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CPD/Legal Education

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LEGAL PRACTITIONERS (RISK MANAGEMENT EDUCATION) RULES CAP. 159Z

Reminder to Members to fulfil their RME Obligations by 31 October 2012

The 2011/2012 risk management education (“RME”) practice year expires on 31 October 2012.

Under the Legal Practitioners (RME) Rules Cap. 159Z (“Rules”), the following Members are required to fulfil their RME obligations:

1. Solicitors and registered foreign lawyers

- a. A solicitor and a registered foreign lawyer practising as such in a Hong Kong (“HK”) law firm to whom the Rules apply shall be required to complete a core programme before the end of the practice year in which the Rules first apply to each of them and thereafter, to attend at least 3 hours of electives within each subsequent practice year or failing which, at least 6 hours of electives within the first and second succeeding practice years.
- b. For solicitors, there are two types of core courses designed for principals and non-principals respectively. The principal’s core courses consist of 4 half-day modules on the basis that the participants have already completed the non-principal’s core courses before their promotion to partnership.
- c. Accordingly, with respect to the solicitors who are required to complete the principal’s core courses from the 2007/08 RME practice year onwards,
 - (i) those who have already completed the non-principal’s core courses will proceed to complete the principal’s core courses;
 - (ii) those who have not completed the non-principal’s core courses will complete them first before proceeding to the principal’s core courses.

- d. For registered foreign lawyers, the core courses consist of 2 half-day modules.
 - e. The Rules do not apply to registered foreign lawyers practising in registered foreign firms in HK.
 - f. For registered foreign lawyers who have since 1 November 2009 successfully taken the Overseas Lawyers Qualification Examination and are admitted as HK solicitors, they are exempted from completing the non-principal's core courses or the core courses registered foreign lawyers as the case may be, in accordance with paragraphs 2(p) and (q) of Section B of the Mandatory RME Information Package September 2011 ("Information Package").
2. Trainee solicitors whose first trainee solicitor contract commences on or after 1 November 2008
- a. For trainee solicitors whose first trainee solicitor contract commences on or after 1 November 2008, they will be subject to the RME obligations as follows:-
 - (i) During the first practice year in which the Rules apply to them, they shall complete the trainee solicitor's core courses consisting of two half-day modules.
 - (ii) During the second practice year in which the Rules apply to them, they shall complete a compulsory first elective for trainee solicitors consisting of two half-day modules.
 - b. Trainee solicitors should note that the RME practice year runs from 1 November to 31 October. Where a trainee solicitor starts his trainee solicitor contract after the commencement of a practice year, the first practice year for the purposes of the Rules begins on 1 November immediately preceding the date of commencement of his contract and expires on 31 October the following year. The second practice year commences on 1 November immediately after the first practice year and again ends on 31 October the following year. There have been instances of misinterpretation of the RME requirement whereby the trainee solicitors calculate the 12-month period for the first RME practice year in which they have to complete the core courses from the date of commencement of the trainee solicitor contract, instead of 1 November. Trainee solicitors are advised to refer to the examples on the calculation of the RME practice year for training contracts in the Frequently Asked Questions section of the Information Package.
 - c. The compliance of RME obligations including the completion of the trainee solicitor's core courses and the compulsory first elective for trainee solicitors is a condition of admission for trainee solicitors.
 - d. Trainee solicitors who have completed the trainee solicitor's core courses and the compulsory first elective shall be exempted from completion of the non-principal's core courses during the practice year when they commence practice as a non-principal in a HK law firm after their admission as a HK solicitor. They are nevertheless subject to

the annual RME elective obligations applicable to non-principals.

3. Trainee solicitors whose first trainee solicitor contract commenced before 1 November 2008
 - a. The Rules do not apply to trainee solicitors whose first trainee solicitor contract commenced before 1 November 2008. They are not subject to any RME obligations as trainee solicitors.
 - b. When they work as a non-principal in a HK law firm after their admission as a HK solicitor, they will be subject to the Rules for the first time:
 - (i) during the first practice year that the Rules apply to them, they have to complete the non-principal's core courses which consist of two half-day modules;
 - (ii) during every subsequent practice year, they will complete at least 3 hours of electives or if they fail to complete the requisite 3 hours within any subsequent practice year, they will complete at least 6 hours of electives within that particular practice year and the immediately succeeding practice year.

Please click [here](#) for the RME courses offered by the Academy of Law to enable Members to fulfil their RME obligations.

In addition, those Members who are required to attend RME elective courses can fulfil their RME obligations by engaging in RME activities approved by the Law Society instead.

Please click [here](#) for the Information Package on the full set of the Rules, the types of RME elective activities approved by the Society, and the consequences of failure to comply with the RME obligations.

Members who are unsure about the obligations applicable to them can contact the Society at adpd@hklawsoc.org.hk.