T</div> <div>P</div> <div>(b)</div> <div>Record the results of research and apply them to the facts in question</div> </div> <div> <div>T</div> <div>P</div> <div>(c)</div> <div>Record orally and in writing the results and application to the supervising solicitor</div> </div>	Ability to (i) identify and investigate factual and legal issues; (ii) select appropriate resources to help find solutions; (iii) record, analyse, apply and communicate research results.	
6.	Drafting skills	<div> <div>T</div> <div>P</div> <div>(a)</div> <div>Draft legal documents (such as leases, agreements and pleadings) both with and without the use of precedents</div> </div> <div> <div>T</div> <div>P</div> <div>(b)</div> <div>Understand the proper use of precedents</div> </div> <div> <div>T</div> <div>P</div> <div>(c)</div> <div>Explain legal documents drafted by others</div> </div> <div> <div>T</div> <div>P</div> <div>(d)</div> <div>Draft general correspondence, advice letters, instructions to Counsel</div> </div>	Ability to draft documents which (i) are factually and legally accurate; (ii) meet the intended purpose; (iii) are well organised, clear and precise; (iv) form a consistent and coherent whole.	

	Area	Briefing / Training / Practical Experience	Target Outcome	Duration (with dates)
7.	Interviewing skills	<div> <div>T</div> <div>P</div> <div>(a)</div> <div>Prepare for an interview</div> </div> <div> <div>T</div> <div>P</div> <div>(b)</div> <div>Attend meetings with clients and witnesses with the supervising solicitor and take notes of meetings</div> </div> <div> <div>T</div> <div>P</div> <div>(c)</div> <div>Conduct interviews with clients and witnesses under the close supervision of solicitor</div> </div> <div> <div>T</div> <div>P</div> <div>(d)</div> <div>Take any follow up action after the interview</div> </div>	<p>Ability to</p> <div> <div>(i)</div> <div>identify the client's goals and priorities and use appropriate interviewing techniques to take accurate instructions;</div> </div> <div> <div>(ii)</div> <div>explain the legal situation clearly and accurately;</div> </div> <div> <div>(iii)</div> <div>ensure that there is a mutual understanding with clients on retainers and fees;</div> </div> <div> <div>(iv)</div> <div>accurately record the interview, confirming instructions and action that needs to be undertaken following the interview;</div> </div> <div> <div>(v)</div> <div>help the client decide the most appropriate course of action taking into account his goals and priorities.</div> </div>	

	Area	Briefing / Training / Practical Experience	Target Outcome	Duration (with dates)
8.	Negotiation skills	<div> <div>T</div> <div>P</div> <div>(a)</div> <div>Prepare for negotiation on a matter on behalf of a client (identify the issues, assess the position and plan the strategy)</div> </div> <div> <div>T</div> <div>P</div> <div>(b)</div> <div>Observe negotiations conducted by experienced solicitors</div> </div> <div> <div>T</div> <div>P</div> <div>(c)</div> <div>Conduct negotiations under close supervision</div> </div> <div> <div>T</div> <div>P</div> <div>(d)</div> <div>Takes notes of the negotiation</div> </div> <div> <div>T</div> <div>P</div> <div>(e)</div> <div>Take any follow up action including drafting a settlement agreement</div> </div>	<p>Ability to</p> <div> <div>(i)</div> <div>negotiate effectively engaging appropriate techniques and strategies a matter on behalf of a client, including a settlement and / or representing or co-representing a client at a mediation;</div> </div> <div> <div>(ii)</div> <div>identify possible options to resolve dispute and explain to the client the benefits and disadvantages of each option with respect to the matter.</div> </div>	
9.	Advocacy	<div> <div>T</div> <div>P</div> <div>(a)</div> <div>Understand the rights of audience for trainee solicitors and solicitors</div> </div> <div> <div>T</div> <div>P</div> <div>(b)</div> <div>Prepare for court / tribunal appearances</div> </div> <div> <div>T</div> <div>P</div> <div>(c)</div> <div>Exercise the rights of audience available to trainee solicitors</div> </div>	<p>Ability to</p> <div> <div>(i)</div> <div>advocate a case on behalf of a client effectively both orally and in writing;</div> </div> <div> <div>(ii)</div> <div>exercise with confidence the rights of audience available to solicitors.</div> </div>	

