

LEGAL TALENT RECRUITMENT SCHEME (TRAINEE SOLICITORS) ("Scheme")

Guidance Notes for Applications

I. Objectives

1. To relieve the unemployment situation as a result of the epidemic and the anti-epidemic measures, the Government has earmarked funding under the Anti-epidemic Fund to create around 30,000 time-limited jobs in the public and private sectors within two years for people of different skill sets and academic qualifications. In particular, as an international legal hub and centre for dispute resolution services, coupled with the recent implementation of liberalisation measures for legal professional services in the Greater Bay Area, there is a need for Hong Kong to nurture more legal talents.
2. Under the Legal Talent Recruitment Scheme (Trainee Solicitors) (referred to as the “Scheme”), the Government will provide Subsidy to Eligible Applicants to create new job openings for trainee solicitors (“the Objective”) who will undertake job duties in accordance with the standard trainee solicitor contract prescribed by the Law Society.

3. For the purpose of applications under the Scheme,

“Application Period” means the period commencing from 5 July 2021 to 28 January 2022 (extended deadline) (both dates inclusive), subject to any further extension as agreed between the Law Society and the Government.

“Eligible Applicant” has the meaning given to the term in this Guidance Notes.

“Subsidy” means a monthly salary subsidy of HK\$6,800 for a maximum of 12 months for each newly created job opening of a trainee solicitor.

II. Eligibility of law firms

4. The Applicant Firm must be one:
 - (a) which operates a physical office in Hong Kong;
 - (b) which is properly registered with the Law Society as a Hong Kong law firm;
 - (c) which has, during the Application Period, entered into a trainee solicitor contract of two years with a trainee solicitor, with the date of the commencement of the trainee solicitor contract (as confirmed by the Law Society) falling within the Application Period; and
 - (d) whose practice areas and development strategy align with the direction set out in the "Outline of the 14th Five-Year Plan for National Economic and Social Development

of the People's Republic of China and the Long-Range Objectives Through the Year 2035" with respect to Hong Kong (i.e. legal services that support Hong Kong's development as an international financial, transportation and trade centre, as a centre for international legal and dispute resolution services in the Asia-Pacific region and as an international aviation hub; legal service co-operation with the Mainland counterparts, in particular in the Greater Bay Area).

(hereinafter referred to as the "Eligible Applicant")

5. Each Eligible Applicant can only submit one application for the Subsidy to the Law Society, notwithstanding the relevant trainee solicitor contract may have been terminated within the first 12 months. The maximum amount of Subsidy which any Eligible Applicant may receive in respect of the same trainee solicitor under the Fund shall not exceed HK\$81,600 (i.e. monthly salary subsidy of HK\$6,800 x 12 months).

III. Definition of new job opening

6. The application for Subsidy must be for a new job, i.e. a new headcount. It will be considered a new headcount if the Applicant Firm has, during the Application Period of 5 July 2021 to 28 January 2022 (extended deadline) (both dates inclusive), entered into a trainee solicitor contract of two years with a trainee solicitor with the date of commencement of the trainee solicitor contract (as confirmed by the Law Society) falling within the Application Period.
7. For the purpose of processing the application and payment of Subsidy, the commencement date of the trainee solicitor contract shall be the one confirmed by the Registration Section of the Law Society.
8. The new job opening must be for a trainee solicitor. The job duties of a trainee solicitor shall be in accordance with the standard trainee solicitor contract prescribed by the Law Society.

IV. Eligibility of candidates (new trainee solicitor)

9. Candidates for the new job opening must:
 - (a) be a resident of Hong Kong holding a Hong Kong identity card;
 - (b) satisfy all the requirements relating to the registration of their trainee solicitor contracts with the Law Society.
10. The recruitment exercise must be conducted in compliance with the Law Society's Code of Good Practice in the Recruitment of Trainee Solicitors (Appendix 1). Non-compliance shall render the application unsuccessful.
11. Candidates who are immediate family members of the sole proprietor/any partner/the existing staff of an Applicant Firm are NOT eligible.

