

THE LAW SOCIETY OF HONG KONG

FOR OFFICE USE ONLY

Application No: _____

Date received: _____

Fees received: _____

APPLICATION FOR REGISTRATION AS A FOREIGN LAW FIRM

Applicant should read the "Information for Registration as a Foreign Law Firm"
before completing this Form

**PART A - INFORMATION ABOUT THE PROPOSED REGISTERED FOREIGN
LAW FIRM**

1. Proposed Name: _____

(in Chinese): _____

2. Proposed Address: _____

3. (a) Intended Date of Establishment: _____

(b) Action taken or being taken by the proposed firm to comply with the intended date of establishment referred to in (a) above. For actions being taken, please set out a timetable for their completion to cover a period not greater than 3 months from the date of application:

4. The law of the following Jurisdiction(s)[#] will be practised by the firm:

5. All resident partners / The sole practitioner of the proposed firm:

Name (<u>surname first</u>)	Passport (<u>Place of Issue & No.</u>)	Hong Kong I.D. No. (<u>if any</u>)
_____	_____	_____
_____	_____	_____
_____	_____	_____

6. The proposed firm intends to employ the following registered foreign lawyers:

Name (<u>surname first</u>)	Passport (<u>Place of Issue & No.</u>)	Hong Kong I.D. No. (<u>if any</u>)
_____	_____	_____
_____	_____	_____
_____	_____	_____

PART B - INFORMATION ABOUT THE APPLICANT (THE APPLICANT IS THE INTENDED SENIOR RESIDENT PARTNER OR THE SOLE PRACTITIONER OF THE PROPOSED FIRM)

7. Name: _____
(surname) (other name)

8. Name of Employer (if any): _____

9. Address of Employer (if any): _____

10. Correspondence Address: _____

11. Tel No.: _____ Fax No.: _____ Email Address: _____
(Please indicate if the telephone no. and fax no. are in countries other than in Hong Kong.)

[#] If the law of the jurisdiction of the People's Republic of China ("the PRC") will be practised, please submit forms FF-PRC(附件一(1) and (2)).

PART C - QUALIFICATION FOR REGISTRATION

12. TO BE COMPLETED IF THE PROPOSED FIRM IS A BRANCH OF AN OVERSEAS FIRM

a. INFORMATION ABOUT THE OVERSEAS FIRM

- i. Name of the overseas firm is: _____
- ii. Nature of the overseas firm: _____
(e. g. Alternative Business Structure, Law Corporation, Limited Liability Partnership, Multi-Disciplinary Partnership, Sole Proprietorship, Partnership, etc.)
- iii. Principal place of business is: _____
(Address in full) _____

- iv. No. of lawyers: _____
- v. Email Address: _____
- vi. Home Page: _____
- vii. No. of branch offices: _____
- viii. Location of each branch office: _____
(City, Country) _____
- ix. Names of the lawyers in the head office who will be resident partners of the proposed firm

If you answer "No" to any of the questions in this Part, full particulars should be given in a separate sheet.

Yes No

- b. Is the overseas firm lawfully carrying on the practice of law in its foreign jurisdiction?

- | | | | |
|------|---|--------------------------|--------------------------|
| c. | Is the overseas firm in good standing in every jurisdiction in which it has at any time within the past 5 years carried on the practice of law?* | <u>Yes</u> | <u>No</u> |
| | | <input type="checkbox"/> | <input type="checkbox"/> |
| d. | Is there at least one of the partners of the firm who intends to practise in Hong Kong who: | | |
| i. | is a partner in the overseas firm? | <input type="checkbox"/> | <input type="checkbox"/> |
| ii. | has, at the date of the application for registration, been associated on a full-time basis with the overseas firm for the immediately preceding period of 12 months and had, during the 4 years immediately preceding the commencement of that period, been so associated with the overseas firm for an additional period of not less than 12 months? and | <input type="checkbox"/> | <input type="checkbox"/> |
| iii. | has been in the practice of the law for not less than 5 years? | <input type="checkbox"/> | <input type="checkbox"/> |
| e. | Will the overseas firm provide financial and logistical support to the proposed firm? | <input type="checkbox"/> | <input type="checkbox"/> |

Please enclose an original letter issued by the relevant Law Society or Governing Body confirming the facts in Nos.12b and c above. Please enclose an original letter issued by the overseas firm confirming the answers to Nos.12d and e above.

