



THE
LAW SOCIETY
OF HONG KONG
香港律師會

MANDATORY
RISK MANAGEMENT EDUCATION PROGRAMME
INFORMATION PACKAGE

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A. INTRODUCTION

The Risk Management Education (“RME”) Programme is a mandatory programme developed for all solicitors, trainee solicitors and registered foreign lawyers in Hong Kong solicitors’ firms pursuant to the Legal Practitioners (Risk Management Education) Rules (Cap 159, sub.leg.) (“Rules”).

The RME Programme is aimed at:

- (a) raising the awareness of risk issues within law firms;
- (b) promoting good risk management of legal practice;
- (c) teaching the importance of managing operational risk within law firms and the specific processes and procedures for sound risk management;
- (d) enhancing the level of professional competency in firms with the intention of reducing errors and omissions in practice;
- (e) improving the quality of legal services provided to clients benefiting both the public and the legal profession as a whole.

While the RME Programme provides the participants with the tools and techniques to implement effective processes and systems to manage the key operational risks facing them on a daily basis, the success of the Programme depends on the willingness of the participants to fully engage in the process and to make the necessary changes in their firms.

The Society urges all participants to make full use of what they learn from the Programme and to actively apply the skills to achieve sustainable improvements in the quality of their legal services to clients.

This Information Package contains all relevant information on the RME Programme including the application and requirement of the governing rules and the structure of the Programme. Those who are required to undertake the RME Programme should acquaint themselves with the information in this Package to ensure that they fulfill their relevant statutory obligations.

B. MANDATORY RISK MANAGEMENT EDUCATION REQUIREMENTS

1. Practitioners required to undertake the mandatory risk management education programme

- (a) The Rules shall apply, in different phases, to:
 - (i) solicitors practising as such in Hong Kong firms;
 - (ii) trainee solicitors; and
 - (iii) registered foreign lawyers practising as such in Hong Kong firms.
- (b) For the purposes of the Rules:
 - (i) a “solicitor” refers to a solicitor practising as such in a Hong Kong law firm. The Rules therefore do not apply to in-house solicitors practising in organisations or corporations other than law firms;
 - (ii) a “principal” means:
 - (aa) a solicitor who is carrying on a business of practising as such in his own name in Hong Kong;
 - (bb) a solicitor who is practising as the sole practitioner or a partner of a Hong Kong firm; or
 - (cc) any other solicitor who is held out or holds himself out to be a person referred to in sub-paragraph (b)(ii)(aa) or (bb); and
 - (iii) a “trainee solicitor” means a person who has entered into a contract in writing under which he is employed as a trainee solicitor.
- (c) Since the implementation of the Rules in November 2004, the Rules have applied to all principals and non-principals in stages by reference to the date of their admission as a Hong Kong solicitor. Further, they have been extended to apply to trainee solicitors whose first trainee solicitor contract commences on or after 1 November 2008.
- (d) In cases where a solicitor has been admitted as a Hong Kong solicitor “more than once” (for instance, where a solicitor removed himself from the roll of solicitors to become a barrister and subsequently rejoined the profession by gaining admission as a solicitor after having disbarred himself), the date of admission for the purposes of the application of the Rules shall be the date of his first admission as a solicitor of Hong Kong.

- (e) With effect from 1 November 2009, while the Rules continue to apply to all solicitors working as principals or non principals in Hong Kong firms and to trainee solicitors whose first trainee solicitor contract commences on or after 1 November 2008, they have been extended to apply to registered foreign lawyers practising as such in Hong Kong law firms.

2. The risk management education (“RME”) requirements

- (a) A person to whom the Rules apply shall be required to complete a core programme before the expiry of the practice year in which the Rules first apply to him and thereafter, to attend at least 3 hours of elective courses each year or failing which, attend at least 6 hours of elective courses within the first and second succeeding practice years.
- (b) A practice year for the purposes of the Rules (“RME practice year”) means a period of 12 months ending on 31 October each year.
- (c) The core programme shall consist of core courses designed specifically for:
 - (i) principals (referred to as “principal’s core courses”);
 - (ii) non-principal solicitors (referred to as “non-principal’s core courses”); and
 - (iii) trainee solicitors (referred to as “trainee solicitor’s core courses).
 - (iv) registered foreign lawyers (referred to as “foreign lawyer’s core courses)

Principal’s core course

- (d) The Society’s principal’s core courses consist of 4 half-day modules on the basis that the participants attending the courses have already completed the non-principal’s core courses before their promotion to partnership.
- (e) 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.
- (f) A principal who has completed the principal’s core courses in accordance with the Rules shall not be required to complete the non-principal’s core

courses even if he changes position from principal to non-principal at any time thereafter.

Non-principal's core courses

- (g) The Society's non-principal's core courses consist of two half-day modules.

Trainee solicitor's core courses and first elective

- (h) The Society's trainee solicitor's core courses consist of two half-day modules.
- (i) During the first practice year in which the Rules apply to a trainee solicitor, he shall complete the trainee solicitor's core courses consisting of two half-day modules.
- (j) During the second practice year in which the Rules apply to a trainee solicitor, he shall complete a compulsory first elective for trainee solicitors consisting of two half-day modules.
- (k) The completion of the trainee solicitor's core courses and the compulsory first elective and compliance of any other applicable RME obligations is a condition of admission for trainee solicitors.
- (l) 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 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. See the Frequently Asked Questions for examples.
- (m) 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 year when they start working as a non-principal after admission as a Hong Kong solicitor. They nevertheless remain subject to the annual RME elective obligations.
- (n) Any CPD points accumulated by completion of the compulsory first

elective in excess of a practice year's RME elective requirement (i.e. 3 CPD points from attendance of RME elective courses) may be carried over to the immediately succeeding practice year for satisfaction of that year's RME elective obligation.

Foreign lawyer's core courses

- (o) The foreign lawyer's core courses of the Society consist of two half-day modules.
- (p) For foreign lawyers who have successfully taken the Overseas Lawyers Qualification Examination (OLQE") and are admitted as Hong Kong solicitors, they are exempted from complying with the RME requirements as follows:
 - (i) Foreign lawyers who have already taken the core courses for foreign lawyers are not required to attend the core courses for non-principal Hong Kong solicitors after their admission as Hong Kong solicitors;
 - (ii) Foreign lawyers who have not taken the core courses for foreign lawyers are exempted from taking the courses and are permitted to take the core courses for non-principal Hong Kong solicitors after their admission as Hong Kong solicitors.
- (q) For the avoidance of doubt, the exemption is granted on condition that a foreign lawyer, who is required to complete the core programme for foreign lawyers in a practice year but has been admitted as a Hong Kong solicitor, takes either the core programme for foreign lawyers or the core programme for non-principal Hong Kong solicitors within the practice year.

3. Exemption from the RME requirements

(a) Exempted practice year – Section 8

A person to whom the Rules apply shall not be required to complete the RME requirements in an exempted practice year. An "exempted practice year" is a practice year in which:

- (i) the total period for which the Rules apply to him consists of less than 100 days; or
- (ii) he has been —

- out of Hong Kong; or
- absent from work due to illness,

for a continuous period which constitutes 75% or more of the total period for which the Rules apply to him.

There are circumstances where a practitioner, who is stationed overseas, returns to Hong Kong for a brief period for matters which may be related to his legal practice (for instance, to complete a transaction) or not (for example, for social gathering or family reunion).

Such visits to Hong Kong will not be taken to have broken the continuity in rule 8 of the Rules provided that the aggregate period of his absence from Hong Kong constitutes 75% or more of the total period for which the Rules apply to him.

(b) Exemption under fair and reasonable circumstances – Section 8A

Section 8A of the Rules enables the Society to grant exemption, with or without conditions, from attending risk management education courses under fair and reasonable circumstances. Any such exemption may be granted on an application in writing or on the Society's own motion.

The granting of exemption from RME requirements will be considered on a case-by-case basis only where exceptional circumstances exist. An exemption may be granted where it is fair and reasonable to do so.

The following exemption policy is in force:

Upon an application being made to the Society, an exemption from compliance with the RME requirement may be provided to a solicitor who meets all of the following criteria:

- (i) he has been in practice as a solicitor for a period of 40 years or more, or he is over 70 years' old;
- (ii) he gives an undertaking to the Law Society that he is not in active practice and that he is not involved in the management of the practice of any Hong Kong law firm in any way.

For the purposes of this policy only, a solicitor will not be regarded as being in 'active practice' if the only activities that he engages in as a solicitor are:

- (i) administering oaths;

- (ii) taking affidavits or declarations; and
- (iii) certifying documents.

4. Continuing professional development accreditation

The RME courses are accredited with Continuing Professional Development (“CPD”) points in accordance with the CPD Guidelines applicable from time to time.

The principal’s core courses are accredited with CPD points in excess of the annual CPD requirement of 15 points.

Under the CPD policy, from 2006/07 CPD practice year onwards, practitioners are permitted to carry over a maximum of 10 CPD points accumulated in excess of the requirement in one CPD practice year to the next immediately succeeding practice year only.

As an exception to the CPD policy, a practitioner who has completed all requisite modules of the principal’s core courses within the practice year specified under rule 6 of the Rules will be permitted to carry over a maximum of **15 CPD points** accumulated in excess of the requirement in one CPD practice year to the next immediately succeeding CPD practice year.

Accordingly, if a practitioner has attended other CPD activities in addition to all requisite modules of the principal’s core courses in one CPD practice year, he is permitted to carry over all his CPD points obtained during the CPD practice year, up to a maximum of 15 CPD points, to the next immediately succeeding CPD practice year.

After completion of the principal’s core courses as provided under the Rules, a practitioner is required to complete at least 3 hours of elective courses within each subsequent practice year.

For RME practice years from 2006/07 onwards, if a practitioner is required to comply with RME elective obligation in a practice year and he obtains more than 3 CPD points from attending RME electives, then out of the CPD points permitted to be carried over to satisfy the CPD obligation in the succeeding practice year, he may utilise a maximum of 3 CPD points obtained from completion of RME electives to satisfy the RME elective obligation for that succeeding practice year only.