	Area	Briefing / Training / Practical Experience	Target Outcome	Duration (with dates)
10.	Practice areas	<input type="checkbox"/> (a) Banking <input type="checkbox"/> (b) Civil litigation <input type="checkbox"/> (c) Commercial <input type="checkbox"/> (d) Company <input type="checkbox"/> (e) Criminal litigation <input type="checkbox"/> (f) Family <input type="checkbox"/> (g) Insolvency <input type="checkbox"/> (h) Intellectual property <input type="checkbox"/> (i) Property <input type="checkbox"/> (j) Trusts, wills and probate <input type="checkbox"/> (k) International law	Ability to (i) handle reasonably complex client matters relating to at least 3 practice areas with confidence (ii) display a good working knowledge and understanding of the legal and practice issues that commonly arise in at least 3 practice areas (iii) apply the knowledge and understanding correctly and in manner appropriate to everyday legal practice	

	Area	Briefing / Training / Practical Experience	Duration (with dates)
10.	Practice area - Banking	<p>(a) Banking</p> <ul style="list-style-type: none"> <div>T</div> <div>P</div> Draft simple loan agreements, guarantees, security documents, related board minutes, director's certificates and other ancillary documents <div>T</div> <div>P</div> Assist in loan transactions, including drafting, reviewing and commenting on related documents, liaising and coordinating with client, foreign Counsel and opposing Counsel, collating and organising transaction and conditions precedent documents, following up on conditions subsequent requirements <div>T</div> <div>P</div> Assist in Debt Capital Markets transactions, including drafting, reviewing and commenting on offering materials, placement / subscription agreements and ancillary documents <div>T</div> <div>P</div> Assist in preparing debt sell down and transfer documentation including assignments and sub-participations <div>T</div> <div>P</div> Assist in reviewing derivatives documentation (including swap documentation) and be familiar with market standard documentation (ISDA) <div>T</div> <div>P</div> Draft / review legal opinions and liaise with foreign Counsel in relation to legal opinions on foreign law <div>T</div> <div>P</div> Draft / review and collate conditions precedent documents and liaise with various parties throughout the process of fulfilling conditions precedent requirements <div>T</div> <div>P</div> Draft / review and comment on commitment letters, fee letters, term sheets and engagement letters <div>T</div> <div>P</div> Be familiar with loan market standard form documentation (e.g. APLMA and LMA standard form documents) from both lender and borrower perspective 	

	Area	Briefing / Training / Practical Experience		Duration (with dates)
10.	Practice area – Banking (cont'd)	<div>T</div> <div>P</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div>	<ul style="list-style-type: none"> • Arrange for relevant company, court and insolvency searches against companies and review search results • Review constitutional documents of companies • Prepare Particulars of Charges and Releases • Arrange for filing and registration of documents at the Companies Registry • Be familiar with issues such as security principles, insolvency rules, company law principles, banking regulations, execution formalities, etc. • Prepare know-how and articles on new regulations and market developments • Prepare transaction bibles 	
10.	Practice area – Civil litigation	<div>T</div> <div>P</div> <div>T</div> <div>P</div>	<p>(b) Civil litigation</p> <ul style="list-style-type: none"> • Attend client meetings / report to and advise client / take instructions from client • Draft <ul style="list-style-type: none"> - Attendance notes - statements of case / memorials - affirmation (for summary judgment or setting aside default judgment) - lists of document / disclosure statements - requests for further information - summonses - witness statements - expert reports - instructions to Counsel - dispute resolution clauses - costs schedules 	

	Area	Briefing / Training / Practical Experience		Duration (with dates)
10.	Practice area – Civil litigation (cont'd)	<div>T</div> <div>P</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div>	<ul style="list-style-type: none"> • Prepare / consider documents for disclosure and prepare disclosure list • Inspect other party's documents • Consider issues of privilege • Instruct Counsel / attend conference with Counsel • Research and analyse points of law and issues of business importance • Attend case management conference / interim hearing • Meet / interview witnesses • Meet / instruct experts • Observe / conduct settlement negotiations • Conduct / observe advocacy • Prepare / agree trial bundles • Attend court / tribunal hearing 	