Please notify the Law Society in writing within 14 days if there is any material change of the overseas firm.

13. TO BE COMPLETED IF THE PROPOSED FIRM IS NOT A BRANCH OF AN OVERSEAS FIRM

If you answer "No" to any of the questions in this Part, full particulars should be given on a separate sheet.

- | | | | |
|----|--|--------------------------|--------------------------|
| | | <u>Yes</u> | <u>No</u> |
| a. | Is each of the partners of the firm who intends to practise in Hong Kong of good standing in the foreign jurisdiction of which he is qualified to practise the law and in every jurisdiction of which he has at any time within the past 5 years practised the law? | <input type="checkbox"/> | <input type="checkbox"/> |

Please enclose an original letter issued by the relevant Law Society or Governing Body.

* If the overseas firm has office(s) in the PRC, please utilize forms FF-PRC to certify the good standing of all its office(s) in the PRC.

- | | | | |
|----|--|--|---------------------------------------|
| b. | Has each of the partners who intends to practise in Hong Kong been engaged in the practise of the law of a foreign jurisdiction in which he is qualified to practise for not less than 3 years? | <u>Yes</u>
<input type="checkbox"/> | <u>No</u>
<input type="checkbox"/> |
| c. | Is one of the partners who intends to practise in Hong Kong of substantial reputation in the foreign jurisdiction the law of which he is qualified to practise, or in a jurisdiction of which he has practised that law during the preceding 5 years? | <input type="checkbox"/> | <input type="checkbox"/> |

Please complete the first and second references attached.

Each of the partner(s) who holds a current certificate of registration as a foreign lawyer must provide two references in the form approved by the Law Society. One of the referees must be a member in good standing of the legal profession in the jurisdiction in which the partner was admitted. The other referee must satisfy either one of the following requirements:

- (a) a member in good standing of the Law Society of Hong Kong; or*
- (b) a member in good standing of the legal profession in the jurisdiction in which the partner was admitted; or*
- (c) a member of the judiciary in the jurisdictions specified in the above (a) or (b).*

PART D - PROFESSIONAL LIABILITY INSURANCE

14. The proposed firm will maintain a professional liability insurance policy for all the registered foreign lawyers with:

- a. Name of Insurer: _____
- b. Address of Insurer: _____

- c. Policy No.: _____

Please enclose a certified copy of the insurance policy and complete the attached Statutory Declaration.

PART E - ACCOUNTANT'S REPORT

15. The firm's accounting period for the purpose of the Accountant's Report Rules will be:

From _____ to _____ for every year.

DECLARATION OF APPLICANT

I, _____, DO SOLEMNLY DECLARE
(full name as stated in passport)

THAT:

1. I am the applicant of this Application.
2. I wish # _____ to be registered with the Law Society of Hong Kong as a foreign law firm to practise * _____ law in Hong Kong.
3. I have personal knowledge of the information I have submitted in this Application, and confirm that the information is true, accurate and complete;

and I make this solemn declaration conscientiously believing it to be true and knowing that it has the same legal force and effect as if made under oath.

Declared before me at _____,
_____, this _____ day of _____, 20_____.
(detailed address)

Notary Public, Commissioner for Oaths, or other person
authorised by the *Oaths and Declarations Ordinance* to
take declarations

Signature of the Applicant

Name of witness: _____

Please insert the name of the proposed firm.

* Please insert the jurisdiction on which this application is based.

