



INFORMATION FOR TRAINEE SOLICITORS

This information package is effective as of 14 May 2021.

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 21-231.

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. *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.

8. 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.

9. *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.

10. *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, unless and until the student has secured a release from the trainee solicitor contract from the employer whose offer the student has accepted. Such mutual release must be in writing and signed by all parties concerned. Employers should not unreasonably withhold any release.

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 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**.

The Law Society of Hong Kong

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) 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 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 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.

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

**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 / naturalisation 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.
Details are as follows:

Details of failure to comply with paragraph 9, 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 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 back of this form carefully]

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

- * Delete whichever is not applicable.
- # Insert name of company if you are employed in-house.

A. The following must be attached to the Application for Registration of Trainee Solicitor Contract -

- (1) the original Contract (which will be returned to the applicant after registration)
- (2) a certified copy of the Contract for retention by the Society
- (3) a copy of **one** of the following certified by the principal
 - your birth certificate
 - a statutory declaration of one of your parents (for applicants born in China)
 - your naturalisation certificate
- (4) a copy of **one** of the following certified by the principal
 - your Hong Kong identity card
 - the pages of your passport which show your personal particulars
- (5) a copy of **one** of the following certified by the principal
 - your Postgraduate Certificate in Laws from the University of Hong Kong, the City University of Hong Kong or the 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".
- (7) For applicants who fail to comply with paragraph 9 of the Code, copies of any employment and/or trainee solicitor contracts signed with the law firms concerned and all relevant correspondence with the law firms.

- B. All salary figures inserted are for the Society's records. Wordings such as "Any salary adjustments will be notified to the Law Society" should be inserted if those figures are omitted, and notification must be given to the Society accordingly.
- C. All names which appear on all documents used in connection with the Trainee Solicitor Contract application must be identical. A statutory declaration is required for any variance. Failure to provide such information will affect the registration of the trainee contract and may impinge upon the applicant's fitness to become a solicitor.
- D. This application must be declared before a Solicitor of the High Court of the Hong Kong Special Administrative Region / Commissioner for Oaths / Justice of Peace.
- E. Convictions which are "spent" under the Rehabilitation of Offenders Ordinance should be disclosed by virtue of section 4(1)(c) of that Ordinance.
- F. Details of failure to comply with paragraph 9 of the Code should include information on when an applicant accepted an offer of employment as trainee solicitor, when the applicant reneged on the contract, what remedial actions have been taken by the applicant to remedy the breach, including, for example, whether any release from the contract with the law firm concerned has been sought.

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 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.

**APPLICATION FOR REGISTRATION OF
NEW TRAINEE SOLICITOR CONTRACT**

A. TRAINEE SOLICITOR'S PART

- (1) Full name:
- (2) Address:
- (3) Telephone number:
- (4) I apply for registration of my new trainee solicitor contract dated the _____ day of _____ with the principal mentioned 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 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**

* Delete whichever is inapplicable.

Insert name of company if you are employed in-house.

A. The following documents must be produced to the Society with this form -

(1) the original of your new Contract;

(2) a certified copy of your new contract for retention by the Society;

(3) the original release of your earlier contract;

(4) a certified copy of your release for retention by the Society.

B. All copy documents submitted with your application must be certified by your new principal. A suitable form of wording to appear on all 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. This application must be declared before a Solicitor of the High Court of the Hong Kong Special Administrative Region / Commissioner for Oaths / Justice of Peace.

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 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.

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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.

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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

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- (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.

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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.

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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

** 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 _____ 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.)

"ANY SALARY ADJUSTMENTS WILL BE NOTIFIED TO THE LAW SOCIETY"
SHOULD BE INSERTED IF ANY OF THOSE FIGURES IS OMITTED

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
APPRO-
PRIATE

(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 / naturalisation 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
---------------------------------	----------------------------	--------------------	--

- (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

DELETE
AS
APPRO-
PRIATE

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.

DELETE
AS
APPROP-
RIATE

~~**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
--	-----------------------	--------------

- (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.
Details are as follows:~~

~~Details of failure to comply with paragraph 9, 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 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.~~

DELETE
AS
APPRO-
PRIATE

(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**

COMMENCE-
MENT DATE
OF TRAINEE
SOLICITOR
CONTRACT

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

1st day of AUGUST 2007 and is still employed by me / #

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 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 21-231 (COM)

10 May 2021

SECONDMENT OF TRAINEE SOLICITORS

1. Introduction

- (a) The Law Society has made arrangements with a number of government departments and the Securities and Futures Commission 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 organizations and to have an understanding of the manner in which they function, which will be of mutual benefit to the trainee solicitors and the organization.
- (c) Remuneration of the trainee solicitor during the secondment will remain the responsibility of the principal of the trainee solicitor.

