

**Standing 5
Committee on 1
Standards & 0
Development 2**



The Standing Committee on Standards and Development is responsible for establishing standards and rules and formulating policies on the education, training and regulation of solicitors, and on their conduct and practice management.

The Standing Committee convened 11 meetings to oversee the activities of the Department of Standards and Development, and to consider recommendations of the Committees and Working Parties under its umbrella.

Legislative Amendments

The Standing Committee considers amendments to the *Legal Practitioners Ordinance* (“LPO”) and its subsidiary legislation, The Law Society’s *Practice Directions* (“PD”), *Information Packages* and *The Hong Kong Solicitors’ Guide to Professional Conduct, third edition, Volume 1* (“Conduct Guide”).

The following legislative amendments and amendments to the Information Packages were made during the year:

***Summary Disposal of Complaints (Solicitors) (Amendment) Rules* (“Summary Disposal Amendment Rules”)**

The Summary Disposal Amendment Rules came into operation on 2 July.

- (a) *The Summary Disposal Amendment Rules* added rules 5(1), 6(1) and 7(2) of the *Legal Practitioners (Risk Management Education) Rules* Cap. 159Z (“RME Rules”) to the list of items in the Schedule to the *Summary Disposal of Complaints (Solicitors) Rules* (“Summary Disposal Rules”) so that a breach of the obligations to complete the RME core courses and/or electives under rules 5(1), 6(1) and 7(2) of *the RME Rules* can be disposed of on a summary basis under the *Summary Disposal Rules*.
- (b) The reference of “*Practice Directions 1990*” in the Schedule to *the Summary Disposal Rules* was amended to “*Practice Directions*” to avoid confusion as to the effective date of the newly issued *Practice Directions*.

***Solicitors (General) Costs (Amendment) Rules* (“Costs Amendment Rules”)**

The Costs Amendment Rules came into operation on 13 July.

- (a) *The Costs Amendment Rules* repealed paragraph 1 of the Third Schedule to the *Solicitors (General) Costs Rules* (“*the Costs Rules*”) and substituted it with a new paragraph 1 to:
 - (i) remove obsolete types of copies (such as stencilled or carbon copies);
 - (ii) provide that copies may be provided in the form of “photographic copy, printed (including laser printed) copy or scanned printed copy” and

- (iii) specify the costs for providing copies printed in black ink or colour ink and in different quantities.
- (b) *The Costs Amendment Rules* introduced a new paragraph 6A to the Third Schedule to *the Costs Rules* to provide that for the purpose of the new paragraph 1 of that Schedule, if two or more pages of a document are reduced in size and printed on one page, the costs of copying are to be charged as one page.

Information Package and Application Form for Registration as a Foreign Law Firm Information Package and Application Form for Registration as a Foreign Lawyer

The Information Packages and Application Forms were amended in June and November respectively:

- (a) the practice of requiring an applicant-firm and its insurer to sign the Confirmation confirming that the applicant-firm has the requisite professional indemnity cover for the purpose of complying with rule 6(1) of the *Foreign Lawyers Registration Rules* was replaced by a requirement that the applicant-firm makes a statutory declaration to the same effect.
- (b) an applicant-firm has to notify The Law Society within 14 days if there is any material structural change of the overseas parent firm.
- (c) if an applicant applying for registration as a foreign lawyer wishes to practise the law of the jurisdiction in which he is qualified and the law of a third jurisdiction, he may be required to provide proof of competency in both jurisdictions.
- (d) if an application for registration as a foreign firm is rejected, the applicant-firm may apply again. There is no time limit to make a second application.
- (e) if an application for registration as a foreign firm is rejected, the registration fee is refundable.

Information Package for Admission as a Solicitor: Barristers

The *Overseas Lawyers (Qualification for Admission) (Amendment) Rules* (“*OLQE Amendment Rules*”) came into operation on 2 January. An additional written Head VI (*Hong Kong Constitutional Law*) was introduced. The *Information Package for Admission as a Solicitor* was amended in July setting out this new requirement and the exemption criteria from sitting this new Head.

