

## **Guidelines**

### **Issued Pursuant to New Section 6(6B) of the Legal Practitioners Ordinance (“LPO”)**

1. The Law Amendment and Reform (Miscellaneous Provisions) Ordinance (Ord. No. 14 of 2003) introduced new sections 6(6B) and 6(6C) of the LPO as follows:

“(6B) Notwithstanding the compliance with the 2 year employment requirement in subsection (6), a solicitor who makes an application for the first issue of a practising certificate without the condition imposed under subsection (6) on or after the commencement of section 2 of the Law Amendment and Reform (Miscellaneous Provisions ) Ordinance 2003 (Ord. No. 14 of 2003) shall not be issued with such practising certificate unless he also satisfies the Council that, prior to the date of his application, he has successfully completed in accordance with the guidelines as may be issued by the Law Society from time to time a mandatory course in practice management provided or approved by the Law Society.

(6C) The Council may, where it considers appropriate, exempt an applicant wholly or partly, with or without conditions, from the mandatory course requirement in subsection (6B).”

2. The new sections 6(6B) and 6(6C) shall come into operation on 3 July 2023 as appointed by the Secretary for Justice by notice published in the Gazette.
3. The Guidelines contained in this document are the guidelines issued by the Law Society pursuant to section 6(6B) and come into operation with effect from 3 July 2023.

### **Mandatory Course in Practice Management**

4. For the purposes of section 6(6B), the Law Society has approved a mandatory course in practice management (“Mandatory Course”) which will be offered by the Hong Kong Academy of Law (“Academy of Law”).

### **Aim, Subjects and Duration of the Mandatory Course**

5. The Mandatory Course provides practice management training to solicitors in order that they are equipped with the necessary skills and knowledge on the key aspects of practice management for a law firm.
6. The Law Society reserves the right to revise the content and duration of the Mandatory Course from time to time.

7. Currently, the Mandatory Course consists of 5 topics: practice structures, financial management, talent management, client development and business planning.
8. The current duration of the Mandatory Course is half-day.

### **Successful Completion of the Mandatory Course**

9. The Mandatory Course is accredited with Continuing Professional Development (“CPD”) points.
10. A participant or a risk management education (“RME”) tutor of the Mandatory Course is taken to have successfully completed it for the purposes of section 6(6B) if:
  - (a) he or she has completed the Mandatory Course within five years immediately prior to his or her application for the first issue of an unconditional practising certificate; and
  - (b) he or she is entitled to claim full CPD points accredited to the Mandatory Course in accordance with the CPD attendance policy as provided in the CPD Information Package from time to time:  
<https://www.hklawsoc.org.hk/en/Support-Members/Professional-Support/Continuing-Professional-Development-Scheme/CPD-Information-Package/Attendance-at-Accredited-CPD-Courses>
11. A participant or a RME tutor who has completed the Mandatory Course shall keep a proper record of his or her attendance at the Course in the CPD training record form for audit purposes.

### **Exemption from the Mandatory Course Requirement in section 6(6B)**

12. A solicitor applying pursuant to section 6(6) of the LPO for the first issue of an unconditional practising certificate may be exempted from the requirement to complete the Mandatory Course where the applicant:
  - (a) satisfies the Law Society that he has, prior to the date of commencement of amendment to section 6(6) of the LPO, completed a practice management course that is acceptable to the Law Society as being equivalent to the course or courses conducted or approved by the Law Society; or
  - (b) demonstrates to the satisfaction of the Law Society that he has had related management experience in legal services either in Hong Kong or overseas.

13. When considering under paragraph 12 (a) whether or not a course is equivalent to the course or courses conducted or approved by the Law Society for the purposes of section 6(6) of the LPO, the Law Society may take into account any relevant factor including, but not limited to:
  - (a) whether the course was undertaken and completed by the applicant within 5 years immediately prior to the application;
  - (b) whether the course was of equivalent duration;
  - (c) whether the course was comparable in content and substance; and
  - (d) whether the course was conducted by an organization, company or institution of a reputation and standing as a provider of such courses acceptable to the Law Society.

**Automatic Exemption from the Mandatory Course in Cases of Successful Completion of Relevant RME Elective**

14. Since 2019, a practice management course, with identical content as that of the Mandatory Course, has been offered as a RME Elective as a pilot run of the Mandatory Course by the Academy of Law.
15. The RME Elective will not be offered after the commencement of section 6(6B) on 3 July 2023.
16. The Mandatory Course (same as the RME Elective) will be offered as the mandatory practice management course approved by the Law Society pursuant to section 6(6B).
17. Automatic exemption from taking the Mandatory Course will be granted by the Law Society under section 6(6C) to the solicitors:
  - (a) who have completed\* the RME Elective within 5 years prior to their applications for the first issue of unconditional practising certificates; and
  - (b) as a participant or as a RME tutor.

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\*“completed” means he or she is entitled to claim full CPD points accredited to the RME Elective in accordance with the CPD attendance policy applicable at the time when the RME Elective was completed.