2. Participants

- (a) Participating organizations, 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 and International Law Division (*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: 3902 8732; E-mail: stephaniefung@doj.gov.hk)

Applications to be submitted to	<p>Director of Administration and Development Administration and Development Division Department of Justice 8/F, West Wing, Justice Place 18 Lower Albert Road Central, Hong Kong</p>
<p>Training details</p> <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>Civil Division</p> <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 <p>Prosecutions Division</p> <ul style="list-style-type: none"> • Research work • Preparing cases for trial • Assisting counsel in court hearings • Attending in-house lectures/seminars <p>Law Drafting Division</p> <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>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

(ii) Companies Registry (up to 2 positions each year)

Duration of secondment	2 to 3 months
Contact person and details	Ms. Kitty Tsui, Registry Solicitor Companies Registry 15/F, Queensway Government Offices 66 Queensway, Hong Kong (Telephone: 2867 2819; Fax: 2869 1007)
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 Companies Ordinance• 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	Ms. Doris Wu, AD/L (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)
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	Ms. Ophelia Lok, 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: opmlok@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

^Ø The secondees may not be sitting in a cellular office.

(v) Securities and Futures Commission

Duration of secondment	3 months (secondees should be in their second year of training)
Contact person and details/ Applications (including a brief CV and applicant's contact details) to be submitted to	Ms. Agnes Mak, Deputy Chief Counsel, Legal Services Division Securities and Futures Commission 54/F, One Island East 18 Westlands Road, Quarry Bay Hong Kong

<p>Training details*</p> <p><i>*Secondees will be subject to statutory secrecy provisions both during and after the period of their secondment.</i></p>	<ul style="list-style-type: none"> • Interpretation and application of relevant legislation (principally the Securities and Futures Ordinance and subsidiary legislation made under it) • Research work relating to the Securities and Futures Ordinance • Advisory work involving matters of administrative law, company law and data privacy • Advisory work relating to contracts and agreements • Assisting with the preparation of hearings in the Magistracy, High Court and the Market Misconduct Tribunal.
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3. Applications for consent

- (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 relevant contact person for the appropriate organization.
- (c) When agreement has been reached as to the dates and supervision proposals, a formal application for consent to the proposed secondment should be submitted to the Law Society under rule 9(3) of the Trainee Solicitors Rules.
- (d) Applications for secondment are considered by the Consents Committee and should be addressed to the Secretary to the Committee.
- (e) Application form and Agreement can be downloaded by clicking [here](#).

4. Circular 20-219(COM) is deleted.

The Law Society of Hong Kong

**AGREEMENT FOR
NON-GOVERNMENT OFFICES (NGOS) OR GOVERNMENT OFFICES (GOS)
FOR APPLICATION FOR TRAINEE SOLICITORS SECONDMENTS**

I. NGOS/GOS' PART

1. Name of NGOS/GOS:
2. Address :
3. Date of Establishment:
4. Size of NGOS/GOS :
5. Size of Legal/Compliance Dept/(or relevant Dept):
6. Name of Head of Legal/Compliance Dept/(or relevant Dept):
7. Years of Post-Qualification Experience:
8. Nature of NGOS/GOS:

II. SECONDEE'S INFORMATION

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:

...../2

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.

III. PRINCIPAL'S PART

1. Name:
2. Address :
3. I consent to the abovenamed trainee solicitor to be seconded to NGOS/GOS as we have read Rule 9(3) of the Trainee Solicitors Rules.

Signed by NGOS/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.

The Law Society of Hong Kong

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.

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.