	Area	Briefing / Training / Practical Experience	Duration (with dates)
10.	Practice area - Commercial	<p>(c) Commercial</p> <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> Assist in taking instructions from client and researching and selecting a commercial structure that will achieve the client's objectives <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> Assist in drafting related documents required to set up the commercial structures which may include: <ul style="list-style-type: none"> simple sale and purchase agreement for a business and completion documents and attend completion simple sale and purchase agreement for goods simple joint venture agreements simple powers of attorney Simple franchise agreements <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> Draft all related documents required to set up the commercial structures <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> Draft simple employment contracts <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> Attend to completion <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> Assist in keeping clients informed of any continuing obligations in relation to the commercial structure 	

	Area	Briefing / Training / Practical Experience	Duration (with dates)
10.	Practice area - Company	<p>(d) Company</p> <ul style="list-style-type: none"> <div>T</div> <div>P</div> Incorporate a company in Hong Kong including drafting memorandum and articles of association and all post-incorporation documents. <div>T</div> <div>P</div> Amend Memorandum and Articles of Association and review the same for particular transactions <div>T</div> <div>P</div> Register a non-Hong Kong company under Part XI of the Companies Ordinance <div>T</div> <div>P</div> Form a general partnership <div>T</div> <div>P</div> Assist in the listing of a company on The Stock Exchange of Hong Kong Limited (including assisting in the due diligence exercise and preparation of verification notes) <div>T</div> <div>P</div> Draft simple sale and purchase agreement for shares of a private limited company <div>T</div> <div>P</div> Assist in the due diligence exercise <div>T</div> <div>P</div> Prepare completion documents <div>T</div> <div>P</div> Attend completion and attend to stamping of share transfer and related contract notes <div>T</div> <div>P</div> Assist in the giving of advice on the legal obligations of corporations and their officers <div>T</div> <div>P</div> Assist in identifying generally the stamp duty implications of corporate transactions <div>T</div> <div>P</div> Draft simple shareholders' agreement 	

	Area	Briefing / Training / Practical Experience	Duration (with dates)
10.	Practice area – Criminal litigation	<p>(e) Criminal litigation</p> <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> • Ensure compliance with relevant Law Society rules and regulations including those related to Anti-Money Laundering <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> • Conduct legal visits to clients in custody / identification parades <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> • Locate clients in custody and assist in <ul style="list-style-type: none"> - advising clients the availability of bail - negotiating the bail terms - advising clients the availability of bail review procedure - advising clients the possible requirement of a surety so that they may identify the likely candidate - advising clients the possible requirement for available funds for bail - contacting family members of clients to update the bail arrangement - advising clients of appropriate behavior in custody e.g. not to talk about their case with other persons in custody <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> • Make periodic enquiry with the law enforcement case office (usually before the bail reporting) to find out the progress of the investigation and the release / charge date <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> • Assist in advising clients their right of silence – when to exercise it, and when to make use of the first opportunity to speak <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> • Interview clients and take instructions on the charge, the offence and the nature of defence <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> • Obtain Prosecution documents to understand the nature and extent of discovery and any unused material <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> • Familiarise with the admissibility of evidence, prosecution and defence evidence and pre-trial procedures relating to evidential issues e.g. alibi and expert evidence notices 	