Other matters

Apart from reviewing the aforementioned legislative amendments and making recommendations to the Council as appropriate, the work of the Standing Committee included the following:

- (a) overseeing the administration of the *Continuing Professional Development* (“CPD”)

Scheme, the Risk Management Education (“RME”) Programme and the Overseas Lawyers Qualification Examination (“OLQE”);

- (b) approving the documentation and the logistics for the *OLQE*;
- (c) appointment of *OLQE* Examiners and reviewing their fees;
- (d) reviewing the results of the *OLQE*;
- (e) considering the applications for review under rule 9 of the *OLQE Rules*;
- (f) appointing External Examiners of the *Postgraduate Certificate in Laws (“PCLL”) Programmes* of the CUHK, CityU and HKU and nominating the Chief External Examiner of the *PCLL Programmes* of CityU, CUHK and HKU;
- (g) reviewing the regulatory regime applicable to locums;
- (h) considering the appointment of members of the *PCLL Academic Board* of CUHK and HKU;
- (i) considering amendments to the *Solicitors’ Accounts Rules (“SAR”)* and amendment to the *Manual on Solicitors’ Accounting*;
- (j) considering the proposal for a panel of bookkeepers;
- (k) reviewing the terms of reference of the Foreign Lawyers Committee, the Legal Education Committee, the Trainee Solicitors Committee and the *OLQE Committee*;
- (l) considering the funding for the comprehensive study on legal education and training in Hong Kong conducted by the Standing Committee on Legal Education and Training (“SCLET”);
- (m) considering the Consultation Paper issued by the Consultants appointed by SCLET and resolving the response to the Consultation Paper;
- (n) considering the proposal for a Common Entrance Examination (“CEE”);
- (o) considering the reciprocal arrangements offered by overseas jurisdictions to allow Hong Kong law firms to practise overseas;
- (p) membership of the Standing Committee;
- (q) reviewing the *Solicitors’ Practice Promotion Code*;
- (r) considering the *Drafting Protocol of Legislation* proposed by the Law Drafting Division of the Department of Justice (“DOJ”);
- (s) reviewing amendments to the *Practising Certificate (Solicitors) Rules*;

- (t) considering rule 4 and rule 6 of the *Solicitors' Practice Rules* (“*SPR*”) and the feasibility of allowing law firms to accept payments by clients through reputable online payment operators;
- (u) appointment of part-time RME trainers;
- (v) approving new courses for the *RME Programme*;
- (w) reviewing *PD D.6*;
- (x) reviewing and amending the procedures for accreditation of RME elective courses, and amending the *RME Information Package*;
- (y) reviewing and amending the *Provider Accreditation Scheme*;
- (z) reviewing the standard hourly rate payable to speakers of CPD and RME courses.

ANTI-MONEY LAUNDERING (“AML”) COMMITTEE

The AML Committee held three meetings.

The Committee invited Mr. Andrew Bruce, SC to share his views on the judgments in *HKSAR v Wu Wing Kit and other* (DCCC No. 1022 of 2012) and *HKSAR v Pang Hung Fai* (FACC No. 8 of 2013). He explained the subjective and objective “reasonable man” tests applied by the Courts in these two cases. He also commented on the AML legislation in the United Kingdom.

The Committee also invited the representatives of the Security Bureau to attend a meeting with the Members to explain the work of the Joint Financial Intelligence Unit and the statistics of the suspicious transaction reports. Valuable views were exchanged on the revised definition of “politically exposed persons” issued by the Financial Action Task Force in 2012 and the next Mutual Evaluation on Hong Kong in 2018. The representatives of the Security Bureau also explained to the Members the AML measures taken by the other professions.

The Committee co-organised a seminar on AML issues with the HKSAR Government on 30 September. Mr. Michael Lintern-Smith, Chairman of the AML Committee, was a speaker at the seminar. The seminar was well received and was attended by over 200 participants.