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THE
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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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Index Reference :

Trainee Solicitors

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 |

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 "I" 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	(a)	<p>Briefing on office procedures</p> <div> <input type="checkbox"/> • Office hours </div> <div> <input type="checkbox"/> • Salary payments </div> <div> <input type="checkbox"/> • Leave application </div> <div> <input type="checkbox"/> • Liaison with other departments </div> <div> <input type="checkbox"/> • Secretarial support </div>	<p>Gain an understanding of</p> <div> (i) the work environment (ii) the firm's background (iii) the people to work with (iv) the office procedures to follow (v) the requirements to fulfill as a trainee </div>	

	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> <ul style="list-style-type: none"> <div data-bbox="422 1641 475 1771">T</div> <div data-bbox="422 1641 475 1704">P</div> Act in client's best interests with honesty, openness and fairness <div data-bbox="515 1641 568 1771">T</div> <div data-bbox="515 1641 568 1704">P</div> Handle conflict check (between solicitor and client and between clients) <div data-bbox="632 1641 684 1771">T</div> <div data-bbox="632 1641 684 1704">P</div> Identify any potential or actual conflict <div data-bbox="740 1641 793 1771">T</div> <div data-bbox="740 1641 793 1704">P</div> Take appropriate action to deal with any actual conflict or to avoid any potential conflict arising in the future <p>(b) Confidentiality</p> <ul style="list-style-type: none"> <div data-bbox="979 1641 1032 1771">T</div> <div data-bbox="979 1641 1032 1704">P</div> Recognise and comply with the duty of confidentiality owed to clients <p>(c) Professional undertakings</p> <ul style="list-style-type: none"> <div data-bbox="1203 1641 1256 1771">T</div> <div data-bbox="1203 1641 1256 1704">P</div> Draft professional undertakings taking into account the effect and the responsibilities embodied in such undertakings <div data-bbox="1362 1641 1415 1771">T</div> <div data-bbox="1362 1641 1415 1704">P</div> Follow up on the performance of the professional undertakings 	<p>Ability to</p> <ul style="list-style-type: none"> (i) recognise and resolve ethical dilemmas (ii) identify and discharge duties and obligations as a solicitor in accordance with rules of professional conduct applicable to Hong Kong solicitors 	

	Area	Briefing / Training / Practical Experience	Target Outcome	Duration (with dates)
2.	Professional ethics (cont'd)	<p>(d) Professional fees</p> <ul style="list-style-type: none"> <input type="checkbox"/> T <input type="checkbox"/> P • Draft written advice on cost estimates / availability of legal aid <input type="checkbox"/> T <input type="checkbox"/> P • Draft bills of costs (interim and final) <input type="checkbox"/> T <input type="checkbox"/> P • Draft written records of agreed fees <input type="checkbox"/> T <input type="checkbox"/> P • Follow up on the settlement of the bills / agreed fees <input type="checkbox"/> T <input type="checkbox"/> P • Understand the office procedures on issue of receipts and payment of fees into office / client accounts / third parties <input type="checkbox"/> T <input type="checkbox"/> P • Understand the prohibition against profit sharing with unqualified persons 		

Area	Briefing / Training / Practical Experience	Target Outcome	Duration (with dates)
3. Communication skills	<div data-bbox="292 1697 349 1758">T</div> <div data-bbox="292 1630 349 1691">P</div> <div data-bbox="308 1574 341 1619">(a)</div> <div data-bbox="308 1021 371 1523">Draft letters to clients, internal notes and memos</div> <div data-bbox="435 1697 493 1758">T</div> <div data-bbox="435 1630 493 1691">P</div> <div data-bbox="451 1574 485 1619">(b)</div> <div data-bbox="451 1066 515 1523">Report orally to clients and others by telephone or at meetings</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 data-bbox="293 1653 351 1787"> <div>T</div> <div>P</div> </div> <div data-bbox="293 972 402 1653">(a) Run small transactions under close supervision and gain experience in case management</div> <div data-bbox="478 1653 536 1787"> <div>T</div> <div>P</div> </div> <div data-bbox="478 972 545 1653">(b) Work on larger transactions as a member of a team and gain experience in team work</div>	<p>Ability to</p> <p>(i) manage personal workload efficiently;</p> <p>(ii) work effectively as a team member;</p> <p>(iii) use information technology competently to improve work efficiency;</p> <p>(iv) keep appropriate file records in an orderly manner and render timely bills;</p> <p>(v) keep clients fully informed of all developments in their matter in a professional manner;</p> <p>(vi) recognise any signs of client dissatisfaction and act appropriately;</p> <p>(vii) conduct each matter in a way that minimises any risk to client and law firm;</p> <p>(viii) identify clients' problems and objectives and generate possible solutions for evaluation based on merits and risks;</p> <p>(ix) plan and review progress of case / transaction and bring matters to a timely and client-satisfactory conclusion.</p>	