Similarly, with respect to a registered foreign lawyer, if he is required to comply with RME elective obligation in a practice year and he obtains more than 3 CPD points from attending RME electives, then he may carry over the points in excess to satisfy the RME elective obligation for the succeeding practice year.

5. Attendance policy

With effect from 1 November 2008, a practitioner is deemed to have attended the RME courses to the satisfaction of the Society in compliance with the RME Rules if

- (a) he has attended all of the RME courses he is required to complete under the RME Rules; and
- (b) for each of those RME courses, he is awarded the CPD points accredited to the course in accordance with the CPD attendance policy applicable from time to time.

6. Attendance record

- (a) A person to whom the Rules apply shall keep and retain a record of his attendance at any RME course in his CPD / RME training record.
- (b) At the request of the Society, he shall:
 - (i) produce to the Society the record showing his attendances at the RME courses;
 - (ii) furnish the Society with such information relating to his attendance at any RME course within such time and in such manner as may be specified by it; and
 - (iii) attend before the Council and furnish the Council with such additional information relating to his attendance at any RME course as the Council considers necessary.

7. Monitoring compliance with RME requirements

- (a) A solicitor shall be required to complete a statement of compliance with the RME requirements for the preceding practice year when he applies for renewal of his practising certificate.
- (b) An incorrect or false statement may constitute misconduct and lead to disciplinary actions.
- (c) With respect to a registered foreign lawyer, his certificate of registration as a foreign lawyer is subject to the condition that during any period for

which he is employed by a Hong Kong firm to practise foreign law, he must comply with the RME requirements.

- (d) The RME practice year (which runs from 1 November to 31 October) is different from the annual registration period for a foreign lawyer (1 July to 30 June).
- (e) As a result, at the time of application for renewal of registration, the time to complete the RME obligations for the current RME practice year has not yet expired.
- (f) In the circumstances, a registered foreign lawyer shall be required to complete an undertaking to comply with the applicable RME obligations by the end of the RME practice year on 31 October and where appropriate, a statement of compliance with the RME requirements for the preceding practice year when he applies for renewal of his registration certificate.

8. Failure to comply with RME requirements

The Council has the power under section 6 of the Legal Practitioners Ordinance to refuse to issue a practising certificate to an applicant who has not complied with the RME Rules, or to suspend or cancel the practising certificate of a solicitor who has not done so.

The Council policy in the event of failure to comply with the RME requirements ascertained during:

General Audit:

In the absence of acceptable mitigating factors, solicitors who did not complete the necessary RME requirements for the preceding RME practice year shall, unless the outstanding requirement was subsequently acquired be subject to suspension or cancellation of their current practising certificates.

Practising Certificate Applications:

- (a) In the absence of acceptable mitigating factors, the Council shall refuse to issue a practising certificate to a solicitor who fails to complete the necessary RME requirements by 15 December pursuant to its powers under section 6(5)(d) of the Legal Practitioners Ordinance.
- (b) Applications for renewal of practising certificates by solicitors who had not completed the necessary RME requirements by 31 October, but did complete the necessary RME requirements by 15 December, will be processed in the usual way.

- (c) Failure by a solicitor to complete the necessary RME requirements by the end of the RME practice year will be referred to the Conduct Section for investigation.

Breaches of the RME requirements

Breaches of the RME requirements are regarded by the Council as professional misconduct. Mitigating factors will be taken into account in assessing individual cases. Serious cases will be referred to a Disciplinary Tribunal. Sanctions by the Tribunal may involve the imposition of a fine, censure, suspension or striking off of solicitors, and cancellation or suspension of a trainee solicitor contract.

Form 4 declaration of compliance by trainee solicitors

A trainee solicitor is required to have completed the trainee solicitor's core courses and the compulsory first elective and any other applicable RME obligations by the end of his period of employment as a trainee solicitor. Trainee solicitors must declare in the Form 4 Application for a Certificate of Eligibility for Admission that they have complied with the RME requirements to be completed by the end of their period of employment as a trainee solicitor.

Any failure to comply with the RME Rules by trainee solicitors will be referred to the Conduct Section of the Compliance Department for investigation.

9. Review

- (a) Any person aggrieved by a decision made by the Society in respect of RME may apply in writing for a review of the decision within one month after he is informed of the decision.
- (b) The application should be addressed to the Department of Standards and Development.

C. INFORMATION AND PROCEDURE FOR ACCREDITATION OF RME CORE PROGRAMMES FOR PRINCIPALS

Under the Rules, the Society may conduct any programme on risk management or, subject to such conditions as it considers necessary, approve any programme on risk management conducted by another person or organisation for the purpose of the RME programme.

Principals are required to complete a core programme for principals. To enable the principals to fulfill their obligations under the Rules, apart from providing an RME Core Programme for Principals, the Society also permits law firms to conduct in-house RME programmes for their principals for the purpose of fulfilling the principals' statutory obligations under the Rules provided that the programmes have been approved by the Society in accordance with the applicable accreditation criteria.

Criteria for accreditation of an RME core programme for principals who have not completed the general core courses for non-principals

1. Syllabus

The RME core programme for principals must provide delegates with the opportunity to expand their understanding of the following areas:

- (a) introduction to general principles of risk management and risk analysis;
- (b) procedures and techniques employed in client engagement (including setting up, varying and closing the engagement);
- (c) exclusion of liability;
- (d) common risks in legal practice;
- (e) management of client expectations;
- (f) identification and handling of complaints;
- (g) subsequent implementation of strategies to avoid repercussion;
- (h) techniques involved in effective communication skills with clients, in particular, listening skills and questioning techniques to elicit information and use of plain language;

- (i) effective internal communication skills within a team framework, including professional / and non-professional staff;
- (j) concept of claims avoidance;
- (k) procedures and techniques employed in legal diagnostic case analysis;
- (l) diagnostic approach to work allocation, delegation of work and supervision of staff;
- (m) procedures and techniques employed in risk management of operational issues including file transfers, giving informal advice and managing non-legal appointments;
- (n) the management of conflicts of interest;
- (o) creation and implementation of a risk management strategy;
- (p) risk monitoring throughout the retainer – identifying problems, files, use of information technology, issues relating to delegation / supervision / monitoring of work and staff;
- (q) concept of quality and how it applies to law firms;
- (r) file audits;
- (s) creating a risk manual;
- (t) concept of change and the need to deal with change within the context of risk management strategy.

2. Depth

The topics to be covered in the RME core programme for principals must be of sufficient depth to enable the participants to achieve the following learning outcomes:

- (a) be aware of the benefits and effectiveness of setting up procedures for client engagement;
- (b) develop a strategy for formulation of such a client engagement procedure and be able to demonstrate an understanding of its effective implementation;
- (c) identify and evaluate mistakes in client engagement; devise a strategy and

procedure for handling client complaints and subsequently avoid repercussion by effective implementation of the procedures identified;

- (d) be aware of the impact of using listening and questioning techniques to enable effective communication;
- (e) demonstrate an understanding of when those communication techniques can be employed;
- (f) demonstrate an understanding of the impact of an effective claims avoidance strategy on a Hong Kong law firm;
- (g) be aware of the effectiveness of methods of legal diagnostics and project management in the efficient formulation of strategy in contentious and non-contentious legal work in reducing risk;
- (h) demonstrate an ability to evaluate likely risks and their avoidance in all aspects of file transfers;
- (i) develop a strategy for implementation of structures for the identification, evaluation and consequential management of conflicts of interests;
- (j) differentiate between the communication of relevant and irrelevant information within a team context;
- (k) appraise the merits of the implementation of a structure and strategy to manage key operational risk factors in Hong Kong law firms;
- (l) plan and implement a structure to manage risk effectively in a Hong Kong law firm;
- (m) demonstrate an understanding of change management and its links with the implementation of a risk management strategy.

3. Format and duration

The RME Core Programme for Principals provided by the Society adopts an interactive approach combining presentations, discussions and work group based activities. The intention is to provide a practical programme underpinned by the relevant theory, thus ensuring a balance of knowledge and understanding together with the practical skills necessary to apply the learning back to the work environment. To enable the participants to have sufficient opportunity to express their views during discussion, the trainers to participants' ratio is kept at a maximum of 1:9 in the Society's Core Programme.

In-house core programmes for principals are encouraged to adopt a similar interactive approach to enable participants to actively apply the learning in a safe environment rather than to passively receive a series of lecture notes or manuals. Sufficient time must be allowed for the programme to enable participants to derive maximum educational benefit from it.

As a starting point, for a solicitor who has not completed the general core courses for non-principals, the duration of an RME core programme for principals covering the topics and aiming to achieve the learning outcomes set out in the accreditation criteria is expected to be 6 half-days of 3½ hours each. Any programme that is designed to run on a shorter duration needs to demonstrate to the satisfaction of the Society that the core topics can be sufficiently covered in the duration proposed without compromising the learning outcomes, taking into consideration the firm's risk management system in place and the particular concerns of the firm with regard to risk management.

4. Trainer

Subject to the approval of the Society, a law firm may engage trainers of its choice on the RME core programme for principals. The training team should collectively have sufficient legal experience in risk management issues that arise in law firms in Hong Kong and sufficient training experience in risk management areas.

5. Prescribed fee

A fee, at the rate prescribed by the Council from time to time, will be charged on an application for accreditation of an RME programme. The fee currently prescribed by the Council is HK\$5,000 for each application.

6. Application

A separate application for accreditation of each RME programme must be made by the provider of the programme to the RME Accreditation Sub-Committee. The application must be made on the Society's standard form and sent to the Standards and Development Officer, the Department of Standards and Development, at least **6 weeks** before the scheduled commencement date of the programme. If the application is incomplete, accreditation may take longer than 6 weeks from the date of submission of the application.

All changes to the information submitted to the Society in relation to an application shall be notified to the Society as soon as the changes are made and in any event prior to the commencement of the programme. The Society has the

right to withdraw accreditation on the basis of the changes made to the programme.

7. No retrospective accreditation

It is not possible to accredit a programme after any part of it has taken place.