	Area	Briefing / Training / Practical Experience		Duration (with dates)																										
10.	Practice area – Criminal litigation (cont’d)	<table><tr><td>T</td><td>P</td></tr><tr><td>T</td><td>P</td></tr><tr><td>T</td><td>P</td></tr><tr><td>T</td><td>P</td></tr><tr><td>T</td><td>P</td></tr><tr><td>T</td><td>P</td></tr><tr><td>T</td><td>P</td></tr><tr><td>T</td><td>P</td></tr><tr><td>T</td><td>P</td></tr><tr><td>T</td><td>P</td></tr><tr><td>T</td><td>P</td></tr><tr><td>T</td><td>P</td></tr><tr><td>T</td><td>P</td></tr></table>	T	P	T	P	T	P	T	P	T	P	T	P	T	P	T	P	T	P	T	P	T	P	T	P	T	P	<ul style="list-style-type: none">Assist in assessing a case taking into account the alleged role of the client in the crime and the evidence against the client available to the investigation authoritiesTake proofs of instructions and obtain comments on prosecution evidenceConduct site visitsPreserve evidence and take witness statementsAttend court proceedings and observe the role of solicitors at courtPrepare Instructions to CounselAttend and observe the role of solicitors at conferences with CounselPrepare for trial and mitigationAssist in assessing a case after the close of the Prosecution's case and in giving advice to clientAssist in giving advice on grounds of appeal against conviction and sentenceKeep accurate attendance notes / time recordsDraw up bills of costsFollow up on the recovery of costs	
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	Area	Briefing / Training / Practical Experience	Duration (with dates)
10.	Practice area - Family	<p>(f) Family</p> <div> <div>T</div> <div>P</div> <ul style="list-style-type: none"> Attend clients for instructions in family matters of dispute, divorce, ancillary relief and custody, and access </div> <div> <div>T</div> <div>P</div> <ul style="list-style-type: none"> Be aware of <ul style="list-style-type: none"> relevant practice directions major ordinances and rules for matrimonial practice FDR process mediation process </div> <div> <div>T</div> <div>P</div> <ul style="list-style-type: none"> Draft <ul style="list-style-type: none"> Petition and Answer and all related statutory documents all forms of Notices Affidavits / Affirmations Form E Summonses / consent summonses Basic Orders letters to parties and own clients instructions to Counsel </div> <div> <div>T</div> <div>P</div> <ul style="list-style-type: none"> Prepare <ul style="list-style-type: none"> bundles for hearing the First Appointment Bundle including preparing the Estimate of Costs. meeting notes hearings </div> <div> <div>T</div> <div>P</div> <ul style="list-style-type: none"> Handle <ul style="list-style-type: none"> clients Counsel accounts documentary evidence </div>	

	Area	Briefing / Training / Practical Experience	Duration (with dates)
10.	Practice area - Insolvency	<p>(g) Insolvency</p> <ul style="list-style-type: none"> <div> <div>T</div> <div>P</div> </div> Draft <ul style="list-style-type: none"> - statutory demand - Winding up and Bankruptcy Petitions <div> <div>T</div> <div>P</div> </div> Obtain Certificate of Compliance from Master <div> <div>T</div> <div>P</div> </div> Attend <ul style="list-style-type: none"> - the first hearing of the Petition - the creditors' meeting - the election of Committee of Inspection - adjudication of Proof and file Objection if necessary <div> <div>T</div> <div>P</div> </div> Prepare Proof of Debt <div> <div>T</div> <div>P</div> </div> Assist in the paper work for <ul style="list-style-type: none"> - the appointment of Provisional Liquidators - the formation and administration of scheme of arrangement <div> <div>T</div> <div>P</div> </div> Understand the present arrangement of the Official Receivers' Office to appoint outside insolvency practitioners as receivers / liquidators 	

	Area	Briefing / Training / Practical Experience		Duration (with dates)
10.	Practice area – Intellectual property	(h)	Intellectual property	
			<u>Contentious</u>	
		<div>T</div>	<div>P</div>	<ul style="list-style-type: none">Conduct and/or arrange for company, business, domain name and IP registration searches against infringers
		<div>T</div>	<div>P</div>	<ul style="list-style-type: none">Search the Internet for evidence of infringement and/or contact details of potential infringers
		<div>T</div>	<div>P</div>	<ul style="list-style-type: none">Draft warning and chasing letters to infringers
		<div>T</div>	<div>P</div>	<ul style="list-style-type: none">Negotiate with infringers with a view to obtaining an undertaking and compensation
		<div>T</div>	<div>P</div>	<ul style="list-style-type: none">Prepare letters of undertaking and attend infringers to execute letters of undertaking
		<div>T</div>	<div>P</div>	<ul style="list-style-type: none">Report cases to Customs and attend examination of counterfeit merchandise seized by Customs
		<div>T</div>	<div>P</div>	<ul style="list-style-type: none">Visit the places of business of infringers to check for counterfeit merchandise and assess the use of confusingly similar marks and/or reproduction of copyrighted works and report
		<div>T</div>	<div>P</div>	<ul style="list-style-type: none">Draft instructions to investigators
		<div>T</div>	<div>P</div>	<ul style="list-style-type: none">Attend Trade Marks Registry hearings
		<div>T</div>	<div>P</div>	<ul style="list-style-type: none">Draft Writ with a generally endorsed Claim
		<div>T</div>	<div>P</div>	<ul style="list-style-type: none">Prepare Timetabling Questionnaires
	<div>T</div>	<div>P</div>	<ul style="list-style-type: none">Advise client on the possibility of mediation / other ADR methods	