Area	Briefing/ Training / Practical Experience			Target Outcome	Duration (with dates)
5. Legal research skills	<div>T</div> <div>P</div>	(a)	Research specific legal issues using traditional and computerised research tools and sources	Ability to <ul style="list-style-type: none"> (i) identify and investigate factual and legal issues; (ii) select appropriate resources to help find solutions; (iii) record, analyse, apply and communicate research results. 	
	<div>T</div> <div>P</div>	(b)	Record the results of research and apply them to the facts in question		
	<div>T</div> <div>P</div>	(c)	Record orally and in writing the results and application to the supervising solicitor		
6. Drafting skills	<div>T</div> <div>P</div>	(a)	Draft legal documents (such as leases, agreements and pleadings) both with and without the use of precedents	Ability to draft documents which <ul style="list-style-type: none"> (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. 	
	<div>T</div> <div>P</div>	(b)	Understand the proper use of precedents		
	<div>T</div> <div>P</div>	(c)	Explain legal documents drafted by others		
	<div>T</div> <div>P</div>	(d)	Draft general correspondence, advice letters, instructions to Counsel		

Area	Briefing / Training / Practical Experience	Target Outcome	Duration (with dates)
7. Interviewing skills	<div data-bbox="284 1653 341 1783">T P</div> <div data-bbox="300 1245 331 1545">(a) Prepare for an interview</div> <div data-bbox="427 1653 485 1783">T P</div> <div data-bbox="443 1003 545 1545">(b) Attend meetings with clients and witnesses with the supervising solicitor and take notes of meetings</div> <div data-bbox="644 1653 702 1783">T P</div> <div data-bbox="660 1048 762 1545">(c) Conduct interviews with clients and witnesses under the close supervision of solicitor</div> <div data-bbox="858 1653 916 1783">T P</div> <div data-bbox="874 1115 938 1545">(d) Take any follow up action after the interview</div>	<p>Ability to</p> <p>(i) identify the client's goals and priorities and use appropriate interviewing techniques to take accurate instructions;</p> <p>(ii) explain the legal situation clearly and accurately;</p> <p>(iii) ensure that there is a mutual understanding with clients on retainers and fees;</p> <p>(iv) accurately record the interview, confirming instructions and action that needs to be undertaken following the interview;</p> <p>(v) help the client decide the most appropriate course of action taking into account his goals and priorities.</p>	

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

Area	Briefing / Training / Practical Experience	Target Outcome	Duration (with dates)
10. Practice areas	<div data-bbox="295 1653 981 1713"> <input type="checkbox"/> (a) Banking </div> <div data-bbox="295 1355 406 1713"> <input type="checkbox"/> (b) Civil litigation </div> <div data-bbox="295 1377 478 1713"> <input type="checkbox"/> (c) Commercial </div> <div data-bbox="295 1411 550 1713"> <input type="checkbox"/> (d) Company </div> <div data-bbox="295 1299 622 1713"> <input type="checkbox"/> (e) Criminal litigation </div> <div data-bbox="295 1444 694 1713"> <input type="checkbox"/> (f) Family </div> <div data-bbox="295 1400 766 1713"> <input type="checkbox"/> (g) Insolvency </div> <div data-bbox="295 1276 837 1713"> <input type="checkbox"/> (h) Intellectual property </div> <div data-bbox="295 1422 909 1713"> <input type="checkbox"/> (i) Property </div> <div data-bbox="295 1220 981 1713"> <input type="checkbox"/> (j) Trusts, wills and probate </div>	<p>Ability to</p> <p>(i) handle reasonably complex client matters relating to at least 3 practice areas with confidence</p> <p>(ii) display a good working knowledge and understanding of the legal and practice issues that commonly arise in at least 3 practice areas</p> <p>(iii) apply the knowledge and understanding correctly and in manner appropriate to everyday legal practice</p>	

