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Law Society: General

CIRCULAR 17-474 (COM)

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NO-OBJECTION LETTERS

The Law Society in communication with the Immigration Department has further reviewed the Law Society's process of issuing no-objection letters to individuals in relation to their applications to the Immigration Department for a visa/entry permit to take up employment or training in Hong Kong.

The Council approved the following policies which will be implemented with immediate effect:

A. Employment in Law Firms

1. Applicants of a no-objection letter to support employment visa application should provide to the Law Society the following:
 - (a) a certified copy of the applicant's employment contract/letter of appointment;
 - (b) a certified copy of the applicant's passport;
 - (c) a copy of the applicant's résumé;
 - (d) a certified copy of the applicant's academic certificate and admission certificate (if any);
and
 - (e) a copy of the Immigration Department's letter to the employer requesting for a no-objection lettertogether with the completed **Application Form NOL1** and the relevant application fee.
2. The no-objection letter issued in respect of an application relates to the specific employment (i.e. the specific employer and position) and the employment period stated in the employment contract of the applicant and it does not extend to any subsequent change of job or employer by the applicant.
3. The Immigration Department has clarified that they only refer visa/entry permit applicants who are or will be employed in legal positions in law firms to the Law Society for no-objection letters. Law firms which are employing or will employ individuals in non-legal positions related to, for example, IT, HR, finance or accounts etc., need not apply to the Law Society for no-objection letters.

(I) Solicitors and Foreign Lawyers

4. For Hong Kong solicitors or foreign lawyers registered with the Law Society of Hong Kong, production to the Immigration Department of a current Practising Certificate – Solicitor or a current Certificate of Registration as a Foreign Lawyer issued by the Law Society is deemed sufficient evidence that the Law Society has no objection to the holder’s visa/entry permit application to the Immigration Department. Hence an application to the Law Society for a no-objection letter is not required.
5. For overseas qualified legal practitioners who will be employed by a law firm in Hong Kong as a foreign lawyer, they should first submit their applications for registration as a foreign lawyer to the Law Society. Upon approval of their registration applications, the Certificates of Registration as a Foreign Lawyer issued to them are deemed sufficient evidence that the Law Society has no objection to the holders’ visa/entry permit applications to the Immigration Department.
6. Overseas qualified legal practitioners are urged to register as a foreign lawyer under section 39A(1) of the Legal Practitioners Ordinance, Cap 159 (“LPO”) and section 3 of the Foreign Lawyers Registration Rules, Cap 159S (“FLRR”) if they are eligible to do so. (See also sections 4 to 6 of FLRR.)

(II) Overseas Qualified Legal Practitioners employed in positions other than as registered Foreign Lawyers

7. In cases where a law firm employs an overseas qualified legal practitioner to take up work in a position which does not entitle the individual to provide legal services to the firm’s clients as a practitioner of foreign law, for example, a paralegal or a legal assistant, the Law Society will issue a letter urging the firm to re-consider applying the individual as a foreign lawyer under section 39A(1) of the LPO and section 3 of the FLRR if the individual is eligible to do so. The Law Society will only issue a no-objection letter to the individual if the law firm provides valid justifications for not registering the individual as a foreign lawyer and gives an undertaking to the Law Society that the individual will not advise on foreign law nor hold himself/herself out as a practising foreign lawyer in Hong Kong while under the employment of the firm as, for example, a paralegal or a legal assistant. **[Click here for the Firm’s undertaking.](#)**
8. An application fee of HK\$5,000.00 will be charged under category (II). The HK\$5,000 is only refundable if the firm chooses to register the individual as a foreign lawyer.

(III) Non-Overseas Qualified Legal Practitioners employed in positions other than training

9. In cases where a law firm employs an individual who is not an overseas qualified legal practitioner to take up work in a position other than training (see **Section C** below for training), the Law Society will not issue a no-objection letter and will defer to the Immigration Department to consider the visa/entry permit application.

10. No application fee will be charged under category (III).

B. Employment or training in Corporations or non-law firm Organizations

11. Legal personnel working in corporations or organizations which are not law firms can only provide legal services to their employers and are not permitted to provide legal services to the public as qualified legal practitioners. The Law Society will not issue no-objection letters to legal personnel in relation to their applications for employment or training visas/entry permits to the Immigration Department in corporations or non-law firm organizations in Hong Kong. In cases where the Immigration Department requests the legal personnel to apply for a letter from the Law Society, the Law Society will only issue a standard letter stating that as the Law Society has no regulatory jurisdiction over corporations or other non-law firm organizations, the Law Society is not in a position to comment on the legal personnel's visa/entry permit application to the Immigration Department. [Click here for Application Form NOL2.](#)

C. Training in Law Firms

12. Applicants of a no-objection letter to support training visa application should provide to the Law Society the following:

- (a) a certified copy of the applicant's employment contract/letter of appointment;
- (b) a certified copy of the applicant's passport;
- (c) a copy of the applicant's résumé;
- (d) a certified copy of the applicant's academic certificate and admission certificate (if any);
- (e) a copy of the Immigration Department's letter to the employer requesting for a no-objection letter; and
- (e) a letter from a principal/partner of the law firm to demonstrate that the training enables the applicant to acquire special skills and knowledge not available in his/her country/territory of domicile (see **Note 1** attached to NOL3)

together with the completed **Application Form NOL3** and a cheque of HK\$5,000.00 payable to "The Law Society of Hong Kong".

13. The no-objection letter issued in respect of an application relates to the specific training arrangement of the applicant (i.e. the specific employer and position) and covers the duration of the training programme up to one year, and it does not extend to any subsequent change of job or employer by the applicant.

14. Should you have any queries on the above, please contact the Registration Officer at 2846 0516.

15. The Law Society circular 17- 105 is superseded.