The Committee considered the Consultation Paper on reporting cross-boundary transportation of large quantities of currency and bearer negotiable instruments issued by the Security Bureau. The Consultation Paper sets out the declaration system, disclosure system and a mixed system. The reporting threshold proposed by the HKSAR Government is HK\$120,000.

The Committee reviewed and commented on the AML Risk Assessment Questionnaire for the Designated Non-Financial Businesses or Professions prepared by the Security Bureau. The Security Bureau accepted the Committee's views and revised the Questionnaire. The revised Questionnaire was sent to the law firms by way of a circular for them to reply on an anonymous and voluntary basis. Law firms have the absolute freedom to select which questions they wish to answer.

THE CPD SCHEME

The *CPD Scheme* aims at providing a convenient framework for the legal profession to meet the changing demands of clients and society by updating the practitioners on legal knowledge and skills.

The Law Society and the Hong Kong Academy of Law Limited ("Academy") conducted a total of 480 CPD and RME courses during the year. Of the 480 courses, 10 courses were conducted in Putonghua and/or Cantonese and the remainder in English. The courses attracted an attendance of 18,023 participants.

The Law Society and the Academy are grateful to the 125 presenters who contributed by sharing their valuable experiences and expertise.

Some of the highlights of these courses are:

Competition Law

The Competition Ordinance Cap. 619 came into effect on 14 December. The Academy conducted two seminars on competition law in July and October with the aim of providing practitioners with an overview of the Ordinance. The speakers examined issues including anti-competitive agreements, concerted practices, vertical restraints, abuse of market power and powers of the Competition Commission of Hong Kong. Over 760 participants attended the seminars.

The Academy conducted a briefing session on the *Competition Tribunal Rules* on 8 December. The briefing session introduced practitioners to the operation of the Competition Tribunal, including its powers and jurisdiction, the main types of proceedings to be heard, and its practice and procedure. The speakers were the Honourable Mr. Justice Godfrey Lam, President of the Competition Tribunal, the Honourable Madam Justice Queeny Au Yeung, Deputy President of the Competition Tribunal and Master K. H. Hui, Deputy Registrar of the Competition Tribunal. The briefing session attracted over 240 participants.

Contract Law

The *Contracts (Rights of Third Parties) Ordinance* came into effect on 1 January 2016. The Academy conducted two seminars in June and September on the Ordinance. The

speakers from the Hong Kong Special Administrative Region (“HKSAR”) Government, the university and from private practice examined key aspects of the Ordinance from the legal policy’s, academics’ and practitioners’ perspectives and explained the policy considerations behind the reform of the doctrine of privity of contract. The seminars attracted over 420 participants.

SAR

The *SAR* amended by the *Solicitors’ Accounts (Amendment) Rules 2012* will come into effect on 1 July 2016. The Academy conducted five courses on the revised *SAR* to update practitioners on the amendments and demonstrate how the revised *SAR* would operate in practice. Over 820 participants attended the courses.

Probate Checklist

A *Probate Checklist* was launched by the Judiciary on 10 June. A seminar on the *Probate Checklist* was conducted on 14 October to introduce the salient features of the *Probate Checklist* and to demonstrate to the practitioners how to prepare an application for grant, in particular, how to complete the *Probate Checklist*. Chairman and Members of the Probate Committee of The Law Society were the moderator and the speakers respectively of the seminar. The seminar attracted over 400 participants.

Family Law

Private financial adjudication is a new mode of alternative dispute resolution introduced by *PD SL9* to facilitate settlement of financial disputes in matrimonial and family proceedings. The *Pilot Scheme on Private Financial Adjudication* commenced on 19 January and will run for an initial period of 3 years. The Academy and Hong Kong Bar Association jointly organised a talk on 27 January to introduce practitioners to the applicability and procedures of the Pilot Scheme. The Honourable Mr. Justice Lam, Vice-President of the Court of Appeal of the High Court and Her Honour Judge Bebe Chu, Deputy Judge of the Court of First Instance of the High Court, were the speakers. Over 140 participants attended the talk.