	Area	Briefing / Training / Practical Experience	Duration (with dates)
10.	Practice area - Banking	<p>(a) Banking</p> <ul style="list-style-type: none"> <div data-bbox="375 1709 432 1769">T</div> <div data-bbox="375 1632 432 1693">P</div> Draft simple loan agreements, guarantees, security documents, related board minutes, director's certificates and other ancillary documents <div data-bbox="467 1709 525 1769">T</div> <div data-bbox="467 1632 525 1693">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 data-bbox="655 1709 713 1769">T</div> <div data-bbox="655 1632 713 1693">P</div> Assist in Debt Capital Markets transactions, including drafting, reviewing and commenting on offering materials, placement / subscription agreements and ancillary documents <div data-bbox="798 1709 855 1769">T</div> <div data-bbox="798 1632 855 1693">P</div> Assist in preparing debt sell down and transfer documentation including assignments and sub-participations <div data-bbox="911 1709 968 1769">T</div> <div data-bbox="911 1632 968 1693">P</div> Assist in reviewing derivatives documentation (including swap documentation) and be familiar with market standard documentation (ISDA) <div data-bbox="1007 1709 1064 1769">T</div> <div data-bbox="1007 1632 1064 1693">P</div> Draft / review legal opinions and liaise with foreign Counsel in relation to legal opinions on foreign law <div data-bbox="1120 1709 1177 1769">T</div> <div data-bbox="1120 1632 1177 1693">P</div> Draft / review and collate conditions precedent documents and liaise with various parties throughout the process of fulfilling conditions precedent requirements <div data-bbox="1217 1709 1275 1769">T</div> <div data-bbox="1217 1632 1275 1693">P</div> Draft / review and comment on commitment letters, fee letters, term sheets and engagement letters <div data-bbox="1331 1709 1388 1769">T</div> <div data-bbox="1331 1632 1388 1693">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)	<table><tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>• Arrange for relevant company, court and insolvency searches against companies and review search results</td></tr><tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>• Review constitutional documents of companies</td></tr><tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>• Prepare Particulars of Charges and Releases</td></tr><tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>• Arrange for filing and registration of documents at the Companies Registry</td></tr><tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>• Be familiar with issues such as security principles, insolvency rules, company law principles, banking regulations, execution formalities, etc.</td></tr><tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>• Prepare know-how and articles on new regulations and market developments</td></tr><tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>• Prepare transaction bibles</td></tr></table>	<input type="checkbox"/>	<input type="checkbox"/>	• Arrange for relevant company, court and insolvency searches against companies and review search results	<input type="checkbox"/>	<input type="checkbox"/>	• Review constitutional documents of companies	<input type="checkbox"/>	<input type="checkbox"/>	• Prepare Particulars of Charges and Releases	<input type="checkbox"/>	<input type="checkbox"/>	• Arrange for filing and registration of documents at the Companies Registry	<input type="checkbox"/>	<input type="checkbox"/>	• Be familiar with issues such as security principles, insolvency rules, company law principles, banking regulations, execution formalities, etc.	<input type="checkbox"/>	<input type="checkbox"/>	• Prepare know-how and articles on new regulations and market developments	<input type="checkbox"/>	<input type="checkbox"/>	• Prepare transaction bibles	
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<input type="checkbox"/>	<input type="checkbox"/>	• Prepare transaction bibles																					

	Area	Briefing / Training / Practical Experience	Duration (with dates)
10.	Practice area – Civil litigation	<p>(b) Civil litigation</p> <ul style="list-style-type: none"> <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 2px 5px;">T</div> <div style="border: 1px solid black; padding: 2px 5px;">P</div> </div> <ul style="list-style-type: none"> • Attend client meetings / report to and advise client / take instructions from client <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 2px 5px;">T</div> <div style="border: 1px solid black; padding: 2px 5px;">P</div> </div> <ul style="list-style-type: none"> • 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 <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 2px 5px;">T</div> <div style="border: 1px solid black; padding: 2px 5px;">P</div> </div> <ul style="list-style-type: none"> • Prepare / consider documents for disclosure and prepare disclosure list <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 2px 5px;">T</div> <div style="border: 1px solid black; padding: 2px 5px;">P</div> </div> <ul style="list-style-type: none"> • Inspect other party's documents <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 2px 5px;">T</div> <div style="border: 1px solid black; padding: 2px 5px;">P</div> </div> <ul style="list-style-type: none"> • Consider issues of privilege <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 2px 5px;">T</div> <div style="border: 1px solid black; padding: 2px 5px;">P</div> </div> <ul style="list-style-type: none"> • Instruct Counsel / attend conference with Counsel <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 2px 5px;">T</div> <div style="border: 1px solid black; padding: 2px 5px;">P</div> </div> <ul style="list-style-type: none"> • Research and analyse points of law and issues of business importance <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 2px 5px;">T</div> <div style="border: 1px solid black; padding: 2px 5px;">P</div> </div> <ul style="list-style-type: none"> • Attend case management conference / interim hearing <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 2px 5px;">T</div> <div style="border: 1px solid black; padding: 2px 5px;">P</div> </div> <ul style="list-style-type: none"> • Meet / interview witnesses <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 2px 5px;">T</div> <div style="border: 1px solid black; padding: 2px 5px;">P</div> </div> <ul style="list-style-type: none"> • Meet / instruct experts 	

