



Index Reference :

Law Society: General

CIRCULAR 21-650 (COM)

11 November 2021

**21-650 (COM) RULE 5AA OF THE SOLICITORS' PRACTICE
RULES, CAP. 159H
SECTION 9A OF THE FOREIGN LAWYERS PRACTICE
RULES, CAP.159R**

Arrangement on death of sole principal

1. Reference is made to Rule 5AA of the Solicitors' Practice Rules, Section 9A of the Foreign Lawyers Practice Rules, [Principle 2.06 of the Hong Kong Solicitors' Guide to Professional Conduct, Volume 1, 3rd edition](#), [Circular 00-128\(SD\)](#) and [Circular 00-307\(SD\)](#).
2. Rule 5AA of the Solicitors' Practice Rules requires "sole practitioners" (defined as solicitors practising in their own name or under a firm name, as the sole proprietor of the firm) and Section 9A of the Foreign Lawyers Practice Rules requires "sole practitioner foreign lawyers" (defined as foreign lawyers practising in their own name or under a firm name, as the sole proprietor of the foreign firm) to provide to the Law Society, within 14 days of the commencement of their practices, information regarding: (i) the location of their wills, (ii) the identity and contact details of their executors, and (iii) the solicitors or foreign lawyers appointed to manage their practices pending the disposal or cessation of the practices ("solicitor-manager" or "foreign lawyer-manager").
3. The purpose of the requirement is to avoid a situation where a sole practitioner dies without having appointed a solicitor-manager or a foreign lawyer-manager and the Council is faced with the prospect of having to intervene into the practice.
4. Forms "[Particulars Relating to Sole Practitioner – Local Firm](#)" and "[Particulars Relating to Sole Practitioner – Foreign Firm](#)" can be downloaded from the Law Society's website at www.hklawsoc.org.hk.
5. The records of the Law Society are maintained on a confidential basis.



THE
LAW SOCIETY
OF HONG KONG
香港律師會

3/F WING ON HOUSE, 71 DES VOEUX ROAD
CENTRAL, HONG KONG DX-009100 CENTRAL 1
香港中環德輔道中71號
永安集團大廈3字樓

TELEPHONE (電話) : (852) 2846 0500
FACSIMILE (傳真) : (852) 2845 0387
E-MAIL (電子郵件) : sg@hklawsoc.org.hk
HOMEPAGE (網頁) : <http://www.hklawsoc.org.hk>

6. Sole practitioners are reminded to ensure that the information provided on the forms is up-to date, the testamentary provision as required remains in effect, and the solicitor-manager is holding an unconditional practising certificate or the foreign lawyer-manager is holding an unconditional certificate of registration. Any change in any of the particulars should be provided to the Law Society within 14 days of the change in compliance with Rule 5AA(2)(b) of the Solicitors' Practice Rules and Section 9A(2)(b) of the Foreign Lawyers Practice Rules.
7. Any enquiries can be directed to the Assistant Director, Regulation and Guidance at adrg1@hklawsoc.org.hk.