

**PART XVII: MATTERS UNDER THE LEGAL PROFESSION ACT**

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**PART XVII**

**MATTERS UNDER THE LEGAL PROFESSION ACT**

**131. Applications for admission as an advocate and solicitor of the Supreme Court**

- (1) The attention of applicants for admission as an advocate and solicitor of the Supreme Court is drawn to section 19 of the Legal Profession Act (Cap. 161, 2001 Rev Ed):

**Service of documents and objections**

**19.** —(1) A copy each of every application and affidavit required to be filed under section 17 or 18 together with true copies of each document exhibited thereto shall, within 5 days of the document being filed in the Registrar's office, be served on the Attorney-General, the Board and the Society.

(2) If the Attorney-General, the Board or the Society intends to object to any application, there shall be served on the applicant not less than 3 clear days or such shorter period as the Court may allow a notice of objection in which shall be set out in brief terms the grounds of objection.

(3) Any such notice of objection shall be filed in the Registrar's office at any time before the day fixed for the hearing of the application.

(4) It shall not be necessary for the Attorney-General, the Board or the Society to be represented at the hearing of any application unless the Attorney-General, the Board or the Society, as the case may be, intends to object to that application.

- (2) In view of this requirement, the Registrar will not fix any application for admission as an advocate and solicitor of the Supreme Court for hearing on a particular day unless the applicant is able to *file* and serve his affidavit (for persons to which section 17 of the Legal Profession Act

applies) or application (for persons to which section 18 of the Legal Profession Act applies) 7 days (Saturdays, Sundays and public holidays included) before that day.

- (3) If an applicant is able to comply with the requirement laid down by subparagraph (2) above, his application will be fixed for hearing on the day in question. However, if abridgement of any period prescribed by the Legal Profession Act or the Legal Profession Rules (Cap 161, Rule 3) is necessary, an application must still be made to the Court at the hearing of the application.
- (4) The listing of an application for admission for hearing does not preclude the Attorney-General, the Law Society or the Board of Legal Education from objecting to an application for abridgement at the hearing itself. All applicants are therefore advised to ascertain from the Attorney-General, the Law Society and the Board of Legal Education whether any objection will be raised.
- (5) Section 17(3) of the Legal Profession Act provides that applications for admission under section 11(1)(a) and 15(1) shall be filed in the Registrar's office accompanied by a notice stating that such an application has been made, and the notice must be posted at the Supreme Court for 6 months before the applicant may be admitted as an advocate and solicitor. A certificate from the Registrar is normally obtained to confirm the filing and posting date of the notice, that it was posted continuously from the date of posting for 6 months and that no caveat has been lodged or received by the Registrar. All such Registrar's certificates must be in accordance with Form 31 of Appendix A of these Practice Directions. Certificates which depart from this form will not be accepted by the Registry.

SUPREME COURT PRACTICE DIRECTIONS (2007 ED.)

- (6) The Registrar has directed that pupil masters may allow their pupils to file the relevant papers for admission as an advocate and solicitor via electronic transmission through the law firm's front-end system. Alternatively, applicants may file their papers via the service bureau.
- (7) Section 24(5) of the Legal Profession Act, read with the Legal Profession (Prescribed Fees) Rules, requires the applicant to pay a prescribed fee of \$100 to obtain an instrument of admission. The applicant shall file a Request for Instrument of Admission at the time of filing his affidavit for admission of advocate and solicitor and pay the requisite fee.
- (8) The declaration, as required under section 24(2) of the Legal Profession Act (Cap. 161, 2001 Rev Ed), must be filed by the applicant at the time of filing his affidavit for admission of advocate and solicitor. The declaration shall be in accordance with Form 32 of Appendix A of these Practice Directions. A filing fee of \$20 will be payable. The declaration should not be signed by the applicant at the time of filing.

**132. “Part-call” applications pursuant to section 32(2) of the Legal Profession Act**

Section 32(3) of the Legal Profession Act (Cap. 161, 2001 Rev Ed) allows “part-call” applications to be brought in respect of pupils who have completed not less than 4 months of pupillage. A “part-call” application must be brought by way of a summons, supported by an affidavit, to be served on the Attorney-General, the Law Society and the Board of Legal Education. The attendance of representatives of the Attorney-General, the Law Society and the Board of Legal Education at the hearing of a “part-call” application is not required, unless there are any objections to the application or if the Court directs otherwise.

**133. Applications for practising certificates**

(1) Rule 4 of the Legal Profession (Practising Certificate) Rules (Cap 161, Rule 6) provides that an application for a practising certificate shall be made in such form as the Registrar may require, and using the practising certificate electronic filing system in accordance with any practice direction issued by the Registrar. With effect from 23 October 2006, applications for practising certificates shall be made only through the practising certificate electronic filing system according to the directions in paragraph 134.

(2) Rule 4A of the Legal Profession (Practising Certificate) Rules, which provides that a solicitor may apply for a practising certificate to practise as a locum solicitor, came into operation on 1 April 2005. With effect from 23 October 2006, such applications shall only be made through the practising certificate electronic filing system according to the directions in paragraph 134.