8. Documents and information required on application for accreditation

- (a) a **detailed outline** of what will be covered in the programme and by whom
- (b) a **programme** showing the sequence of trainers, the method of teaching, eg. lecture, participatory case study, role-play, discussion, question and answer, and the amount of time which each person will spend on each area
- (c) an outline of the **programme materials** which will be provided to participants
- (d) a brief up-to-date **resume** of each trainer's professional qualifications, legal background and any teaching experience and relevant experience in risk management issues, if any.

9. Administrative matters

- (a) To apply for accreditation of a course as an RME core programme for principals, the provider is required to:
 - (i) submit the application form (**Appendix IV**) and supporting documents to the RME Accreditation Sub-Committee for accreditation of the RME programme; and
 - (ii) pay a fee for the applications for RME programme accreditation.
- (b) An accredited RME programme will be accredited with CPD points. Providers must comply with the CPD requirements.

All providers should note the CPD attendance policy.
- (c) All accredited RME programmes must be evaluated by the participants attending the programme in a manner approved by the Society.
- (d) All providers shall promptly submit a full set of the programme materials to the Society upon request at any time after the application for accreditation has been submitted or within a reasonable period after the programme is held.

A summary of the evaluation forms must be forwarded to the Standards and Development Officer, the Department of Standards and Development, within 7 days of the completion of each module of the programme.

10. Monitoring by the Society

All providers shall permit any person nominated by the Society to attend any RME programme free of charge, for the purposes of monitoring and evaluating the RME programme.

D. INFORMATION AND PROCEDURE FOR ACCREDITATION OF RME CORE PROGRAMMES FOR NON-PRINCIPALS

Under the Rules, the Society may conduct any programme on risk management or, subject to such conditions as it considers necessary, approve any programme on risk management conducted by another person or organisation for the purpose of the RME programme.

Solicitors other than principals are required to complete a core programme for non-principals. To enable the non-principals to fulfill their obligations under the Rules, apart from providing an RME Core Programme for Non-Principals, the Society also permits law firms to conduct in-house RME programmes for their non-principals for the purpose of fulfilling their statutory obligations under the Rules provided that the programmes have been approved by the Society in accordance with the applicable accreditation criteria.

Criteria for accreditation of an RME core programme for non-principals

1. Syllabus

The RME core programme for non-principals must provide delegates with the opportunity to expand their understanding of the following areas:

- (a) introduction to risk management techniques and causes of claims;
- (b) common risks in legal practice;
- (c) techniques in systematic analysis of legal issues;
- (d) techniques in management of the legal process;
- (e) skills in engagement management covering issues of client expectation, communication (including keeping proper records of communications), scope of the retainer (including varying and ending the retainer), handling clients of different characteristics;
- (f) skills in personal management covering issues of reduction and management of the risk of making mistakes, the importance of supervision and adequate resourcing.

2. Depth

The topics to be covered in the RME core programme for non-principals must be of sufficient depth to enable the participants to achieve the following learning outcomes:

- (a) understand the concept of risk management;
- (b) understand the practical techniques for risk identification, analysis and control
- (c) understand the common risks in a solicitors' practice and identify risk issues that particularly affect non-principals in a practice;
- (d) be aware of the effectiveness of methods of legal diagnostics and project management in the efficient formulation of strategy in contentious and non-contentious legal work in reducing risk;
- (e) demonstrate an understanding of the effective ways to communicate with clients and manage the engagement process;
- (f) demonstrate an appreciation of the importance of proper supervision, their role and responsibility in that process and adequate resourcing;
- (g) be aware of the ways to minimise and manage the risk of making mistakes in daily practice;
- (h) demonstrate an ability to transfer the above risk management skills to daily practice and to develop appropriate strategies for individual practice situation.

3. Format and duration

The RME Core Programme for Non-Principals provided by the Society adopts an interactive approach combining presentations, discussions and work group based activities. The intention is to provide a practical programme underpinned by the relevant theory, thus ensuring a balance of knowledge and understanding together with the practical skills necessary to apply the learning back to the work environment. To enable the participants to have sufficient opportunity to express their views during discussion, the trainers to participants' ratio is kept at a maximum of 1:9 in the Society's Core Programme.

In-house core programmes for non-principals are encouraged to adopt a similar interactive approach to enable participants to actively apply the learning in a safe environment rather than to passively receive a series of lecture notes or manuals.

Sufficient time must be allowed for the programme to enable participants to derive maximum educational benefit from it.

As a starting point, the duration of an RME core programme for non-principals covering the topics and aiming to achieve the learning outcomes set out in the accreditation criteria is expected to be 6½ hours. Any programme that is designed to run on a shorter duration needs to demonstrate to the satisfaction of the Society that the core topics can be sufficiently covered in the duration proposed without compromising the learning outcomes, taking into consideration the firm's risk management system in place and the particular concerns of the firm with regard to risk management.

4. Trainer

Subject to the approval of the Society, a law firm may engage trainers of its choice on the RME core programme for non-principals. The training team should collectively have sufficient legal experience in risk management issues that arise in law firms in Hong Kong and sufficient training experience in risk management areas.

5. Prescribed fee

A fee, at the rate prescribed by the Council from time to time, will be charged on an application for accreditation of an RME programme. The fee currently prescribed by the Council is HK\$1,500 for each application.

6. Application

A separate application for accreditation of each RME programme must be made by the provider of the programme to the RME Accreditation Sub-Committee. The application must be made on the Society's standard form and sent to the Standards and Development Officer, the Department of Standards and Development, at least **6 weeks** before the scheduled commencement date of the programme. If the application is incomplete, accreditation may take longer than 6 weeks from the date of submission of the application.

All changes to the information submitted to the Society in relation to an application shall be notified to the Society as soon as the changes are made and in any event prior to the commencement of the programme. The Society has the right to withdraw accreditation on the basis of the changes made to the programme.

7. No retrospective accreditation

It is not possible to accredit a programme after any part of it has taken place.

8. Documents and information required on application for accreditation

- (a) a **detailed outline** of what will be covered in the programme and by whom
- (b) a **programme** showing the sequence of trainers, the method of teaching, eg. lecture, participatory case study, role-play, discussion, question and answer, and the amount of time which each person will spend on each area
- (c) an outline of the **programme materials** which will be provided to participants
- (d) a brief up-to-date **resume** of each trainer's professional qualifications, legal background and any teaching experience and relevant experience in risk management issues, if any.

9. Administrative matters

- (a) To apply for accreditation of a course as an RME core programme for non-principals, the provider is required to:
 - (i) submit the application form (**Appendix V**) and supporting documents to the RME Accreditation Sub-Committee for accreditation of the RME programme; and
 - (ii) pay a fee for the applications for RME programme accreditation.
- (b) An accredited RME programme will be accredited with CPD points. Providers must comply with the CPD requirements.

All providers should note the CPD attendance policy.

- (c) All accredited RME programmes must be evaluated by the participants attending the programme in a manner approved by the Society.
- (d) All providers shall promptly submit a full set of the programme materials to the Society upon request at any time after the application for accreditation has been submitted or within a reasonable period after the programme is held.

A summary of the evaluation forms must be forwarded to the Standards and Development Officer, the Department of Standards and Development, within 7 days of the completion of each module of the programme.

10. Monitoring by the Society

All providers shall permit any person nominated by the Society to attend any RME programme free of charge, for the purposes of monitoring and evaluating the RME programme.

E. INFORMATION AND PROCEDURE FOR ACCREDITATION OF RME ELECTIVE ACTIVITIES

Those who have completed the RME core programme will be required to complete at least 3 hours of RME elective activities within each subsequent practice year or failing which, at least 6 hours of RME elective activities within the two practice years succeeding the year in which the RME core programme was completed.

If a practitioner is required to comply with RME elective obligation in a practice year and he obtains more than 3 CPD points from attending RME electives, then out of the CPD points permitted to be carried over to satisfy the CPD obligation in the succeeding practice year, he may utilise a maximum of 3 CPD points obtained from completion of RME electives to satisfy the RME elective obligation for that succeeding practice year only.

Similarly, with respect to a registered foreign lawyer, if he is required to comply with RME elective obligation in a practice year and he obtains more than 3 CPD points from attending RME electives, then he may carry over the points in excess to satisfy the RME elective obligation for the succeeding practice year.

1. Criteria for accreditation of an RME elective activity

An RME elective activity shall deal primarily with matters related to risk management in legal practice and be of significant intellectual and practical content.

2. Form of an RME elective activity

An RME elective activity can be in the form of a workshop, lecture, seminar, course, programme of instruction or any other activity, as approved by the Society provided that it meets the accreditation criteria.

3. Types of RME elective activities

(A) *RME elective activity - courses*

(a) An RME elective activity may be in the form of a workshop, lecture, seminar, course or any other programme of instruction including the following:

(i) Courses presented by means of videotape, motion picture, audiotape, simultaneous broadcast or other such systems and

devices provided that there is an opportunity for participants to ask questions of the course instructor(s) and to engage in discussion. If the course instructor(s) is not available, either in person or via telephone, then a qualified commentator who has the necessary practical and/or academic skills must be available to offer comments, answer questions and lead discussion.

- (ii) Computer-based learning courses that satisfy the following conditions:-
 - (1) the course provider can demonstrate to the satisfaction of the Society that procedures are in place, acceptable to the Society, which verify that the practitioner has completed the computer-based course in full and has done so with a demonstrable and satisfactory degree of comprehension;
 - (2) the course provider must, in addition to the usual accreditation requirements, provide the following to the Society upon request:
 - (aa) a copy of the course material;
 - (bb) access to the course on-line in order that the Society can monitor the course;
 - (cc) evidence of the verification procedures referred to in paragraph 3(A)(a)(ii)(1);
 - (dd) access to the provider's on-line record verifying that a participant has satisfied the requirements set out in paragraph 3(A)(a)(ii)(1); and
 - (ee) details of the technical support services available to participants.
- (iii) Distance learning courses delivered by correspondence, audio cassettes, video cassettes, television broadcasts or inter-active videos involving an examination or a written assignment assessed by the course provider or leads to a qualification recognised by the Society.
- (iv) In-house group discussion with a structured outline and a qualified group leader who has the necessary practical and/or academic skills to conduct the course effectively to lead the discussion.