APPLICANT'S UNDERTAKING AND AUTHORIZATION

I, _____, the applicant in this Application apply
(full name)
for registration of * _____ as a foreign law firm
in Hong Kong. On behalf of the said foreign law firm, I will submit to the jurisdiction of the
Law Society of Hong Kong, and will comply with the *Legal Practitioners Ordinance*, the
Law Society Rules, the Practice Directions and the Hong Kong Solicitors' Guide to
Professional Conduct, I consent to permit the Law Society to make inquiries on the
information contained in this form of other lawyers, solicitors, governing bodies, etc.

Date

Signature of the Applicant

* Please insert the name of the proposed firm.

FIRST REFERENCE*

This letter must be completed by a referee who is a member in good standing of the legal profession in the jurisdiction in which the partner was admitted.

I, _____;
(full name of referee)

CERTIFY THAT:

1. I am a member in good standing of the _____
(Law Society or Governing Body)
2. I am well acquainted with _____
(full name of the partner)
and have personally known him or her for _____ years;
3. he or she, in my opinion, is fit to practise in Hong Kong and has the necessary active practice experience.

Provide details of the partner's work experience including the number of years and areas of practice, his or her fitness to practise in the jurisdiction in which the partner is qualified to practise and any other information you may think is relevant.

Date

Signature

Address: _____

Telephone: _____

Fax: _____

* To be completed where the foreign firm to be established is not a branch of a firm whose principal place of business is outside Hong Kong.

SECOND REFERENCE*

This letter must be completed by a referee who satisfies either one of the following:
(a) a member in good standing of the Law Society of Hong Kong; or
(b) a member in good standing of the legal profession in the jurisdiction in which the partner was admitted; or
(c) a member of the judiciary of the jurisdictions specified in (a) or (b)

I, _____;
(full name of referee)

CERTIFY THAT:

1. I am a member in good standing of the _____ /
(Law Society or Governing Body)
I am a member of the judiciary of _____
(jurisdiction)
2. I am well acquainted with _____
(full name of the partner)
and have personally known him or her for _____ years;
3. he or she, in my opinion, is fit to practise in Hong Kong and has the necessary active practice experience.

Provide details of the partner's work experience including the number of years and areas of practice, his or her fitness to practise in the jurisdiction in which the partner is qualified to practise and any other information you may think is relevant.

Date

Signature

Address: _____

Telephone: _____

Fax: _____

* To be completed where the foreign firm to be established is not a branch of a firm whose principal place of business is outside Hong Kong.

**DECLARATION ON INSURANCE COVER
FOR FOREIGN LAW FIRM**

I, _____, principal of _____
(name as on practising certificate)

(name of foreign firm)

DO SOLEMNLY AND SINCERELY DECLARE THAT:

(name of foreign firm)

(“Firm”) complies with rule 6(1) of the Foreign Lawyers Registration Rules, namely,

- i) the foreign lawyers of the Firm are entitled to be indemnified for not less than HK\$20 million in respect of each and every claim (inclusive of costs) with no aggregate limit; and
- ii) indemnity is provided against loss brought about by the fraud or dishonesty of the employees of the Firm or the indemnified other than that occurring as a result of recklessness or dishonesty or a fraudulent act or fraudulent omission on the part of the principal in the conduct or management of the practice.

**AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING
THE SAME TO BE TRUE AND BY VIRTUE OF THE OATHS AND
DECLARATIONS ORDINANCE**

Signature of principal of the Firm

Declared before me

at _____
(detailed address)

this _____ day of _____ 20_____.

Signature of the Notary Public, Commissioner for Oaths, or other person authorised by the Oaths and Declarations Ordinance to take declarations.