Mediation

Mediation has become one of the primary means of alternative dispute resolution in Hong Kong with *PD 31* coming into effect on 1 January 2010.

The Academy and the Mediation Committee of The Law Society conducted seven free sharing sessions on mediation. Eight speakers were invited to share their experiences with the participants on topics including the ways to deal with difficult lawyers whilst acting for a party in mediation, the way for solicitors to develop full-time mediation practice, extending the concept of collaborative practice to general civil litigation, “sorry law”, and updates on mediation cases on building management and personal injuries. The sharing sessions attracted over 320 participants.

A workshop on “Mediation Advocacy” demonstrating how solicitors could effectively represent their clients in mediation was held on 16 and 17 October. Professor Hal Abramson, Faculty Member of Touro Law Centre, New York was the speaker. 29 participants attended the workshop.

In addition, a panel of experienced solicitor-mediators conducted a seminar entitled "Risk Management in Mediation Practice" on 12 October. The seminar attracted over 160 participants.

Civil Justice Reform ("CJR")

Since the implementation of CJR in April 2009, the Academy has provided regular training to update practitioners on the CJR. The Academy organised two series of free specialised training sessions on CJR in May and September. Each series of specialised training sessions consisted of five modules covering topics such as case management, originating process and pleadings, offers to settle, evidence, trials, appeals and costs. Over 1,600 participants attended the specialised training sessions.

Joint Courses with other Professions

The Law Society and the Academy jointly organised courses of common interest with other professions, Government departments and organisations including the Bar, the Hong Kong Institute of Chartered Secretaries, the Hong Kong Institute of Certified Public Accountants, Hong Kong International Arbitration Centre and the Narcotics Division of the Security Bureau. Seven such courses were held over the year. Topics included judicial reform of PRC, "One Belt One Road", AML, independent non-executive directors, insider trading and enforcement of directors’ duties. Over 900 participants attended these courses.

Pursuant to rule 9 of the *CPD Rules*, 229 practitioners were granted suspension from the *CPD Scheme* during the year.

685 Statements of Compliance with CPD/RME requirements were reviewed and CPD audit was conducted on 489 trainee solicitors and solicitors. Arising from the CPD audits, general enquiries, and reports made by practitioners on their own initiatives, 12 solicitors and 15 trainee solicitors were found to have failed to comply with the CPD Rules. All cases of default were referred to the Compliance Department to be dealt with in accordance with the Council’s sanction policy.

CPD COMMITTEE

Issues considered by the CPD Committee by paper circulation included:

- (a) amendments to the 2014/15 *CPD Information Package* and the *CPD/RME Training Record Form*;
- (b) membership of *CPD Alliance*;

- (c) an application for exemption from CPD requirements.

The Committee granted a full exemption from participation in the *CPD Scheme* to a practitioner on the ground of age and two partial exemptions from participation in the *CPD Scheme* to a trainee solicitor whose term of trainee solicitor contract had been reduced from the standard two-year period.

CPD ACCREDITATION SUB-COMITTEE

A total of 5,711 courses, compared with 4,766 courses in 2014, were accredited as CPD courses. In terms of applications, 1,735 of the 5,711 courses were accredited on a course-by-course basis and 3,496 were accredited under the *Provider Accreditation Scheme*. The remaining 480 courses were conducted by The Law Society and the Academy. In terms of course providers, 36 of the 5,711 courses were provided by The Law Society, 474 were provided by the Academy of which 373 were provided under the *RME Programme*, 559 were provided by commercial providers, and the remaining 4,642 were provided by in-house providers such as universities, professional bodies and law firms.

Apart from dealing with the applications for accreditation of the courses by paper circulation, the Sub-Committee also met on two occasions to consider, *inter alia*, the irregularities of course providers, applications for renewal of accredited provider status, accreditation of skills courses and CPD courses in mediation.