	Area	Briefing / Training / Practical Experience	Duration (with dates)
10.	Practice area – Civil litigation (cont'd)	<div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> • Observe / conduct settlement negotiations <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> • Conduct / observe advocacy <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> • Prepare / agree trial bundles <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> • 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"> <input type="checkbox"/> T <input type="checkbox"/> P Incorporate a company in Hong Kong including drafting memorandum and articles of association and all post-incorporation documents. <input type="checkbox"/> T <input type="checkbox"/> P Amend Memorandum and Articles of Association and review the same for particular transactions <input type="checkbox"/> T <input type="checkbox"/> P Register a non-Hong Kong company under Part XI of the Companies Ordinance <input type="checkbox"/> T <input type="checkbox"/> P Form a general partnership <input type="checkbox"/> T <input type="checkbox"/> P 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) <input type="checkbox"/> T <input type="checkbox"/> P Draft simple sale and purchase agreement for shares of a private limited company <input type="checkbox"/> T <input type="checkbox"/> P Assist in the due diligence exercise <input type="checkbox"/> T <input type="checkbox"/> P Prepare completion documents <input type="checkbox"/> T <input type="checkbox"/> P Attend completion and attend to stamping of share transfer and related contract notes <input type="checkbox"/> T <input type="checkbox"/> P Assist in the giving of advice on the legal obligations of corporations and their officers <input type="checkbox"/> T <input type="checkbox"/> P Assist in identifying generally the stamp duty implications of corporate transactions <input type="checkbox"/> T <input type="checkbox"/> P Draft simple shareholders' agreement 	

Area	Briefing / Training / Practical Experience	Duration (with dates)
10. Practice area – Criminal litigation	<p>(e) Criminal litigation</p> <ul style="list-style-type: none"> <div data-bbox="325 1715 381 1778">T</div> <div data-bbox="325 1639 381 1702">P</div> <ul style="list-style-type: none"> • Ensure compliance with relevant Law Society rules and regulations including those related to Anti-Money Laundering <div data-bbox="445 1715 501 1778">T</div> <div data-bbox="445 1639 501 1702">P</div> <ul style="list-style-type: none"> • Conduct legal visits to clients in custody / identification parades <div data-bbox="525 1715 580 1778">T</div> <div data-bbox="525 1639 580 1702">P</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 data-bbox="948 1715 1003 1778">T</div> <div data-bbox="948 1639 1003 1702">P</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 data-bbox="1059 1715 1115 1778">T</div> <div data-bbox="1059 1639 1115 1702">P</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 data-bbox="1179 1715 1235 1778">T</div> <div data-bbox="1179 1639 1235 1702">P</div> <ul style="list-style-type: none"> • Interview clients and take instructions on the charge, the offence and the nature of defence <div data-bbox="1275 1715 1331 1778">T</div> <div data-bbox="1275 1639 1331 1702">P</div> <ul style="list-style-type: none"> • Obtain Prosecution documents to understand the nature and extent of discovery and any unused material <div data-bbox="1378 1715 1434 1778">T</div> <div data-bbox="1378 1639 1434 1702">P</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 border="0"> <tr> <td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>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 authorities</td></tr> <tr> <td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Take proofs of instructions and obtain comments on prosecution evidence</td></tr> <tr> <td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Conduct site visits</td></tr> <tr> <td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Preserve evidence and take witness statements</td></tr> <tr> <td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Attend court proceedings and observe the role of solicitors at court</td></tr> <tr> <td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Prepare Instructions to Counsel</td></tr> <tr> <td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Attend and observe the role of solicitors at conferences with Counsel</td></tr> <tr> <td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Prepare for trial and mitigation</td></tr> <tr> <td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Assist in assessing a case after the close of the Prosecution's case and in giving advice to client</td></tr> <tr> <td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Assist in giving advice on grounds of appeal against conviction and sentence</td></tr> <tr> <td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Keep accurate attendance notes / time records</td></tr> <tr> <td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Draw up bills of costs</td></tr> <tr> <td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Follow up on the recovery of costs</td></tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	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 authorities	<input type="checkbox"/>	<input type="checkbox"/>	Take proofs of instructions and obtain comments on prosecution evidence	<input type="checkbox"/>	<input type="checkbox"/>	Conduct site visits	<input type="checkbox"/>	<input type="checkbox"/>	Preserve evidence and take witness statements	<input type="checkbox"/>	<input type="checkbox"/>	Attend court proceedings and observe the role of solicitors at court	<input type="checkbox"/>	<input type="checkbox"/>	Prepare Instructions to Counsel	<input type="checkbox"/>	<input type="checkbox"/>	Attend and observe the role of solicitors at conferences with Counsel	<input type="checkbox"/>	<input type="checkbox"/>	Prepare for trial and mitigation	<input type="checkbox"/>	<input type="checkbox"/>	Assist in assessing a case after the close of the Prosecution's case and in giving advice to client	<input type="checkbox"/>	<input type="checkbox"/>	Assist in giving advice on grounds of appeal against conviction and sentence	<input type="checkbox"/>	<input type="checkbox"/>	Keep accurate attendance notes / time records	<input type="checkbox"/>	<input type="checkbox"/>	Draw up bills of costs	<input type="checkbox"/>	<input type="checkbox"/>	Follow 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> <ul style="list-style-type: none"> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="border: 1px solid black; padding: 2px 5px;">T</div> <div style="border: 1px solid black; padding: 2px 5px;">P</div> </div> <ul style="list-style-type: none"> • Attend clients for instructions in family matters of dispute, divorce, ancillary relief and custody, and access <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="border: 1px solid black; padding: 2px 5px;">T</div> <div style="border: 1px solid black; padding: 2px 5px;">P</div> </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 style="display: flex; justify-content: space-between; align-items: center;"> <div style="border: 1px solid black; padding: 2px 5px;">T</div> <div style="border: 1px solid black; padding: 2px 5px;">P</div> </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 style="display: flex; justify-content: space-between; align-items: center;"> <div style="border: 1px solid black; padding: 2px 5px;">T</div> <div style="border: 1px solid black; padding: 2px 5px;">P</div> </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 style="display: flex; justify-content: space-between; align-items: center;"> <div style="border: 1px solid black; padding: 2px 5px;">T</div> <div style="border: 1px solid black; padding: 2px 5px;">P</div> </div> <ul style="list-style-type: none"> • Handle <ul style="list-style-type: none"> - clients - Counsel - accounts - documentary evidence 	

