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Solicitors

CIRCULAR 20-386 (COM)

3 August 2020

Practising Certificate (Special Conditions) Rules

Notice of Intention to Apply for a Practising Certificate (2021)

1. The “*Notice of Intention to Apply for a Practising Certificate*” (“Notice”) required under Section 5 of the Practising Certificates (Special Conditions) Rules (“Rules”) is not an application for a practising certificate.
2. The Notice should be completed and declared **only if**:
 - (a) you are applying for the issue of a practising certificate for the first time;
 - (b) you have been censured or ordered to pay a penalty or costs by the Solicitor Disciplinary Tribunal since you were last issued a practising certificate;
 - (c) you have failed or refused to give to the Society a sufficient and satisfactory explanation in respect of any matter relating to your conduct when invited to do so since you were last issued a practising certificate and have been notified in writing by the Society that you have so failed or refused;
 - (d) you have been suspended from practice since you were last issued a practising certificate and the period of your suspension has expired;
 - (e) you have had your name removed from or struck off the roll of solicitors since you were last issued a practising certificate and your name has been restored to the roll of solicitors;
 - (f) you have become bankrupt since you were last issued a practising certificate and have been discharged;
 - (g) you have had a monetary judgment (not being a judgment excepted in the Rules) given against you since you were last issued a practising certificate;
 - (h) you have not been in full-time practice of law for two continuous years immediately prior to the giving of notice of intention to apply for a practising certificate (refer to circular [04-310\(SD\)](#) for details); or

- (i) you were a principal in or a consultant of a firm at the time of an intervention of the firm by the Society during the preceding 18 months.
3. Solicitors to whom the Rules apply must give at least 6 weeks' notice to the Law Society before applying for their practising certificates.
4. Blank copies of the Notice can be collected from the reception counter of the Law Society or can be downloaded from the Law Society's website at www.hklawsoc.org.hk or by clicking [here](#).
5. The completed Notice should be declared and returned to the Law Society **by 5 October 2020**. Late applications will delay the renewal of the practising certificates which will bear the date of issue and will not be backdated. Please be reminded that the Standing Committee on Compliance takes a very serious view of members practising while uncertified.
6. An applicant should declare his or her Notice before a solicitor of another firm or company in order for the solicitor taking the declaration to comply with Principle 13.09 of The Hong Kong Solicitors' Guide to Professional Conduct Volume 1, 3rd edition. Please refer to [Principle 13.09](#). Any inappropriately declared form will be processed without prejudice to any conduct investigation into the matter.
7. The Rules came into effect in February 2003. Please refer to Circulars [03-29\(SD\)](#) and [04-310\(SD\)](#) for details.