12. Candidates receiving other job subsidies provided by other government funding programmes will NOT be eligible.

V. Application procedures

13. The Scheme is open for application from 5 July 2021 to 28 January 2022 (extended deadline) (both dates inclusive), subject to any further extension as agreed between the Law Society and the Government.
14. The original completed Application Form together with the supporting documents (refer to Checklist in the Application Form) should be submitted to the Law Society marked **to the attention of the "Member Services Department - Legal Talent Recruitment Scheme (Trainee Solicitors)"** by hand or post during office hours within the Application Period. Submission by email or fax will NOT be accepted.

Note: The original trainee solicitor contract together with the required documents for the purpose of Registration of a Trainee Solicitor Contract with the Law Society should be produced to the "Registration Section" directly for registration (see Information Package for Trainee Solicitors). No internal transfer of papers will be arranged.

15. Any Application Form submitted with documents not related to the application and/or addressed to a different department of the Law Society may result in delay in the processing of the application.
16. Applications are handled on a rolling basis (with the total number of new job openings capped at 130). Applicant Firms are advised to obtain a date chop on the Application Form from the Law Society reception as proof of service.
17. Only applications with full supporting documents will be processed. The date of receipt of the application shall be the date when the complete set of documents are received.
18. The Law Society reserves the right to seek additional information from the Applicant Firm where necessary. The application will be considered withdrawn if the information/clarification requested by the Law Society is not provided within 14 days of the request, unless a time extension in writing is granted.
19. Final approval is subject to the successful registration of the candidate's trainee solicitor contract with the Law Society. Applicant Firms will be informed of the outcome of their applications in writing thereafter.

VI. Payment

20. The Subsidy will be made by way of 2 half-yearly instalments in the form of reimbursement to a successful Applicant Firm upon production of proof of salary disbursement and MPF records of the relevant employee.

21. Payment will be made by way of cheque(s) made payable in the English name of the Applicant Firm as stated in the Application Form.
22. The Subsidy will only cover basic salary paid to the relevant employee in accordance with the employment contract and provisions of the Employment Ordinance where applicable and shall not be used to cover any other expenses such as MPF or allowances.
23. The payment is on a reimbursement basis. Should the employment contract be terminated for whatever reasons prior to the expiry of the approved subsidy period, the Subsidy approval will immediately lapse upon the termination of the contract. Where the Law Society becomes aware that any trainee solicitor contract to which the Subsidy relates is terminated within the first 12 months, the Law Society shall cease to pay any Subsidy from the date of termination to the Applicant Firm concerned. Any payment of the Subsidy for an incomplete month shall be calculated on a pro-rata basis with reference to the total number of days in the relevant month.
24. Notwithstanding the Subsidy, the employer and employee relationship is one between the Applicant Firm as employer and the successful candidate as employee, governed by the Employment Ordinance and the relevant employment contracts. In the event that the Scheme has to be terminated, the termination shall have no bearing on the employer and employee relationship between the Applicant Firm and the successful candidate and the Applicant Firm will have to pay the salary to the trainee solicitor in accordance with the trainee solicitor contract without any recourse to the Government/the Law Society.

VII. Reporting and Disclosure

25. The Law Society will be required to report to the Government on the details of disbursements made under the Scheme from time to time.
26. While information provided by the Applicant Firms in connection with their applications will be kept in confidence and all personal data will be handled in accordance with the relevant provisions of the Personal Data (Privacy) Ordinance (Cap. 486), it is a pre-requisite to an application under the Scheme that Applicant Firms and relevant parties (including the parties to the trainee solicitor contract) consent to the information on their applications being disclosed, without further reference to them, to Government bureaux/departments, statutory bodies, or other third parties for the purposes of processing the application, conducting research and survey, compiling statistics, meeting requirements of the law and/or performing their functions and disbursing funding or other related purposes.
27. Enquiries can be directed to LTRS@hklawsoc.org.hk.