Area	Briefing / Training / Practical Experience	Duration (with dates)
10. Practice area - Insolvency	<p>(g) Insolvency</p> <ul style="list-style-type: none"> <div data-bbox="343 1731 399 1792">T</div> <div data-bbox="343 1657 399 1718">P</div> Draft <ul style="list-style-type: none"> - statutory demand - Winding up and Bankruptcy Petitions <div data-bbox="483 1731 539 1792">T</div> <div data-bbox="483 1657 539 1718">P</div> Obtain Certificate of Compliance from Master <div data-bbox="555 1731 611 1792">T</div> <div data-bbox="555 1657 611 1718">P</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 data-bbox="762 1731 818 1792">T</div> <div data-bbox="762 1657 818 1718">P</div> Prepare Proof of Debt <div data-bbox="834 1731 890 1792">T</div> <div data-bbox="834 1657 890 1718">P</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 data-bbox="1026 1731 1082 1792">T</div> <div data-bbox="1026 1657 1082 1718">P</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	<p>(h) Intellectual property</p> <p><u>Contentious</u></p> <ul style="list-style-type: none"> <div data-bbox="421 1632 477 1771"><input type="checkbox"/></div> <div data-bbox="421 1632 477 1693"><input type="checkbox"/></div> <div data-bbox="421 1632 477 1693"><input type="checkbox"/></div> <div data-bbox="421 1632 477 1693"><input type="checkbox"/></div> <div data-bbox="421 1632 477 1693"><input type="checkbox"/></div> <div data-bbox="421 1632 477 1693"><input type="checkbox"/></div> <div data-bbox="421 1632 477 1693"><input type="checkbox"/></div> <div data-bbox="517 1632 572 1771"><input type="checkbox"/></div> <div data-bbox="517 1632 572 1693"><input type="checkbox"/></div> <div data-bbox="517 1632 572 1693"><input type="checkbox"/></div> <div data-bbox="517 1632 572 1693"><input type="checkbox"/></div> <div data-bbox="517 1632 572 1693"><input type="checkbox"/></div> <div data-bbox="517 1632 572 1693"><input type="checkbox"/></div> <div 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	Area	Briefing / Training / Practical Experience	Duration (with dates)
10.	Practice area – Intellectual property (cont'd)	<div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> Assist the preparation for an interim injunction including preparing a summons and supporting affidavit <div> <div>T</div> <div>P</div> </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> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> Appear before a Master and subsequently draft the order made <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> Attend to discovery generally <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> Attend to the preparation and proofing of witness statements <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> Prepare court bundles and attend court at both interlocutory and trial stages <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> Draft instructions to Counsel and attend meetings with Counsel and clients <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> Attend meetings with clients only <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> Prepare trade mark oppositions or cancellation actions <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> Draft domain name complaints (including ADNDRC complaints and HKIAC complaints) <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> Draft company name complaints to the Companies Registry <p><u>Non-contentious</u></p> <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> Draft / review IP licences / assignments <div> <div>T</div> <div>P</div> </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> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> • Advise on registrability of trade marks <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> • Draft deficiencies reports to client <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> • Report official actions to client <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> • Prepare arguments to overcome citations <div> <div>T</div> <div>P</div> </div> <ul style="list-style-type: none"> • Handle domain name registrations 	