	Area	Briefing / Training / Practical Experience		Duration (with dates)
10.	Practice area – Intellectual property (cont'd)	<div>T</div> <div>P</div> <ul style="list-style-type: none"> Assist the preparation for an interim injunction including preparing a summons and supporting affidavit <div>T</div> <div>P</div> <ul style="list-style-type: none"> Draft Statements of Claim, Defences, Further and Better Particulars of Pleadings and/or Answer to Requests and List of Documents and organise the documents generally <div>T</div> <div>P</div> <ul style="list-style-type: none"> Appear before a Master and subsequently draft the order made <div>T</div> <div>P</div> <ul style="list-style-type: none"> Attend to discovery generally <div>T</div> <div>P</div> <ul style="list-style-type: none"> Attend to the preparation and proofing of witness statements <div>T</div> <div>P</div> <ul style="list-style-type: none"> Prepare court bundles and attend court at both interlocutory and trial stages <div>T</div> <div>P</div> <ul style="list-style-type: none"> Draft instructions to Counsel and attend meetings with Counsel and clients <div>T</div> <div>P</div> <ul style="list-style-type: none"> Attend meetings with clients only <div>T</div> <div>P</div> <ul style="list-style-type: none"> Prepare trade mark oppositions or cancellation actions <div>T</div> <div>P</div> <ul style="list-style-type: none"> Draft domain name complaints (including ADNDRC complaints and HKIAC complaints) <div>T</div> <div>P</div> <ul style="list-style-type: none"> Draft company name complaints to the Companies Registry <p><u>Non-contentious</u></p> <div>T</div> <div>P</div> <ul style="list-style-type: none"> Draft / review IP licences / assignments <div>T</div> <div>P</div> <ul style="list-style-type: none"> Prepare trade mark applications 		

	Area	Briefing / Training / Practical Experience		Duration (with dates)
10.	Practice area – Intellectual property (cont’d)	<div>T</div> <div>P</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div> <ul style="list-style-type: none">• Advise on registrability of trade marks• Draft deficiencies reports to client• Report official actions to client• Prepare arguments to overcome citations• Handle domain name registrations		
10.	Practice area - Property	<div>(i)</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div> <div>T</div> <div>P</div> <ul style="list-style-type: none">• Property<ul style="list-style-type: none">• Draft and approve<ul style="list-style-type: none">- agreements for Sale and Purchase- assignments- tenancy agreement• Attend to stamping and registration• Approve title• Assist in execution• Attend to filing and registration of documents at Companies Registry and Land Registry• Peruse Memorandum and Articles of Association of companies and prepare Board and Shareholders’ Resolution		

	Area	Briefing / Training / Practical Experience		Duration (with dates)
10.	Practice area – Property (cont'd)	<div>T</div> <div>P</div> <ul style="list-style-type: none"> • Prepare Mortgages, Equitable Mortgages, Guarantees and reporting letters to banks and engaging in completion procedures <div>T</div> <div>P</div> <ul style="list-style-type: none"> • Assist in loan transactions <div>T</div> <div>P</div> <ul style="list-style-type: none"> • Prepare Releases <div>T</div> <div>P</div> <ul style="list-style-type: none"> • Manage general file maintenance <div>T</div> <div>P</div> <ul style="list-style-type: none"> • Assist in dealing with clients <div>T</div> <div>P</div> <ul style="list-style-type: none"> • Ensure compliance with Law Society's rules, regulations and guidelines including those on Anti-Money Laundering 		
10.	Practice area – Trusts, wills and probate	<div>(j)</div> <div>Trusts, wills and probate</div> <div>T</div> <div>P</div> <ul style="list-style-type: none"> • Familiarise with the laws of Wills, Wills Drafting and Testate and Intestate Succession <div>T</div> <div>P</div> <ul style="list-style-type: none"> • Understand the procedures relating to obtaining estate duty clearance, application for grant of representation and administration of estate <div>T</div> <div>P</div> <ul style="list-style-type: none"> • Ensure compliance with the Law Society rules and regulations and guidelines including those on Anti-Money Laundering 		