(b) Standards and requirement for courses

- (i) Course leaders and lecturers must have the necessary practical and/or academic skills to conduct the course effectively. Experienced lawyers or other professionals must contribute to the development and/or teaching of the course;
- (ii) The method of presentation used must be appropriate to meet the aims and objectives of the course and, wherever possible and appropriate, should be varied and include participatory elements in order to encourage learning;
- (iii) Before or at the course, each participant must be provided with written course materials of quality and quantity which indicate that adequate time has been devoted to the preparation of the course and that it will be of value to the participants in the course of their practice;
- (iv) The course must be presented in a suitable setting conducive to a good educational experience. The course must be scheduled at a time and location so as to be free from interruption from telephone calls and other office matters;
- (v) The level of the course, the accreditation as an RME elective course and whether the course is substantially a repeat of a previous course must be noted in all promotional material;
- (vi) All courses must be evaluated by the participants attending the course in a manner which is approved by the Society;
- (vii) All courses must be of at least 30 minutes or more in duration.

(c) Preparation and presentation of RME elective courses

- (i) Actual time spent in the preparation work (as rounded up or down to the nearest half hour*) may be counted for CPD purposes provided that the time claimed by a practitioner for preparation for any accredited RME elective course may not exceed three times the length of time the presenter spent in presenting that part of the course (which includes acting as commentator or group discussion leader) for which the preparation was undertaken.
- (ii) Twice the actual time involved in presenting an accredited RME elective course may be counted for CPD purposes (as rounded up or down to the nearest half hour*).

* blocks of 15 to 29 minutes may be rounded up to the nearest half hour

(d) Prescribed fee

Apart from providing elective courses itself, the Society also permits and encourages external providers, including commercial providers, to conduct RME courses for the purpose of enabling the participants to fulfill their statutory obligations under the Rules provided that the courses have been approved by the Society in accordance with the applicable accreditation criteria.

A fee, at the rate prescribed by the Council from time to time, will be charged on an application for accreditation of an RME elective course.

The fee currently prescribed by the Council for each application for accreditation of an RME elective course by a commercial provider is set at HK\$2,000 and by a non-commercial provider at HK\$750.

(e) Application

A separate application for accreditation of each RME elective course must be made by the provider of the course to the RME Accreditation Sub-Committee. The application must be made on the Society's standard form and sent to the Standards and Development Officer, the Department of Standards and Development, at least **6 weeks** before the scheduled commencement date of the course. If the application is incomplete, accreditation may take longer than 6 weeks from the date of submission of the application.

All changes to the information submitted to the Society in relation to an application shall be notified to the Society as soon as the changes are made and in any event prior to the commencement of the course. The Society has the right to withdraw accreditation on the basis of the changes made to the course.

Overseas courses will be accredited under the following conditions:

- (i) in the normal course, in approved jurisdictions only;
- (ii) the overseas course provider being an academic institution or a professional body or any other body approved by the RME Committee;
- (iii) (1) upon the overseas course provider submitting an application for accreditation and paying the requisite accreditation fee;
or

- (2) where it can be demonstrated that the overseas course provider will not, in the normal course, submit an application for accreditation of the course, upon an application for accreditation being made by the Hong Kong practitioner(s) seeking accreditation and upon payment by such Hong Kong practitioner(s) of the requisite accreditation fee;
 - (iv) upon any Hong Kong practitioner who attended the overseas course filing with the Law Society of Hong Kong by the end of the RME practice year in which he attended the course, written confirmation that he attended the entire course, or, where he attended part of the course, written confirmation setting out which parts/sessions of the course he attended and the full attendance details for each part/session of his attendance; and
 - (v) applications for accreditation should be made before the date of the course. However, where the Society is satisfied that exceptional circumstances exist, it may grant retrospective accreditation of an overseas course upon application being made by a practitioner (but not a course provider), provided that the applicant pays a late accreditation fee and submits the application to the Society not later than 30 days after the overseas course has been conducted. However, practitioners should hold no expectation that the submission of an application for retrospective accreditation will necessarily result in the course being accredited.
- (f) No retrospective accreditation

It is not possible to accredit an RME elective course after any part of it has taken place, unless in exceptional circumstances with respect to overseas courses, as specified in sub-paragraph (e) above.
- (g) Documents and information required on application for accreditation
 - (i) a **detailed outline** of what will be covered in the course and by whom
 - (ii) a **programme** showing the sequence of trainers, the method of teaching, eg. lecture, participatory case study, role-play, discussion, question and answer, and the amount of time which each person will spend on each area
 - (iii) an outline of the **course materials** which will be provided to participants

- (iv) a brief up-to-date **resume** of each trainer's professional qualifications, legal background and any teaching experience and relevant experience in risk management issues, if any, which they each have.
- (h) Administrative matters
 - (i) To apply for accreditation of a course as an RME elective course, the provider is required to:
 - (1) submit the application form (**Appendix VI**) and supporting documents to the RME Accreditation Sub-Committee for accreditation of the RME programme; and
 - (2) pay a fee for the application for RME elective course accreditation.
 - (ii) An accredited RME elective course will be accredited with CPD points. Providers must comply with the CPD requirements.

All providers should note the CPD attendance policy.
 - (iii) A participant who has obtained 3 CPD points in respect of attendance (including presentation) at accredited RME elective course(s) will be deemed to have completed 3 hours of RME elective course(s) in satisfaction of the relevant obligation under the Rules.
 - (iv) All accredited RME elective courses must be evaluated by the participants attending the course in a manner approved by the Society.
 - (v) All providers shall promptly submit a full set of the course materials to the Society upon request at any time after the application for accreditation has been submitted or within a reasonable period after the course is held.

A summary of the evaluation forms must be forwarded to the Standards and Development Officer, the Department of Standards and Development, within 7 days of the completion of each course.

(B) *RME elective activity - writing articles, books*

- (a) Writing law books or articles in legal journals or legal articles in such other journals as approved by the Society may be accredited as an RME elective activity provided that the RME accreditation criteria are satisfied.

- (b) The legal or other journal, which may be in an electronic format, must be approved by the Society.
- (c) Subject to paragraph 3(B)(d), 3 CPD points may be allocated for every 1,000 words (English or Chinese) published, or 1½ CPD points for such lesser number of words published as may be approved by the Society.
- (d) In the case of substantial revisions or updates of previous publications, the number of CPD points to be allocated shall be determined by the Society.

(C) *RME elective activity - legal research*

- (a) Conducting legal research which is of use beyond the particular case and results in the production of a precedent, practice note, other form of written guidance, or substantial written submissions on any public consultation document relevant to risk management in legal practice, that is generally available to the public or made available to solicitors and trainee solicitors in the researcher's firm may be accredited as an RME elective activity provided that the RME accreditation criteria are satisfied.
- (b) The number of CPD points to be allocated, if any, in any case shall be determined by the Society having regard to the quality of the results of the research, its availability to the public or to solicitors and trainee solicitors within the researcher's firm or organisation and the contemporaneous records maintained by the trainee solicitor or solicitor engaged in the research.

(D) *RME elective activity - dissertation*

- (a) Production of a dissertation counting towards a qualification recognised by the Society may be accredited as an RME elective activity provided that the RME accreditation criteria are satisfied.
- (b) 1 CPD point may be allocated for every 1,000 words (English or Chinese) of such dissertation.

(E) *RME elective activity - participation in committees / working parties / associations*

- (a) Participation in the work of the Council of the Society and such committees or working parties of the Society and other committees or associations which deal primarily with matters related to risk management in legal practice as approved by the Society from time to time will be

accredited as an RME elective activity.

- (b) Solicitors, trainee solicitors and registered foreign lawyers may claim 1 CPD point for each hour engaged in such work.

A list of the approved committees / working parties of the Society is attached at **Appendix VII**.

4. Application for approval of activities other than courses

Application for approval of accreditation of activities other than courses should be made in writing by the individual practitioner undertaking the activity by way of letter setting out the details of the activity. No application fee is payable.

5. Application of CPD Guidelines

- (a) For the avoidance of doubt, the maximum CPD points that a practitioner can claim for participation in an accredited RME activity is governed by the CPD Guidelines applicable from time to time.
- (b) By way of example, under the CPD Guidelines, with effect from September 2012, a practitioner can claim up to 7 points each year for his participation at approved committees. If participation in a committee is also approved for RME purposes:
 - (i) the practitioner will be entitled to claim up to a maximum of 7 CPD points in accordance with the CPD guidelines;
 - (ii) out of the 7 points, he will be able to utilise 3 points from his committee work to satisfy his RME elective obligation and either:
 - (1) use the remaining 4 points to satisfy his CPD obligation for the year; or
 - (2) carry forward a maximum of 3 points to satisfy his RME elective obligation for the following year.

6. Provider accreditation

- (a) With effect from 1 November 2007, the Society has implemented a provider accreditation scheme applicable to law firms in Hong Kong organising in-house RME elective courses.

- (b) To be considered for provider accreditation with respect to RME elective courses, it will be necessary for the law firm to:
 - (i) have established a suitable track record of
 - obtaining individual course accreditation for RME elective courses;
 - providing a reasonable number of accredited RME elective courses over a reasonable period (usually at least 4 courses over 12 months);
 - compliance with course-by-course accreditation criteria and conditions;
 - (ii) be a CPD accredited course provider.
- (c) Applications for accreditation as an RME elective course provider are considered by the RME Accreditation Sub-Committee.
- (d) Upon approval of an application, the applicant law firm will be required to enter into an accredited provider agreement on CPD courses and RME elective courses with the Society. The new agreement will replace the current CPD accredited provider agreement between the law firm and the Society.
- (e) The standard term of the agreement is for one year from 1 November to 31 October, but it may also commence part-way through the year. The accreditation fee is HK\$7,000 for the full year and HK\$4,000 for accreditation taking effect after 30 April.
- (f) As an accredited provider for RME elective courses, a law firm can self-accredit its in-house RME elective courses with the appropriate number of CPD points in accordance with the accreditation criteria and guidelines issued by the Society from time to time provided that it notifies the Society 14 days in advance of the course date and receives before the course date from the Society a course number. All providers should not assume that a course will be accredited with CPD points unless and until they receive, from the Society, the respective course number and/or a confirmation of the number of CPD points accredited to the course.

