

Solicitors' Practice Rules

SCHEDULE

FORM 1

[rule 5]

SOLICITORS' PRACTICE RULES

PARTICULARS RELATING TO SOLICITORS' FIRMS

I,

(full name as it appears on your practising certificate)

solemnly and sincerely declare as follows -

1. I am engaged in practice (**on my own account / in partnership and am providing this return on behalf of my partners***).

2. The name of **my / our*** firm is

3. During the period 1 January _____ to 31 December _____, **I / we*** have not shared with any person not being a solicitor practising in Hong Kong **my / our*** profit costs in respect of any business, whether by way of paying or agreeing to pay a commission on business introduced by any such person or otherwise, except as set out in Schedule 1 / where a waiver of rule 4 of the Rules was granted by the Council on _____*.

4. The number of principals, assistant solicitors and consultants in **my / our*** firm as at 31 December _____, was -

Principals

Assistant Solicitors

Consultants

5. All of the principals, assistant solicitors and consultants in **my / our*** firm are resident in Hong Kong and are not principals or employees of another firm of solicitors in Hong Kong or a salaried employee of a company in Hong Kong, except as set out in Schedule 2.

6. The particulars of every employee who has joined **my / our*** firm (except employees who are solicitors) since 1 January _____ are set out in Schedule 3.

7. The particulars of every employee of **my / our*** firm (except employees who are solicitors) who is not included in Schedule 3 between 1 January _____ to 31 December _____ are set out in Schedule 4.

8. **My / our*** firm engages a service company to provide staff for the firm and the details of this company are set out in Schedule 5. The particulars of the employees provided by this company are included in Schedules 3 and 4.

(Delete this paragraph if it does not apply.)

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And I 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 this)

day of)

Before me

*** Delete one of the alternatives.**

Note: (for Schedules 3 and 4)

1. If your firm pays non-discretionary bonuses at certain times of the year by way of an additional month's salary, such as at Chinese New Year, put the total number of months salary paid, for example, 13. If your firm does not pay any non-discretionary bonuses, put 12 in the space.
2. Details of all discretionary bonuses, allowances or other payments made to staff in addition to salary must be shown in the columns relating to bonuses. If no such payments are made, put "not applicable" in these columns.

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SCHEDULE 1

Give details of all commissions paid to unqualified persons.

SCHEDULE 2

PART A

List the names of all principals, assistant solicitors or consultants of your firm who are also employees or principals of another firm of solicitors in Hong Kong or a salaried employee of a company in Hong Kong, the name of the other firm or company and their position in the other firm or company.

PART B

List the names of all principals, assistant solicitors or consultants of your firm who are not resident in Hong Kong.

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SCHEDULE 3

PARTICULARS OF NEW EMPLOYEES BETWEEN 1 JAN _____ to 31 DEC _____

Full name (English & Chinese, if applicable)	ID card/passport No.	Chinese Commercial Code No.	Date of Birth	Position	Mark "X" if Authorised Clerk @	Monthly Salary	Bonus/es or other Allowances #	Date/s of Bonus/es or other Allowances #	Date of Employment *

Total number of current employees in this Schedule: _____
(Do not include employees who have left the firm's employment).

The monthly salary shown is paid for _____ months each year (see note).

- Please list: all employees (except employees who are solicitors)
include (a) Trainee solicitors
(b) All other non professional staff (full time & part time)

@ Authorised clerks are employees who are empowered to visit clients in places of detention.

Include any loans to employees written off during this period

* If an employee has already ceased employment with the firm, put also the date of cessation of employment in this column.

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SCHEDULE 4

PARTICULARS OF ALL OTHER EMPLOYEES BETWEEN 1 JAN _____ to 31 DEC _____

Full name (English & Chinese, if applicable)	ID card/passport No.	Chinese Commercial Code No.	Date of Birth	Position	Mark "X" if Authorised Clerk @	Monthly Salary	Bonus/es or other Allowances #	Date/s of Bonus/es or other Allowances #	Date Ceased Employment

Total number of current employees in this Schedule: _____
 (Do not include employees who have left the firm's employment).

The monthly salary shown is paid for _____ months each year (see note).

Please list: all employees (except employees who are solicitors)
 include (a) Trainee solicitors
 (b) All other non-professional staff (full time & part time)

@ Authorised clerks are employees who are empowered to visit clients in places of detention.
 # Include any loans to employees written off during this period.

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SCHEDULE 5

Name of Service Company:

Directors of the Company:

Note: If your firm engages more than one service company, details of all companies must be given.

This page and the preceding _____ pages are the Schedules referred to in the declaration of
_____ made before me at Hong Kong this _____
day of _____.

Commissioner / Solicitor / Justice of the Peace.

Personal Information Collection Statement

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

- (i) The processing of this Declaration which is required to be furnished by a solicitors’ firm to the Society under the Solicitors’ Practice Rules 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.

In making this Declaration, it is obligatory for you to supply the Society with all data requested in this form except as otherwise indicated. The consequence for you if you fail to supply such data is that you may have contravened the requirements of Rule 5(3) of the Solicitors’ Practice Rules.

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**.