**134. Electronic applications for practising certificates**

*When to apply for practising certificate through PC E-filing System*

- (1) In accordance with Rule 3 of the Legal Profession (Practising Certificate) Rules (Cap 161, Rule 6), an application via the practising certificate electronic filing system (hereinafter referred to as the “PC E-filing System”) cannot be made earlier than the month preceding the commencement of the practice year in respect of which the application is being made. The PC E-filing System may be accessed through the Internet at the Supreme Court website (<http://www.supremeCourt.gov.sg>). Lawyers who do not have access to the Internet may use the computers located at the Legal Registry of the Supreme Court (second level) during the opening hours of the Legal Registry.

*Prerequisites for electronic applications*

- (2) Before a solicitor (“the applicant”) may apply for his practising certificate using the PC E-filing System, the following prerequisites must be satisfied:
  - (a) the applicant must be on the Roll of Advocates and Solicitors and must have a valid Advocate and Solicitor Admission Number (“AAS Number”);
  - (b) the applicant must have a valid NRIC number or FIN number;
  - (c) the applicant must have an Internet E-mail account;
  - (d) the computer through which the applicant is making his electronic application must be:
    - (i) a Pentium personal computer with a minimum of 20 MB hard disk space, 133 MHz, 16 MB RAM or above,
    - (ii) connected to or fitted with a modem of 28.8 kbps or above,
    - (iii) operating on Windows 95 or above,
    - (iv) have access to the Internet,

- (v) installed with Netscape Navigator 4.0 or Internet Explorer 4.0 and above, with JavaScript enabled,
- (e) payment shall be made through Interbank GIRO or BillCollect. In respect of payment by Interbank GIRO, the applicant must possess an approved Law Firm Code as stated in the Supreme Court's Debit Authorisation Form;
- (f) the applicant must not have a pending practising certificate application in respect of the practice year for which his electronic application is being made;
- (g) the Law Society must have confirmed via the PC E-filing System that the applicant:
  - (i) is not disqualified by section 50(2) of the Legal Profession Act (Cap. 161, 2001 Rev Ed) from applying for a practising certificate;
  - (ii) has satisfied section 25(1)(b) of the Legal Profession Act; and
  - (iii) is required to file an accountant's report for the whole or certain specified periods of the practice year preceding that for which the application is being made ("the preceding practice year"), or need not file an accountant's report for the preceding practice year or the most recent practice year for which the applicant held a practising certificate; and
- (h) the Singapore Academy of Law must have confirmed via the PC E-filing System that the applicant has complied with section 25(1)(c) of the Legal Profession Act.

*Application procedures*

- (3) This sub-paragraph sets out the application procedures.
  - (a) To apply for a practising certificate using the PC E-filing System, the applicant must first log-in to the System by entering his AAS

- Number, NRIC or FIN number and date of birth in the user log-in screen.
- (b) If the applicant has changed his name or sex since the date of his last application for a practising certificate, he must provide a paper copy of the relevant supporting documents to the Registrar, for the attention of the Legal Registry of the Supreme Court, within 7 working days from the date of submission of his electronic application.
  - (c) If the applicant is required to furnish an accountant's report for part or the whole of the preceding year, he must provide particulars of the accountant's report(s) for the relevant period(s) on an electronic template which will be displayed on the computer screen. He may then attach the accountant's report in the portable document format (PDF) or submit the original accountant's report(s) to the Registrar, within 7 working days from the date of submission of his electronic application.
  - (d) Where sub-paragraphs (4)(b) and/or (c) apply, and in any other case where supporting documents are required to be submitted to the Registrar, the applicant must submit together with the supporting documents a covering letter addressed to the Registrar stating his name, NRIC Number or FIN, and AAS Number. Any supporting documents must likewise be marked with these particulars.
  - (e) Should any of the information referred to in sub-paragraphs (2)(g) and (h), which information is to be entered into the PC E-filing System by the Law Society and the Singapore Academy of Law respectively, be lacking, the applicant will not be able to proceed with his electronic application. In this event, he should request the relevant body to provide the information required.

- (f) Once the applicant has completed the electronic application form, he should submit it via the PC E-filing System before logging out from the System. He may not save the electronic form and submit it on a separate occasion.

*Acknowledgement of receipt of electronic applications*

- (4) Once the applicant has submitted his electronic application form via the PC E-filing System, and he has entered his Law Firm Code for payment via Interbank GIRO, the applicant will be notified of the receipt of his application by means of a message to this effect. The message will be displayed on the computer screen as well as sent to the Internet E-mail address provided in the applicant's electronic application form.

*Notification of outcome of electronic applications*

- (5) This sub-paragraph sets out the manner of notification of outcome of electronic applications.
  - (a) The applicant will be informed of the outcome of his electronic application for a practising certificate by means of a message sent to the Internet E-mail address referred to in sub-paragraph (4).
  - (b) If the applicant's application is approved, his practising certificate will be sent to him together with the notification of approval. The practising certificate will be in PDF, and no manual signature will be required on it. The applicant may, if he so wishes, obtain a signed and sealed copy of his practising certificate from the Legal Registry upon request. Such a request must be made by way of a request stating the applicant's name, NRIC or FIN number, and AAS Number.
  - (c) If the applicant's application is rejected, the rejected electronic application form will likewise be sent to him together with the

notification of rejection. The applicant may submit a new electronic application.

*Enquiry on status of electronic applications*

- (6) Pending notification of the outcome of his electronic application for a practising certificate, an applicant may enquire as to the status of his application. To do so, the applicant must first log-in to the PC E-filing System by the procedure described in sub-paragraph (3) above and enter the System. The System will then display the status of the applicant's latest electronic application for a practising certificate for that practice year.