The Sub-Committee accredited two new providers under the *Provider Accreditation Scheme* during the year. The total number of accredited providers was 59 at the end of the year. The Sub-Committee approved two postgraduate and other law courses and 12 legal journals and books, 75 legal researches, and accredited one committee for the purpose of compliance with the CPD requirements during the year.

Members of the Sub-Committee continued to monitor the standard of accredited CPD courses by reviewing course evaluation records and attending selected accredited courses. Eight courses were monitored during the year.

FOREIGN LAWYERS COMMITTEE

During 2015, there were 226 OLQE applications.

The Law Society dealt with:

- (a) 134 applications for exemption from sitting all or part of the 2015 *OLQE* in accordance with the guidelines issued by The Law Society; and
- (b) 84 applications for eligibility to sit or re-sit the *OLQE*.

165 eligible candidates sat the 2015 *OLQE*.

The OLQE Amendment Rules came into operation on 2 January. An additional written Head VI (*Hong Kong Constitutional Law*) was introduced. The Committee reviewed and revised the guidelines for exemption from sitting Heads I to V and issued new exemption guidelines for the new Head VI.

The Committee also considered the residency requirements for foreign lawyers in Hong Kong.

The Committee was considerably assisted by co-opting Stephen W.S. Hung and Warren P. Ganesh and they are thanked for their assistance.

GUIDANCE COMMITTEE

The Committee met on four occasions and dealt with six enquiries from members and ten referrals from other Committees or Departments within the Secretariat by paper circulation on matters relating to professional conduct:

- (a) The Law Society pamphlet of “What to ask your solicitor?”;
- (b) The Law Society’s proposed publication of the solicitor’s profession in Hong Kong;
- (c) solicitor acting as a joint signatory of a Hong Kong company;
- (d) secondment of staff by a law firm and/or firm’s service company to their clients;
- (e) solicitor’s duty to act competently to verify the translator’s qualification under section 4 of the *Companies Ordinance* Cap. 622;
- (f) duty of confidentiality and conflict of interests between different clients in different proceedings;
- (g) transfer of files and lien, retention of old files upon termination of retainer;
- (h) implication of *PD D5* and Principle 8.01 Commentary 19 of the *Conduct Guide* on the setting up of a law firm;
- (i) gifts to solicitors;
- (j) expansion of solicitor’s practice into the work of estate agents;
- (k) solicitor’s request for barrister’s undertakings on payment of their fees;
- (l) use of awards as promotional tools in legal practice;

- (m) application of Principle 1.03 of the *Conduct Guide* to a solicitor's private matters;
- (n) electronic format and database of the Laws of Hong Kong;
- (o) exceptional circumstances which may override a solicitor's duty to pass all information to his client;
- (p) professional indemnity regarding pro bono work;
- (q) the *Witness Protection Ordinance* Cap. 564.

GUIDANCE SUB-COMMITTEE TO REVIEW RULE 5AA OF SPR

The Sub-Committee held one meeting to discuss the definition of "solicitor-manager", his powers and duties and the legal effect of the certificate of appointment of a solicitor-manager issued by The Law Society. The Sub-Committee also considered the issues relating to the preparation of the final accountant's report. Upon conclusion of the legislative amendment exercise on rule 5AA of the *SPR* in consultation with DOJ, The Law Society will apply to the Chief Justice for his final approval of the proposed amendments.

LEGAL EDUCATION COMMITTEE

The Committee convened three meetings. Matters considered by the Committee in the meetings and by paper circulation included:

- (a) CEE;
- (b) appointment of External Examiners of CityU, CUHK and HKU and nomination of the Chief External Examiner of the *PCLL Programmes* of CityU, CUHK and HKU;
- (c) the standard of research at CityU, CUHK and HK;
- (d) complaints against *PCLL*;
- (e) membership of the *PCLL* Academic Board of CUHK and HKU;
- (f) terms of reference and membership of the Committee;
- (g) the comprehensive study on legal education and training conducted by SCLET;
- (h) amendments proposed by the Institute of Vocational Education to the Professional Diploma for Legal Executive course.