	Area	Briefing / Training / Practical Experience	Duration (with dates)
10.	Practice area – Trusts, wills and probate (cont'd)	<div> <div>T</div> <div>P</div> <ul style="list-style-type: none"> • Draft Wills <ul style="list-style-type: none"> - Understand client's instructions and identify client's goals - Identify and analyze relevant legal and factual issues - Advise clients on matters to consider on Wills drafting before taking instructions on Wills drafting - Critically use precedents to facilitate drafting - Explain the contents of the Will to clients - Attend to attestation of Will </div> <div> <div>T</div> <div>P</div> <ul style="list-style-type: none"> • Obtain estate duty clearance for persons who died before 11 February 2006: <ul style="list-style-type: none"> - Understand key charging and exemption provisions in the Estate Duty Ordinance and case laws - Understand the significance of compliance under the Estate Duty Ordinance to applications for grant of representation - Elicit relevant facts and information for the purpose of obtaining estate duty clearance for the estate - Complete Estate Duty Forms in order to obtain clearance - Attend with representatives of the Home Affairs Department for the opening of Safe Deposit Box and inventory taking </div>	

	Area	Briefing / Training / Practical Experience	Duration (with dates)
10.	Practice area – Trusts, wills and probate (cont'd)	<div> <div>T</div> <div>P</div> <ul style="list-style-type: none"> Obtain Grants of Representation to a Deceased estate including: <ul style="list-style-type: none"> Understand formalities and procedures to be followed in obtaining a Grant of Representation Prepare the Schedule of Properties Draft the necessary affirmations / affidavits to obtain a Grant Identify the supporting documents required for the application </div> <div> <div>T</div> <div>P</div> <ul style="list-style-type: none"> Practise the Administration of Estates <ul style="list-style-type: none"> Identify and apply legal principles in explaining to clients how an estate is distributed Collect, secure and manage assets Pay debts and other liabilities Distribute the estate to the beneficiaries </div>	

	Area	Briefing / Training / Practical Experience	Duration (with dates)
11.	Practice area – International law	<p>(k) International law (Private and Public International Law)</p> <div> <div>T</div> <div>P</div> <ul style="list-style-type: none"> Assist in advising on international matters such as international trade and investment law, international environmental and energy law, privileges and immunities of States and international organizations, international human rights law, State recognition, secession and succession, international sanctions and export control matters, the law of war, the Law of the Sea. </div> <div> <div>T</div> <div>P</div> <ul style="list-style-type: none"> Assist in the drafting, interpreting and advising on and enforcing international treaties and conventions. </div> <div> <div>T</div> <div>P</div> <ul style="list-style-type: none"> Assist in bringing or defending claims on international disputes and international law violations such as maritime and territorial and boundary disputes. </div> <div> <div>T</div> <div>P</div> <ul style="list-style-type: none"> Assist in advising on international criminal law and international criminal matters. </div> <div> <div>T</div> <div>P</div> <ul style="list-style-type: none"> Attend hearings in international courts or tribunals or hearings on public international law issues arising in domestic courts, or investment treaty arbitrations. </div> <div> <div>T</div> <div>P</div> <ul style="list-style-type: none"> Liaise with sovereign governments, multinational corporations, international non-governmental organizations such as the United Nations, the European Union and the World Trade Organization. </div> <div> <div>T</div> <div>P</div> <ul style="list-style-type: none"> Attend international meetings and conferences which discuss multilateral agreements and treaties amongst different countries such as meetings organized by the World Trade Organization, the Hague Conference on Private International Law, the United Nations Commission on International Trade Law or the International Civil Aviation Organization. </div>	