7. Monitoring by the Society

All providers shall permit any person nominated by the Society to attend any RME elective course free of charge, for the purposes of monitoring and evaluating the course.

F. FREQUENTLY ASKED QUESTIONS

Application

Assistant Solicitor becoming a Partner

1. A solicitor became a partner in a Hong Kong law firm on 1 November 2010. He continued to be a partner until 30 June 2011. He then changed firm and worked as a consultant from 1 July 2011. Which core programme should he complete on or before 31 October 2011?

On the basis that the solicitor has completed the non-principal's core courses, he should proceed to complete the principal's core courses on or before 31 October 2011. Once he has completed the principal's core courses, even though he changed to a non-principal position as "consultant" later in the practice year, he would not be required to complete the non-principal's core courses then.

2. A solicitor worked as an assistant solicitor in a Hong Kong firm on 1 November 2010. He was promoted to the position of "partner" on 1 July 2011. What would be his RME obligations for the practice year 2010/11?

On the basis that the solicitor has completed the non-principal's core courses, he should proceed to complete the principal's core courses on or before 31 October 2011.

3. A solicitor worked as an assistant solicitor on 1 November 2010. He was promoted to the position of "partner" on 1 October 2011. What would be his RME obligations for the practice year 2010/11?

Since the solicitor has not been a partner for 100 days or more during 2010/11, he is required to complete the non-principal's core courses on or before 31 October 2011.

Trainee Solicitors

4. A trainee solicitor commenced his trainee solicitor contract on 1 July 2008, what would be his RME obligations?

The RME Rules apply to trainee solicitors who commence their first trainee solicitor contract on or after 1 November 2008. If a trainee solicitor commenced his first trainee solicitor contract on 1 July 2008, the RME Rules do not apply

to him. Accordingly, he is not subject to any RME obligations when he is a trainee solicitor. When he works as a solicitor in a Hong Kong firm after his admission as a Hong Kong solicitor, he will be subject to the RME Rules. During the first practice year that the Rules apply to him, he has to complete the non-principal's core courses and then not less than 3 hours of RME electives within every subsequent practice year.

Example 1

5. A trainee solicitor commences his trainee solicitor contract on 1 July 2011. What would be his RME obligations?

His first RME practice year commenced on 1 November 2010 and ends on 31 October 2011. As he has been in training for more than 100 days in the 2010/11 RME practice year, he will be required to complete the trainee solicitor's core courses on or before 31 October 2011.

Example 2

6. A trainee solicitor commences his trainee solicitor contract on 1 September 2011. What would be his RME obligations?

His first RME practice year commenced on 1 November 2010 and ends on 31 October 2011. As there are less than 100 days between 1 September 2011 and 31 October 2011, the first practice year is an exempted practice year and the trainee solicitor will not be required to complete the trainee solicitor's core courses on or before 31 October 2011. However, he must complete the core courses on or before 31 October 2012 and the compulsory first elective by the end of his trainee solicitor contract on 31 August 2013.

Example 3

7. A trainee solicitor commences his trainee solicitor contract on 1 December 2011. What would be his RME obligations?

His first RME practice year commences on 1 November 2011 and will end on 31 October 2012. He will be required to complete the trainee solicitor's core courses on or before 31 October 2012.

His second RME practice year commences on 1 November 2012 and will end on 31 October 2013. He will be required to complete the compulsory first elective for trainee solicitors by 31 October 2013.

He must complete both the core courses and the compulsory first elective as a pre-requisite condition for admission as a Hong Kong solicitor.

Foreign Lawyers

8. A foreign lawyer has all along been working in a foreign law firm. What would be his RME obligations?

The RME Rules apply to registered foreign lawyers practising as such in Hong Kong firms only. They do not apply to foreign lawyers working in foreign firms. Accordingly, a foreign lawyer working in a foreign law firm is not required to complete any RME obligations.

9. A registered foreign lawyer worked in a foreign law firm from April to November 2009 and in December 2010, he left the foreign firm and has since commenced practice in a Hong Kong law firm as a registered foreign lawyer. What would be his RME obligations?

With effect from 1 November 2009, the RME Rules apply to registered foreign lawyers working in Hong Kong firms. If a registered foreign lawyer works in a Hong Kong firm in such capacity for 100 days or more in an RME practice year, he has to complete the core courses for foreign lawyers in the first year that the Rules apply to him and then 3 hours of electives every subsequent practice year that the Rules apply to him.

For the particular foreign lawyer in the question, he needs to complete the core courses for foreign lawyers on or before 31 October 2011. If he continues working in the same capacity in a Hong Kong firm, he will be required to complete not less than 3 hours of RME electives within every subsequent RME practice year that runs from 1 November to 31 October.

10. A foreign lawyer has successfully taken the OLQE and practised as a foreign lawyer in a Hong Kong law firm for more than 100 days in the 2010/2011 RME practice year prior to his admission as a Hong Kong solicitor. What would be his RME obligations?

He must complete the core courses for foreign lawyers on or before 31 October 2011. His obligation to complete the core courses for foreign lawyers on or before 31 October 2011 is exempted on condition that he completes the core courses for non-principal Hong Kong solicitors on or before 31 October 2011 instead, even though he may not have been in practice as a Hong Kong solicitor for more than 100 days by then. Alternatively, if he chooses not to attend the core courses for non-principal Hong Kong solicitors, he must complete the core

courses for foreign lawyers on or before 31 October 2011 even after his admission as a Hong Kong solicitor as the exemption will not be applicable to him.

Structure of the principal's core courses

11. What is the duration of the principal's core courses?

With effect from 1 November 2007, on the basis that the participants have completed the non-principal's core courses, the principal's core courses comprise 4 half-day modules. Each half-day module lasts for about 3½ hours.

12. Do the core modules have to be taken in a specific sequence or with a specific time gap?

Each module will provide a series of seminars and workshops. A case study will be used throughout. The subject matter of each module will address a different aspect of the case study, as well as considering the relevance and impact of earlier modules. It is therefore recommended that the modules be taken in sequence with a gap of not longer than two months between each module.

Structure of the non-principal's core courses

13. What is the duration of the non-principal's core course?

The non-principal's core courses comprise 2 half-day modules. Each half-day module lasts for about 3½ hours.

14. Do the modules have to be taken in sequence?

The non-principal's core courses must be taken in sequence.

Attendance

15. A solicitor required to complete the RME requirements missed part of the last module of the courses. Is he required to take the module again?

A solicitor is deemed to have attended all RME courses to the satisfaction of the Society in compliance with the RME Rules if

- (a) *he has attended all of the RME courses he is required to complete under the RME Rules; and*
 - (b) *for each of those RME courses, he is awarded the CPD points accredited to the course, in accordance with the CPD attendance policy applicable from time to time.*
16. A partner completed the RME Programme in June 2011 and obtained a total of 24 CPD points. In addition, he accumulates 15 CPD points by attendance of a law course (not part of the RME Programme) during the CPD practice year 2010/11. How many CPD points can he carry forward to the next CPD practice year?

The partner has obtained a total of 39 points for the CPD practice year 2010/11. Assuming that the partner's CPD requirement for the CPD practice year 2010/11 is 15 CPD points, after utilising 15 CPD points out of the 39 points to satisfy his CPD requirement for 2010/11, he can carry forward a maximum of 15 CPD points (out of the balance of 24 CPD points) to the next CPD practice year of 2011/2012.

Recognition of other risk management courses / activities

17. A solicitor has attended a risk management course organised by a commercial provider and accredited with CPD points. Can he be exempted from the RME requirements?

Those to whom the RME Rules apply must attend the mandatory RME courses approved by the Society. There will be no exemption from the RME requirements other than under the circumstances specified under rules 8 or 8A of the RME Rules. Accordingly, a solicitor who has attended a risk management course other than the mandatory courses offered or accredited by the Society will not be deemed to have complied with the RME requirements.

18. Is course attendance the only way to satisfy RME obligations?

No, a practitioner may satisfy his RME elective obligations by undertaking accredited RME activities other than course attendance. It includes writing dissertation, articles and books, doing legal research and participation in approved committees provided that the activity has been accredited as an RME elective by the Law Society.

Carry over

19. A partner of a Hong Kong firm has completed the core programme for principals in 2009/10. He has not done any RME courses in 2010/11. What would be his RME obligations for the practice year 2011/12?

Since he has not completed at least 3 hours of RME electives in 2010/11, he is required to complete not less than 6 hours of RME electives on or before 31 October 2012.

20. A partner of a Hong Kong firm has completed the core programme for principals in 2009/10. He has completed 2 courses of RME electives (8 CPD points) during 2010/11. What would be his RME obligations for the practice year 2011/12?

The solicitor is only required to complete not less than 3 hours of RME electives each year. Since he has completed 2 courses of RME electives and obtained 8 CPD points during 2010/11, he could use 3 out of the 8 CPD points to fulfill his RME elective obligations for 2010/11 and carry forward 3 out of the 5 excess CPD points he obtained from attending RME electives to satisfy his RME obligations for the following practice year of 2011/12. Accordingly, in 2011/12, he is not required to take any more RME electives.

G. APPENDICES

LEGAL PRACTITIONERS (RISK MANAGEMENT EDUCATION) RULES

ARRANGEMENT OF SECTIONS

Section

1. Commencement
2. Interpretation
3. Application
4. Risk Management Education Programme
5. Attendance requirement in respect of general core course
6. Attendance requirement in respect of principal's core course
7. Attendance requirement in respect of elective course
8. Exempted practice year
- 8A. Society may grant exemption
9. Record of attendance
10. Review

Related Amendment

11. Section added
 - 6A. Compliance with Legal Practitioners (Risk Management Education) Rules
12. Transitional

1. Commencement

- (1) These Rules (other than section 11) shall come into operation on 14 March 2003.
- (2) Section 11 shall come into operation on a day* to be appointed by the President of The Law Society of Hong Kong by notice published in the Gazette.