(Encl: A complete set of the policy of insurance)

**DECLARATION ON TOP-UP INSURANCE COVER
FOR FOREIGN LAW FIRM
OPERATING AS A LIMITED LIABILITY PARTNERSHIP**

I, _____, principal of _____
(name as on practising certificate)

(name of foreign firm operating as limited liability partnership)

DO SOLEMNLY AND SINCERELY DECLARE THAT:

(name of foreign firm operating as limited liability partnership)

(“Firm”) complies with section 7AD(4), (5) and (6) of the Legal Practitioners Ordinance (Cap 159) and sections 3 and 4 of the Limited Liability Partnerships (Top-up Insurance) Rules (Cap 159, sub leg AL), namely,

- i) the Firm is entitled to be indemnified against the part of the loss that exceeds HK\$20 million up to an amount not less than HK\$10 million in respect of any one claim with no limit as to the amount of liability of an insurer for claims in the aggregate or as to the number of claims; and
- ii) indemnity is provided against loss brought about by the fraud or dishonesty of the employees of the Firm or the indemnified other than that occurring as a result of recklessness or dishonesty or a fraudulent act or fraudulent omission on the part of the principal in the conduct or management of the practice.

**AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING
THE SAME TO BE TRUE AND BY VIRTUE OF THE OATHS AND
DECLARATIONS ORDINANCE**

Signature of principal of the Firm

Declared before me at _____
(detailed address)
this _____ day of _____ 20__.

Signature of the Notary Public, Commissioner for Oaths, or other person authorised by the
Oaths and Declarations Ordinance to take declarations.

The Law Society of Hong Kong

[Note : Please note that where the firm is a limited liability partnership and the particulars of the top-up insurance cover has changed since the firm last submitted its particulars, the firm must submit a revised Declaration on Top-up Insurance Cover duly completed and signed by the firm within 14 days of the change.

Please also note that under section 9(2A) of the Foreign Lawyers Practice Rules, if at any time a firm that is a limited liability partnership within the meaning of Part IIAAA of the Legal Practitioners Ordinance does not have in existence a policy of insurance as is required under section 7AD of the Ordinance, a principal of the firm must notify the Society in writing within 14 days of the occurrence of that fact.]

Personal Information Collection Statement

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

- (i) the processing of your application for registration as a foreign law firm in Hong Kong;
- (ii) the exercise of the powers of the Society conferred upon it under the Legal Practitioners Ordinance (Chapter 159) and other applicable legislations, rules and regulations in relation to foreign law firms;
- (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 which include the provision of services to members (including associate members), the making of arrangements for dissemination of information to the legal profession by all manner of means, the promotion of the knowledge of legal subjects by lectures, books, correspondence, pamphlet or otherwise and the making of arrangements of social and recreational activities for members of the legal profession; and
- (iv) the compilation of The Law List which is published for the purpose of facilitating the public and members of the Society in identifying solicitors, foreign lawyers and law firms registered with the Society and in knowing the services they provide.

It is obligatory for you to supply the Society with the data requested in this form. The consequence for you if you fail to supply such data is that the Society will not be able to process your application for registration as a foreign law firm.

The data may be provided to such persons within the Society whose proper business it is to carry out the purposes mentioned above. 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 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, 26/F, The Center, 99 Queen’s Road Central, Central, Hong Kong.

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



关于内地律师事务所来港成立分所 及内地律师来港执业的良好证明书

为符合香港法律执业者条例（第 159 章）的相关规定，现统一内地律师事务所及内地律师在申请注册时需要提交的良好证书的内容和格式，以及该等证明书的内地签发单位，详述如下：

1. 内地律师事务所申请来港成立分所，呈交香港律师会下列三样文件，内容和格式必须与下列附件所载的相同。
 - I. 中华全国律师协会的推荐函；
 - (1) 签发予律师事务所（附件一(1)）及
 - (2) 签发予预驻港合伙人律师（附件一(2)）
 - II. 该内地律师事务所在内地所有所在地*的：
 - (1) 省级/自治区/直辖市司法厅(局)（附件二·一(1)）及
 - (2) 市级司法局 分别签发的证明（附件二·一(2)）
 - III. 该内地律师事务所在内地所有所在地*的：
 - (1) 省级/自治区/直辖市律师协会（附件二·二(1)）及
 - (2) 市级律师协会 分别签发的证明（附件二·二(2)）