A sharing session with the interns of law firms was organised in July. Senior legal practitioners in different fields were invited to share their valuable experiences with summer interns and trainee solicitors. About 103 participants took part in the sharing session.

Mr. Huen Wong and Mr. Dieter Yih served as representatives of The Law Society on SCLET, which met on four occasions. The Secretary of the Committee continued to serve as Secretary of SCLET and as Secretary of the Sub-Committee of the Standing Committee on English Language Proficiency.

MEDIATOR ADMISSION COMMITTEE

The Committee convened two meetings.

The Committee considered the following in meetings and by paper circulation:

- (a) draft mediator admission scheme (general mediation);
- (b) draft mediator admission scheme (family mediation);
- (c) retention of the title of “Accredited Mediator” and “Admitted Mediator” by solicitors who have been removed from the Panels of Mediators;
- (d) applications for renewal of membership on the Panels of General and Family Mediators and Family Mediation Supervisors;
- (e) compliance with the *Personal Data (Privacy) Ordinance* Cap. 486;
- (f) CPD points in mediation training and amendments to the *CPD Information Package*;
- (g) applications for admission as general mediators;
- (h) amendments to the terms of reference of the Committee.

The *Mediator Accreditation Scheme* was formally launched in August 2005. The Law Society joined HKMAAL as a Founder Member and HKMAAL commenced operation on 2 April 2013. HKMAAL resolved that all Founder Members including The Law Society should stop conducting its stage 2 mediator assessments by 15 July 2013 and accredit applicants as mediators by 15 September 2013. Thereafter, all accreditation of mediators must be conducted by HKMAAL.

The Law Society has since August implemented the *Mediator Admission Scheme (General Mediators)*.

Solicitors who were not accredited by The Law Society as General Mediators prior to September 2013 under the *Mediator Accreditation Scheme* may seek admission onto the Panel of Admitted General Mediators through the *Mediator Admission Scheme* subject to the requirements in the *Mediator Admission Scheme*. Applications are considered and approved by the Committee on a case-by-case basis.

As of the end of the year, there were 220 solicitors on the Panel of General Mediators, 45 solicitors on the Panel of Family Mediators and 11 solicitors on the Panel of Family Mediation Supervisors.

24 applications for renewal of membership on the Panel of General Mediators, 9 applications for renewal of membership on the Panel of Family Mediators and two applications for renewal of membership on the Panel of Family Mediation Supervisors were processed. Audit on 11 cases was conducted. 32 applications for renewal were approved.

OLQE COMMITTEE

The Committee met on two occasions including a joint meeting with the Chief Examiner and Examination Panel Convenors and Examiners.

The issues considered by the Committee in the meetings and by paper circulation included:

- (a) results of the 2014 *OLQE*;
- (b) feedback of the candidates on the 2014 *OLQE*;
- (c) the format and the logistical arrangements for the 2015 *OLQE*;
- (d) the 2015 *OLQE Information Package* and related documentation;
- (e) appointment of Examiners and Panel Convenors and their fees ;
- (f) the syllabus and reading list of each head of the *OLQE*;
- (g) applications for special arrangements to sit the *OLQE*;
- (h) terms of reference of the Committee;
- (i) membership of the Committee.

OLQE

The 21st *OLQE* was held from 27 October to 17 December. A total of 165 candidates sat one or more written heads of the *OLQE*. 159 candidates were from 22 overseas jurisdictions, 10 of which were non-common law jurisdictions. 6 candidates were Hong Kong barristers.

Of the 165 candidates, 101 candidates (61%) passed the *OLQE*, having passed each of the heads that they were required to sit. 64 candidates (39%) failed the *OLQE*, having failed one or more of the heads that they were required to sit.