2. Interpretation

- (1) In these Rules, unless the context otherwise requires —

“elective course” (選修課程) means an RME course specified as such under section 4(3)(c)(iii);

“exempted practice year” (獲豁免執業年度) has the meaning assigned to it in section 8(1);

“first practice year” (首個執業年度), in relation to a person to whom these Rules apply, means the practice year in which these Rules first apply to him;

“foreign lawyer” (外地律師) means a person registered as a foreign lawyer under Part IIIA of the Ordinance and is practising as such in a Hong Kong firm;

“general core course” (一般必修課程) means an RME course specified as such under section 4(3)(c)(i);

“practice year” (執業年度) means the period of 12 months ending on 31 October each year;

“principal” (主管) means —

- (a) a solicitor who is carrying on a business of practising as such in his own name in Hong Kong;
- (b) a solicitor who is practising as the sole practitioner or a partner of a Hong Kong firm; or
- (c) any other solicitor who is held out or holds himself out to be a person referred to in paragraph (a) or (b);

“principal’s core course” (主管必修課程) means an RME course specified as such under section 4(3)(c)(ii);

Note:

* 1 November 2009 (See L.N. 164 of 2009)

Legal Practitioners (Risk Management Education) Rules

“Programme” (計劃) means the Risk Management Education Programme described in section 4(1) and (2);

“risk management” (風險管理) means any action or plan of action the objective of which is to minimise the risk of a person’s exposure to claims against him in the course of his professional practice and to reduce the extent of loss which may arise from such claims;

“RME course” (風險管理課程) means any workshop, lecture, seminar, course, programme of instruction or any other activity conducted —

- (a) under section 4(3)(a);
- (b) with an authorisation given under section 4(3)(b)(i); or
- (c) with an approval given under section 4(3)(b)(ii);

“solicitor” (律師) means a person who is qualified to practise as a solicitor under section 7 of the Ordinance and is carrying on the business of practising as such in his own name in Hong Kong or practising as such in a Hong Kong firm;

“trainee solicitor” (實習律師) has the meaning assigned to it in rule 2 of the Trainee Solicitors Rules (Cap. 159 sub. leg.).

- (2) In sections 5, 6 and 7, a requirement to complete any RME course shall be construed as a requirement to complete the RME course to the satisfaction of the Society.

3. Application

These Rules apply to any solicitor, trainee solicitor and foreign lawyer.

4. Risk Management Education Programme

- (1) The Society shall implement a programme of training on risk management known as the Risk Management Education Programme.
- (2) The Programme shall consist of general core courses, principal’s core courses and elective courses.
- (3) The Society may, for the purposes of the Programme —
 - (a) conduct any course on risk management;
 - (b) subject to such conditions as it considers necessary —

Legal Practitioners (Risk Management Education) Rules

- (i) authorise another person or organisation to conduct any course on risk management; or
- (ii) approve any course on risk management conducted by another person or organisation;
- (c) specify any RME course to be —
 - (i) a general core course;
 - (ii) a principal's core course; or
 - (iii) an elective course;
- (d) provide guidelines from time to time as to the implementation of the Programme and compliance with these Rules, including guidelines setting out matters it proposes to have regard to in determining whether a person has completed an RME course to the satisfaction of the Society.

5. Requirement to complete general core course

- (1) A person who becomes a solicitor, a trainee solicitor or a foreign lawyer shall, within the practice year specified in subsection (2), complete all general core courses.
- (2) The practice year specified for the purposes of subsection (1) is —
 - (a) the first practice year of the solicitor, trainee solicitor or foreign lawyer; or
 - (b) if the practice year referred to in paragraph (a) is an exempted practice year, the first succeeding practice year which is not an exempted practice year.
- (3) Subsection (1) does not apply to any person who, during the practice year within which he would otherwise be required under that subsection to complete all general core courses, is also required under section 6 to complete all principal's core courses.
- (4) Subsection (1) does not apply to any person who has previously completed all general core courses or all principal's core courses.

6. Requirement to complete principal's core course

- (1) A solicitor who becomes a principal shall, within the practice year specified in subsection (2), complete all principal's core courses.

- (2) The practice year specified for the purposes of subsection (1) is —
- (a) the principal's first practice year;
 - (b) the practice year in which he first becomes a principal; or
 - (c) if the practice year referred to in paragraph (a) or (b) is —
 - (i) an exempted practice year; or
 - (ii) a practice year during which he is a principal for less than 100 days,

the first succeeding practice year which is not an exempted practice year and during which he is a principal for 100 days or more.

7. Requirement to complete elective course

- (1) A person to whom these Rules apply shall, within each practice year other than a practice year specified in subsection (3), complete at least 3 hours of elective courses.
- (2) Where a solicitor or a foreign lawyer fails to comply with subsection (1) in any practice year, he shall, within that practice year and the first succeeding practice year which is not a practice year specified in subsection (3), complete at least 6 hours of elective courses.
- (3) The practice year specified for the purposes of subsections (1) and (2) is —
- (a) an exempted practice year. or
 - (b) a practice year within which the person concerned is required under these Rules to complete all general core courses or all principal's core courses.

8. Exempted practice year

- (1) For the purposes of these Rules, an exempted practice year, in relation to any person to whom these Rules apply, is any practice year in which —
- (a) the total period for which these Rules apply to him consists of less than 100 days; or
 - (b) he has been —
 - (i) out of Hong Kong; or

(ii) absent from work due to illness,

for a continuous period which constitutes 75% or more of the total period for which these Rules apply to him.

- (2) Where a person to whom these Rules apply asserts that any practice year is an exempted practice year in relation to him, he shall, if so requested by the Society, make a statutory declaration of the facts upon which he makes the assertion.

8A. Society may grant exemption

- (1) The Society may exempt a person to whom these Rules apply from the requirements under section 5, 6 or 7 wholly or partially in a particular practice year or such longer period as the Society decides.
- (2) An exemption may be granted –
- (a) on an application in writing of a person to whom these Rules apply; or
- (b) on the Society's own motion.
- (3) No exemption shall be granted unless the Society is satisfied that it is fair and reasonable in the circumstances of the case to grant the exemption.
- (4) The Society may attach such conditions as it considers necessary to an exemption.

9. Record of completion of RME course

- (1) A person to whom these Rules apply shall —
- (a) keep and retain a record of his completion of any RME course in a form specified by the Society; and
- (b) at the request of the Society —
- (i) produce to the Society the record referred to in paragraph (a);
- (ii) furnish the Society with such information relating to his completion of any RME course within such time and in such manner as may be specified by it; and
- (iii) attend before the Council and furnish the Council with such additional information relating to his completion of any RME course as the Council considers necessary.

- (2) Any person or organisation (other than the Society) conducting an RME course shall keep and retain a record of completion of the participants of the RME course in accordance with the guidelines provided by the Society under section 4(3)(d) concerning the keeping and retaining of such record.
- (3) The Society may require the person or organisation concerned to produce the record of completion of the participants referred to in subsection (2) within 7 days from the completion of the RME course concerned.

10. Review

- (1) Any person aggrieved by a decision made by or on behalf of the Society in respect of the Programme may apply in writing to the Council, or to such committee formed under the Council as may be appointed by the Council for the purposes of this section, for a review of the decision within 1 month after he is informed of the decision.
- (2) The Council, or the committee referred to in subsection (1), shall consider an application made under that subsection and may confirm or vary the decision to which the application relates.

Related Amendment

Foreign Lawyers Registration Rules

11. Section added

The Foreign Lawyers Registration Rules (Cap. 159 sub.leg.) are amended by adding —

“6A. Compliance with Legal Practitioners (Risk Management Education) Rules

A certificate of registration as a foreign lawyer is subject to the condition that during any period for which the foreign lawyer is employed by a Hong Kong firm to practise foreign law, he shall comply with the Legal Practitioners (Risk Management Education) Rules (L.N. 248 of 2002).”

12. Transitional

- (1) Despite the definition of "first practice year" in section 2(1), in relation to a solicitor —
 - (a) who was admitted as a solicitor of the High Court on or after 15 September 1990; and
 - (b) who is a principal, or who was a principal on or after 14 March 2003,his first practice year shall end on a date* appointed by the Council by notice published in the Gazette.
- (2) In relation to any solicitor other than a solicitor mentioned in subsection (1), or to any trainee solicitor or foreign lawyer, these Rules shall not take effect until such date[#] as the Council may appoint by notice published in the Gazette.
- (3) A notice published under subsection (2) may appoint different dates for different classes of persons.
- (4) Despite the definition of "practice year" in section 2(1), in relation to a solicitor whose first practice year ends on 31 December 2005 pursuant to a notice under subsection (1), his next practice year shall commence on 1 January 2006 and end on 31 October 2006.

Note:

*** 31 December 2005 - see L.N. 153 of 2005.**

1 November 2005 - in relation to a solicitor who is a principal and who was admitted as a solicitor of the High Court before 15 September 1990 (see L.N. 154 of 2005).

1 November 2006 - in relation to a solicitor who is not a principal and who was admitted as a solicitor of the High Court before 1 January 2001 (see L. N. 187 of 2006).

1 November 2007 - in relation to a solicitor who is not a principal and who was admitted as a solicitor of the High Court on or after 1 January 2001 (see L.N. 174 of 2007).

1 November 2008 - in relation to a trainee solicitor whose first trainee solicitor contract commences on or after 1 November 2008 (see L.N. 212 of 2008).

1 November 2009 – in relation to a foreign lawyer (see L.N. 165 of 2009).

**Sample form of CPD / RME training record
with the reference to risk management courses**

**CPD / RME TRAINING RECORD
1 NOVEMBER 2014 TO 31 OCTOBER 2015**

Name * : _____ Firm: _____

For Solicitors : Commencement date of 2014 practising certificate: _____

Commencement date of 2015 practising certificate: _____

For Trainee Solicitors : Trainee solicitor contract:

Commencement date: _____ Expiry date: _____

For Foreign Lawyers : Commencement date of Registration Certificate: _____

* As stated on the practising certificate or trainee solicitor contract.