2. 内地律师申请来港执业，呈交香港律师会下列其中一样文件，内容和格式必须与下列附件所载的相同。
 - I. 该内地律师所在地*的：
 - (1) 省级/自治区/直辖市司法厅(局)（附件三·一(1)）或
 - (2) 市级司法局 签发的证明（附件三·一(2)）；或
 - II. 该内地律师所在地*的：
 - (1) 省级/自治区/直辖市律师协会（附件三·二(1)）或
 - (2) 市级律师协会 签发的证明（附件三·二(2)）

*所在地包括现在及曾经营业/执业的地区。

附件：统一内容及格式的良好证明书表格, 必须由有关机关填写及盖章。

由：中华全国律师协会
致：香港律师会

推 荐 函

函号：_____

香港律师会：

_____省/市_____律师事务所赴香港特别行政区申请设立分支机构。中华全国律师协会特予推荐。

截至此函发出日期为止，_____律师事务所没有任何违规执业记录；未受过任何纪律和行政处分；也不涉及任何未完成的纪律和行政调查。

本推荐函有效期为：_____年_____月_____日
至_____年_____月_____日。

签发地：北京
签发人：会长
签名：

_____年_____月_____日

由：中华全国律师协会

致：香港律师会

推 荐 函

函号：_____

香港律师会：

_____律师事务所_____律师赴香港特别行政区申请来港执业。中华全国律师协会特予推荐。

本推荐函有效期为：_____年_____月_____日
至_____年_____月_____日。

签发地：北京

签发人：会长

签名：

_____年_____月_____日

由：_____省/自治区/直辖市司法厅(局)

致：香港律师会

证明

函号：_____

_____省/市_____律师事务所（执照证
号：_____），【是_____律师事务所在_____省
/市增设的分所】，成立于_____年_____月_____日，地
址是_____。
_____。

截至此证明发出日期为止，_____律师事务所
没有任何违规执业记录；未受过任何纪律和行政处分；也不涉及
任何未完成的纪律和行政调查。

特此证明

_____省/自治区/直辖市司法厅(局)

加印盖章处

_____年_____月_____日

由：_____市司法局

致：香港律师会

证明

函号：_____

_____省_____市_____律师事务所（执照
证号：_____），【是_____律师事务所在_____省
/市增设的分所】，成立于_____年_____月_____日，地
址是_____。
_____。

截至此证明发出日期为止，_____律师事务所
没有任何违规执业记录；未受过任何纪律和行政处分；也不涉及
任何未完成的纪律和行政调查。

特此证明

_____市司法局

加印盖章处

_____年_____月_____日

由：_____省/自治区/直辖市律师协会
致：香港律师会

证明

函号：_____

_____省/市_____律师事务所（执照证
号：_____），【是_____律师事务所在_____省/市增
设的分所】，成立于_____年_____月_____日，地址是

_____。

截至此证明发出日期为止，_____律师事务所
没有任何违规执业记录；未受过任何纪律和行政处分；也不涉及
任何未完成的纪律和行政调查。

此证明已征求过_____省/自治区/直辖市司法厅(局)的同
意，并备案。

特此证明

_____省/自治区/直辖市律师协会

加印盖章处

_____年_____月_____日

由：_____市律师协会
致：香港律师会

证明

函号：_____

_____省_____市_____律师事务所（执照
证号：_____），【是_____律师事务所在_____省
/市增设的分所】，成立于_____年_____月_____日，地
址是_____。
_____。

截至此证明发出日期为止，_____律师事务所
没有任何违规执业记录；未受过任何纪律和行政处分；也不涉及
任何未完成的纪律和行政调查。

此证明已征求过_____市司法局同意，并备案。

特此证明

_____市律师协会

加印盖章处

_____年_____月_____日