	Area	Briefing / Training / Practical Experience	Duration (with dates)
10.	Practice area - Property	<p>(i) Property</p> <ul style="list-style-type: none"> <div data-bbox="347 1742 403 1805">T</div> <div data-bbox="347 1659 403 1724">P</div> Draft and approve <ul style="list-style-type: none"> - agreements for Sale and Purchase - assignments - tenancy agreement <div data-bbox="512 1742 568 1805">T</div> <div data-bbox="512 1659 568 1724">P</div> Attend to stamping and registration <div data-bbox="587 1742 643 1805">T</div> <div data-bbox="587 1659 643 1724">P</div> Approve title <div data-bbox="662 1742 718 1805">T</div> <div data-bbox="662 1659 718 1724">P</div> Assist in execution <div data-bbox="737 1742 793 1805">T</div> <div data-bbox="737 1659 793 1724">P</div> Attend to filing and registration of documents at Companies Registry and Land Registry <div data-bbox="837 1742 893 1805">T</div> <div data-bbox="837 1659 893 1724">P</div> Peruse Memorandum and Articles of Association of companies and prepare Board and Shareholders' Resolution <div data-bbox="954 1742 1010 1805">T</div> <div data-bbox="954 1659 1010 1724">P</div> Prepare Mortgages, Equitable Mortgages, Guarantees and reporting letters to banks and engaging in completion procedures <div data-bbox="1045 1742 1101 1805">T</div> <div data-bbox="1045 1659 1101 1724">P</div> Assist in loan transactions <div data-bbox="1120 1742 1176 1805">T</div> <div data-bbox="1120 1659 1176 1724">P</div> Prepare Releases <div data-bbox="1195 1742 1251 1805">T</div> <div data-bbox="1195 1659 1251 1724">P</div> Manage general file maintenance <div data-bbox="1270 1742 1326 1805">T</div> <div data-bbox="1270 1659 1326 1724">P</div> Assist in dealing with clients <div data-bbox="1345 1742 1401 1805">T</div> <div data-bbox="1345 1659 1401 1724">P</div> Ensure compliance with Law Society's rules, regulations and guidelines including those on Anti-Money Laundering 	

	Area	Briefing / Training / Practical Experience	Duration (with dates)
10.	Practice area – Trusts, wills and probate	<p>(j) Trusts, wills and probate</p> <ul style="list-style-type: none"> • Familiarise with the laws of Wills, Wills Drafting and Testate and Intestate Succession • Understand the procedures relating to obtaining estate duty clearance, application for grant of representation and administration of estate • Ensure compliance with the Law Society rules and regulations and guidelines including those on Anti-Money Laundering • Draft Wills - 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 	

	Area	Briefing / Training / Practical Experience	Duration (with dates)
10.	Practice area – Trusts, wills and probate (cont'd)	<div data-bbox="268 1733 325 1792">T</div> <div data-bbox="268 1657 325 1715">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 • Obtain Grants of Representation to a Deceased estate including: <div data-bbox="855 1733 912 1792">T</div> <div data-bbox="855 1657 912 1715">P</div> <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 	

	Area	Briefing / Training / Practical Experience	Duration (with dates)
10.	Practice area – Trusts, wills and probate (cont'd)	<div data-bbox="272 1637 328 1771"> <div>T</div> <div>P</div> </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 	

9 November 2009