RME Course Attendances

Date	Accredited Course Name	Duration of Course	Accredited Course Provider	CPD Points Claimed
Total CPD Points				

CPD Course Attendances

Date	Accredited Course Name	Duration of Course	Accredited Course Provider	CPD Points Claimed
Total CPD Points				

CPD Courses in Mediation Training

Date	Accredited Course Name	Duration of Course	Accredited Course Provider	CPD Points in mediation training
Total CPD Points				

Course Preparations, Presentations and Facilitation

Date	Accredited Course Name and Title of Presentation (Indicate if it is also RME accredited)	Duration of Preparation/Presentation/ Facilitation	Accredited Course Provider	CPD Points Claimed
Total CPD Points				

Distance Learning Courses

Accredited Course Name (Indicate if it is also RME accredited)	Hour(s) / Date(s) of Study / Examination	Accredited Course Provider	CPD Points Claimed
Total CPD Points			

Law Courses

Accredited Course Name (Indicate if it is also RME accredited)	Course Date(s)	Course Provider	CPD Points Claimed
Total CPD Points			

Writing Articles and Books or Production of Dissertations

Date of Publication	Title of Work Published or Dissertation (Indicate if it is also RME accredited)	No. of Words	Approved Legal Publication/Approved Qualification	CPD Points Claimed
Total CPD Points				

Legal Research

Date(s) of Research	Title of Precedent, Practice Note, Guidance or Submission (Indicate if it is also RME accredited)	Duration of Research Claimed	CPD Points Approved by the Society
Total CPD Points			

The Law Society of Hong Kong
Participation in Committees / Working Parties / Associations / Legislative Council

Name of Committee / Working Party / Association / Legislative Council (Indicate if it is also RME accredited)	Date(s) and Duration of Participation	CPD Points Approved by the Society
Total CPD Points		

External Examiner/Assessor Work and Participation as a Judge in a Moot Court Competition

Name of Examination	Date(s) and Duration of Work	CPD Points Approved by the Society
Total CPD Points		

Participation in other Legal Training Activities

Activity	Date and Duration of Activity	CPD Points Approved by the Society
Total CPD Points		

Coaching

Participating in Coaching Sessions * as a coach / as a practitioner being coached (* please indicate in which capacity you participated in each coaching session)	Date (s) and Duration of Coaching Session(s)	CPD Points Claimed
Total CPD Points		

(a) Number of CPD points obtained in 2014/15 : _____ CPD points

(b) Number of CPD points carried over from the preceding practice year *(If any of the CPD points recorded in the Training Record involve CPD points carried over from the preceding CPD practice years, the Training Records for all relevant years should be attached.)* : _____ CPD points

(c) Total of (a) + (b) : _____ CPD points

Sample form of statement of compliance

The Law Society of Hong Kong

Statement of Compliance with CPD and RME Requirements – Solicitors

-
- Notes: (1) This form must be completed and returned with your application for a 2015 practising certificate.
- (2) Please enclose copies of all correspondence from the Law Society relating to suspension / exemption from the operation of the CPD Scheme and/or RME Programme.
- (3) Both Parts 1 and 2 of this Statement must be completed and returned with your application for the 2015 practising certificate.
-

During the preceding practice year ended 31 October _____,

Part 1 – Compliance with CPD requirements

- ☐ 1. I was required to accumulate _____ CPD points and I have accumulated not less than _____ CPD points.
- ☐ 2. I was granted suspension or exemption from the operation of the CPD Scheme (the letter from the Law Society granting me the suspension or exemption is attached).

Part 2 – Compliance with RME requirements

- ☐ 3. I was required to complete and completed:
- ☐ (a) the RME core programme for principals;
- ☐ (b) the RME core programme for non-principals;
- ☐ (c) the RME core programme for registered foreign lawyers;
- ☐ (d) not less than 3 hours of RME electives; or not less than 6 hours of RME electives as I did not complete 3 hours of RME electives in the RME practice year immediately before the preceding RME practice year which is not an exempted practice year.
- ☐ 4. I was required to complete not less than 3 hours of RME electives but did not do so, and I note the requirement to complete not less than 6 hours of RME electives in the succeeding RME practice year which is not an exempted practice year.

please tick the appropriate box

- ☐ 5. I was not required to complete any RME requirements as a result of the exemption in rule 8 of the Legal Practitioners (Risk Management Education) Rules Cap.159Z (“Rules”) because:
- The total period for which the Rules applied to me consisted of less than 100 days; or
 - I had been out of Hong Kong / absent from work due to illness for a continuous period which constituted 75% or more of the total period for which the Rules applied to me.
- ☐ 6. I was not required to complete any RME requirements on the basis of an exemption granted to me under rule 8A of the Rules. (The letter from the Law Society granting me the exemption is attached).
- ☐ 7. The Rules were not applicable to me.

please tick the appropriate box

Name of Solicitor: _____
(printed name as stated on practising certificate)

Solicitor Number: _____ Signature of Solicitor: _____

E-mail address: _____

Daytime contact telephone no.: _____ Date: _____

WARNING: A false or incorrect statement may constitute professional misconduct and may lead to disciplinary actions

Personal Information Collection Statement

1. Your personal data collected using this form (“the data”) will be used by the Law Society for the purposes of exercising its powers under the Legal Practitioners Ordinance and its subsidiary legislation (Chapter 159) and administering or enforcing the relevant provisions of the said Ordinance and its subsidiary legislation, and for any other legitimate purposes as may be required, authorized or permitted by law.
2. The data may be disclosed to relevant government departments and related organizations and to persons in the Law Society with responsibility for carrying out the purposes mentioned in paragraph 1 above.
3. You have a 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.

Appendix IV

THE LAW SOCIETY OF HONG KONG DEPARTMENT OF STANDARDS AND DEVELOPMENT

APPLICATION FOR ACCREDITATION OF RISK MANAGEMENT EDUCATION CORE PROGRAMME FOR PRINCIPALS

<div style="border: 1px solid black; height: 80px; width: 100%;"></div> <p>Application Date</p>	<p>Tel:</p> <p>Fax:</p> <p>Email:</p> <p>Tel, Fax and Email of Applicant</p>	<p style="text-align: center;">FOR OFFICE USE</p> <p>Action taken on application:</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <input type="checkbox"/> Approved: credited with ____ CPD points </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <input type="checkbox"/> Accreditation denied, no CPD credit is granted </div> <div style="border: 1px solid black; height: 50px; width: 100%;"></div> <p>Comments (see attached):</p>
<p>1. Name and address of Applicant (person completing the form)</p> <div style="border: 1px solid black; height: 50px; width: 100%;"></div>		
<p>2. Name of firm</p> <div style="border: 1px solid black; height: 60px; width: 100%;"></div>		
<p>3. Title of educational activity</p> <p>RISK MANAGEMENT</p> <p>* Category :</p> <p>* Code :</p> <p>Level:</p> <p>Language (Medium of Instructions) : English</p>	<p>4. Date and location of course</p> <div style="border: 1px solid black; height: 120px; width: 100%;"></div>	
<p>5. Application Fee (attached, if applicable)</p> <div style="text-align: right;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div>		
<p>6. Name, professional/educational background, practical / teaching experience, relevant experience in risk management issues (if any) and current employment of tutor(s) (short C.V.'s may be submitted in lieu of description)</p> <div style="border: 1px solid black; height: 60px; width: 100%;"></div>		
<p>7. Please provide a complete description of all materials to be distributed to participants</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div> <input type="checkbox"/> Looseleaf <input type="checkbox"/> Bound <input type="checkbox"/> Typewritten <input type="checkbox"/> Typeset </div> <div> Total Pages (estimated) _____ </div> </div>		
<p>8. Description of physical facilities (check all that apply)</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div> <input type="checkbox"/> Classroom Seating <input type="checkbox"/> Theatre Seating </div> <div> <input type="checkbox"/> Writing Surface available <input type="checkbox"/> Other – describe: </div> </div>		

9. Target Audience:	10. Estimated Number of Participants:
---------------------	---------------------------------------

11. Method of evaluation of programme (check all that apply)

☐ Participant critique (Law Society form) ☐ Independent evaluation form ☐ Other – describe:

12. Has a course or any part of a course of a similar nature been offered and accredited as an RME course before? ☐ Yes ☐ No

If yes, please indicate title, dates and sponsoring agency _____.

If yes, please indicate no. of any CPD points awarded _____.

Were the same tutors used? ☐ Yes ☐ No

If no, list new presenter(s) _____.

13. I have reviewed the criteria for accreditation and made them known to each of the tutors.

☐ Yes ☐ No

OUTLINE OF COURSE PRESENTATION

Please also provide detailed outline of course on reverse side, and attach programme agenda / brochure.

14.	Time during which each segment will be offered	Subject content of each segment	Presenter(s)	Teaching technique used in each segment	Total amount of time devoted to each segment
Registration fee to be charged your registrants in HK dollars: \$				Total hours (excl. breaks)	

15. In consideration of the Law Society accrediting this course, the sponsoring organisation agrees (1) to meet the criteria for RME and CPD accreditation, (2) to offer the course materially in the way presented in this application, (3) to allow the Law Society of Hong Kong, a member thereof or such other person(s) as it shall designate, to attend, audit and view the programme, (4) to submit promptly to the Law Society all materials and information relating to its provision of the course upon request, and (5) to transmit an evaluation summary to the Department of Standards and Development of the Law Society by email within **seven (7) days** following the completion of the course, as detailed in this form.

Signature of applicant for and on

Behalf of the firm: _____

Printed Name of Applicant: _____

Title of Applicant: _____ Date: _____

**THE LAW SOCIETY OF HONG KONG
DEPARTMENT OF STANDARDS AND DEVELOPMENT**

APPLICATION FOR ACCREDITATION OF RISK MANAGEMENT EDUCATION CORE PROGRAMME FOR NON-PRINCIPALS

<div style="border: 1px solid black; height: 80px; width: 100%;"></div> <p>Application Date</p>	<p>Tel:</p> <p>Fax:</p> <p>Email:</p> <p>Tel, Fax and Email of Applicant</p>	<p style="text-align: center;">FOR OFFICE USE</p> <p>Action taken on application:</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <input type="checkbox"/> Approved: credited with ____ CPD points </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <input type="checkbox"/> Accreditation denied, no CPD credit is granted </div> <div style="border: 1px solid black; height: 50px; width: 100%;"></div> <p>Comments (see attached):</p>
<p>1. Name and address of Applicant (person completing the form)</p> <div style="border: 1px solid black; height: 60px; width: 100%;"></div>		
<p>2. Name of firm</p> <div style="border: 1px solid black; height: 60px; width: 100%;"></div>		
<p>3. Title of educational activity</p> <p>RISK MANAGEMENT</p> <p>* Category :</p> <p>* Code :</p> <p>Level:</p> <p>Language (Medium of Instructions) :</p>	<p>4. Date and location of course</p> <div style="border: 1px solid black; height: 120px; width: 100%;"></div>	
<p>5. Application Fee (attached, if applicable)</p> <div style="text-align: center; margin-top: 10px;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div>		
<p>6. Name, professional/educational background, practical / teaching experience, relevant experience in risk management issues (if any) and current employment of tutor(s) (short C.V.'s may be submitted in lieu of description)</p> <div style="border: 1px solid black; height: 60px; width: 100%;"></div>		
<p>7. Please provide a complete description of all materials to be distributed to participants</p> <div style="display: flex; justify-content: space-between; align-items: flex-start; margin-top: 10px;"> <div> <input type="checkbox"/> Looseleaf <input type="checkbox"/> Bound <input type="checkbox"/> Typewritten <input type="checkbox"/> Typeset </div> <div> Total Pages (estimated) _____ </div> </div>		
<p>8. Description of physical facilities (check all that apply)</p> <div style="display: flex; justify-content: space-between; align-items: flex-start; margin-top: 10px;"> <div> <input type="checkbox"/> Classroom Seating </div> <div> <input type="checkbox"/> Theatre Seating </div> <div> <input type="checkbox"/> Writing Surface available </div> <div> <input type="checkbox"/> Other – describe: </div> </div>		
<p>9. Target Audience:</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div>	<p>10. Estimated Number of Participants:</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div>	

11. Method of evaluation of programme (check all that apply)

☐ Participant critique
(Law Society form)

☐ Independent evaluation form

☐ Other – describe:

12. Has a course or any part of a course of a similar nature been offered and accredited as an RME course before? ☐ Yes ☐ No

If yes, please indicate title, dates and sponsoring agency _____.

If yes, please indicate no. of any CPD points awarded _____.

Were the same tutors used? ☐ Yes ☐ No

If no, list new presenter(s) _____.

13. I have reviewed the criteria for accreditation and made them known to each of the tutors.

☐ Yes☐ No

OUTLINE OF COURSE PRESENTATION

Please also provide detailed outline of course on reverse side, and attach programme agenda / brochure.

- | | | | | | |
|---|--|---------------------------------|--------------|---|--|
| 14. | Time during which each segment will be offered | Subject content of each segment | Presenter(s) | Teaching technique used in each segment | Total amount of time devoted to each segment |
| | | | | | |
| Registration fee to be charged your registrants in HK dollars: \$ | | | | Total hours (excl. breaks) | |

The Law Society of Hong Kong

15. In consideration of the Law Society accrediting this course, the sponsoring organisation agrees (1) to meet the criteria for RME and CPD accreditation, (2) to offer the course materially in the way presented in this application, (3) to allow the Law Society of Hong Kong, a member thereof or such other person(s) as it shall designate, to attend, audit and view the programme, (4) to submit promptly to the Law Society all materials and information relating to its provision of the course upon request, and (5) to transmit an evaluation summary to the Department of Standards and Development of the Law Society by email within **seven (7) days** following the completion of the course, as detailed in this form

Signature of applicant for and on

Behalf of the firm: _____

Printed Name of Applicant: _____

Title of Applicant: _____ Date: _____

**THE LAW SOCIETY OF HONG KONG
DEPARTMENT OF STANDARDS AND DEVELOPMENT**

APPLICATION FOR ACCREDITATION OF RISK MANAGEMENT EDUCATION ELECTIVE COURSE

<div style="border: 1px solid black; height: 80px; width: 100%;"></div> <p>Application Date</p>	<p>Tel:</p> <p>Fax:</p> <p>Email:</p> <p>Tel, Fax and Email of Applicant</p>	<p style="text-align: center;">FOR OFFICE USE</p> <p>Action taken on application:</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <input type="checkbox"/> Approved: credited with ___ CPD points </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <input type="checkbox"/> Accreditation denied, no CPD credit is granted </div> <div style="border: 1px solid black; padding: 5px; min-height: 40px;"> <p>Comments (see attached):</p> </div>
<p>1. Name and address of Applicant (person completing the form)</p> <div style="border: 1px solid black; height: 50px; width: 100%;"></div>	<p>4. Date and location of course</p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div>	
<p>2. Name of firm</p> <div style="border: 1px solid black; height: 60px; width: 100%;"></div>		
<p>3. Title of educational activity</p> <p>RISK MANAGEMENT</p> <p>* Category :</p> <p>* Code :</p> <p>Level:</p> <p>Language (Medium of Instructions) :</p>	<p>5. Application Fee (attached, if applicable)</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div>	
<p>6. Name, professional / educational background, practical / teaching experience, relevant experience in risk management issues (if any) and current employment of tutor(s) (short C.V.'s may be submitted in lieu of description)</p> <div style="border: 1px solid black; height: 50px; width: 100%;"></div>		
<p>7. Please provide a complete description of all materials to be distributed to participants</p> <div style="display: flex; align-items: center; gap: 10px;"> <input type="checkbox"/> Looseleaf <input type="checkbox"/> Bound <input type="checkbox"/> Typewritten <input type="checkbox"/> Typeset <div style="flex-grow: 1;">Total Pages (estimated) _____</div> </div>	<p>8. Description of physical facilities (check all that apply)</p> <div style="display: flex; align-items: center; gap: 10px;"> <input type="checkbox"/> Classroom Seating <input type="checkbox"/> Theatre Seating <input type="checkbox"/> Writing Surface available <div style="flex-grow: 1;"><input type="checkbox"/> Other – describe:</div> </div>	
<p>9. Target Audience:</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div>		
<p>10. Estimated Number of Participants:</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div>		

11. Method of evaluation of programme (check all that apply)

☐ Participant critique
(Law Society form)

☐ Independent evaluation form

☐ Other – describe:

12. Has a course or any part of a course of a similar nature been offered and accredited as an RME course before? Yes ☐ No ☐

If yes, please indicate title, dates and sponsoring agency _____.

If yes, please indicate no. of any CPD points awarded _____.

Were the same tutors used? ☐ Yes ☐ No

If no, list new presenter(s) _____

13. I have reviewed the criteria for accreditation and made them known to each of the tutors.

☐ Yes☐ No

OUTLINE OF COURSE PRESENTATION

Please also provide detailed outline of course on reverse side, and attach programme agenda / brochure.

- | | | | | | |
|---|--|---------------------------------|--------------|---|--|
| 14. | Time during which each segment will be offered | Subject content of each segment | Presenter(s) | Teaching technique used in each segment | Total amount of time devoted to each segment |
| | | | | | |
| Registration fee to be charged your registrants in HK dollars: \$ | | | | Total hours (excl. breaks) | |

The Law Society of Hong Kong

15. For Computer-based courses only:
- (Please refer to guideline 7 of the 2008 Mandatory CPD Information Package for details)
- I also provide the following to the Law Society in support of my application:
- A copy of the course material;
 - Log in I.D. and password or other means for access to the course on-line in order that the Law Society can monitor the course;
 - Evidence of the verification procedures which verify that a participant has completed the computer-based course in full and has done so with a demonstrable and satisfactory degree of comprehension;
 - Means for access by the Law Society to the on-line record verifying that a participant has satisfied the requirements set out in guideline 7.2 of the 2008 Mandatory CPD Information Package; and
 - Details of the technical support services available to the participants.
16. Enhanced CPD points
- For the development of practical skills, courses requiring delegates' active participation, for example through workshops, will be more effective than more traditional lecture-based courses.
- Where at least 1/3 of the tuition time is spent in such small group work, participants may add 25% to the actual time of the course. For example, a 4-hour workshop comprising 2 hours of small group work qualifies for 1 additional CPD point giving a total of 5 CPD points.
- Please refer to Guideline 4.9 of the 2008 Mandatory CPD Information Package.
17. In consideration of the Law Society accrediting this course, the sponsoring organisation agrees (1) to meet the criteria for RME and CPD accreditation, (2) to offer the course materially in the way presented in this application, (3) to allow the Law Society of Hong Kong, a member thereof or such other person(s) as it shall designate, to attend, audit and view the programme, (4) to submit promptly to the Law Society all materials and information relating to its provision of the course upon request, and (5) to transmit an evaluation summary to the Department of Standards and Development of the Law Society by email within **seven (7) days** following the completion of the course, as detailed in this form.
- Signature of applicant for and on behalf of the firm: _____
- Printed Name of Applicant: _____
- Title of Applicant: _____ Date: _____

APPROVED COMMITTEES / WORKING PARTIES / ASSOCIATIONS
OF THE SOCIETY

(Reference: Guideline 3(E) on page 28)

- Anti-Money Laundering Committee
- Consents Committee
- Council
- Guidance Committee
- Guidance Sub-Committee to Review Rule 5AA of the Solicitors' Practice Rules
- Guide Working Party
- Hong Kong Solicitors Indemnity Fund Ltd.
- PIS Claims Committee
- Practice Management Committee
- Professional Indemnity Advisory Committee
- Risk Management Education ("RME") Committee
- RME Accreditation Sub-Committee
- Standing Committee on Compliance
- Standing Committee on Standards and Development
- Technology Committee