Figures 1 – 6 : Examination results with respect to each head of the OLQE

Figure 1 :
Head I – Convenancing

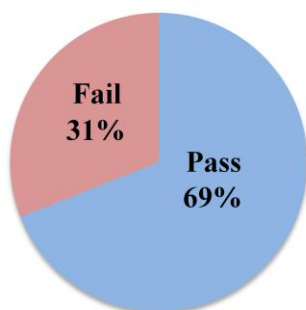


Figure 2 :
Head II - Civil and Criminal Procedure

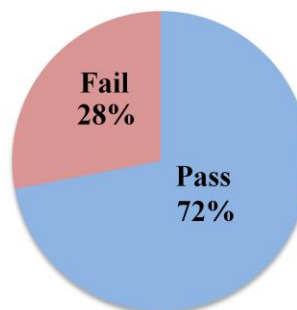


Figure 3 :
Head III - Commercial and Company Law

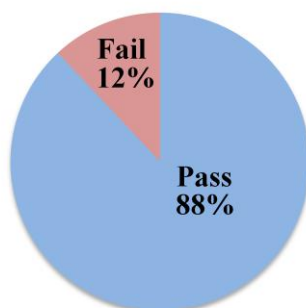


Figure 4 :
Head IV – Accounts and Professional Conduct

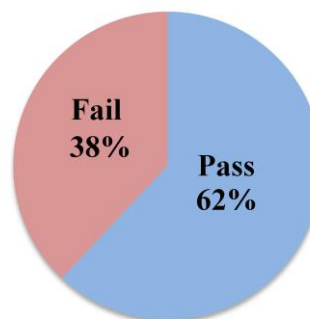


Figure 5 :
Head V – Principles of Common Law

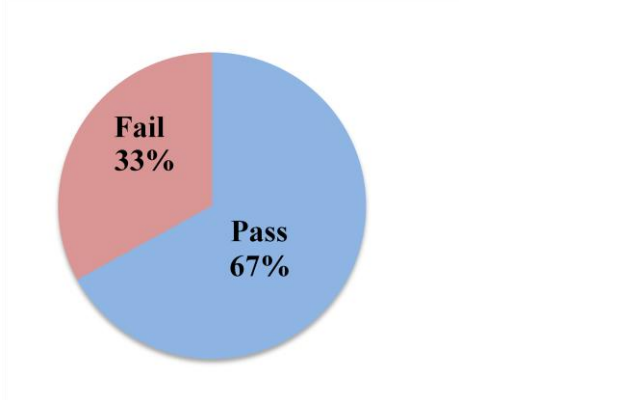


Figure 6 :
Head VI - Hong Kong Constitutional Law

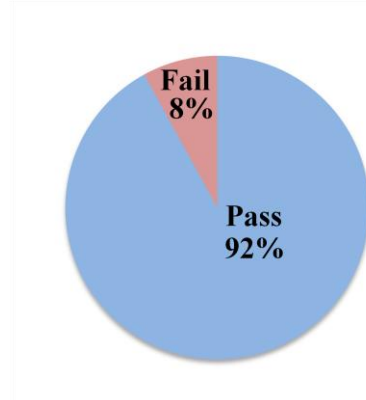
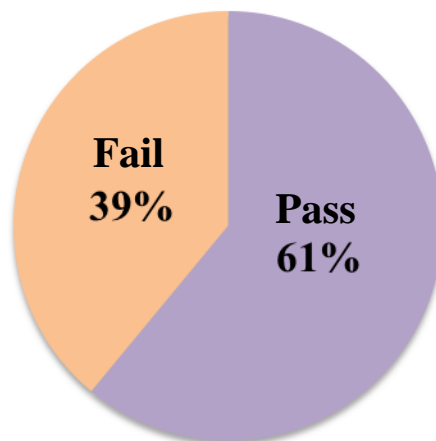


Figure 7 : Overall Examination Result



	No. of Candidates						Overall Result
	Head I	Head II	Head III	Head IV	Head V	Head VI	
Pass	88	26	35	42	2	140	101
Fail	40	10	5	26	1	12	64
Total	128	36	40	68	3	152	165

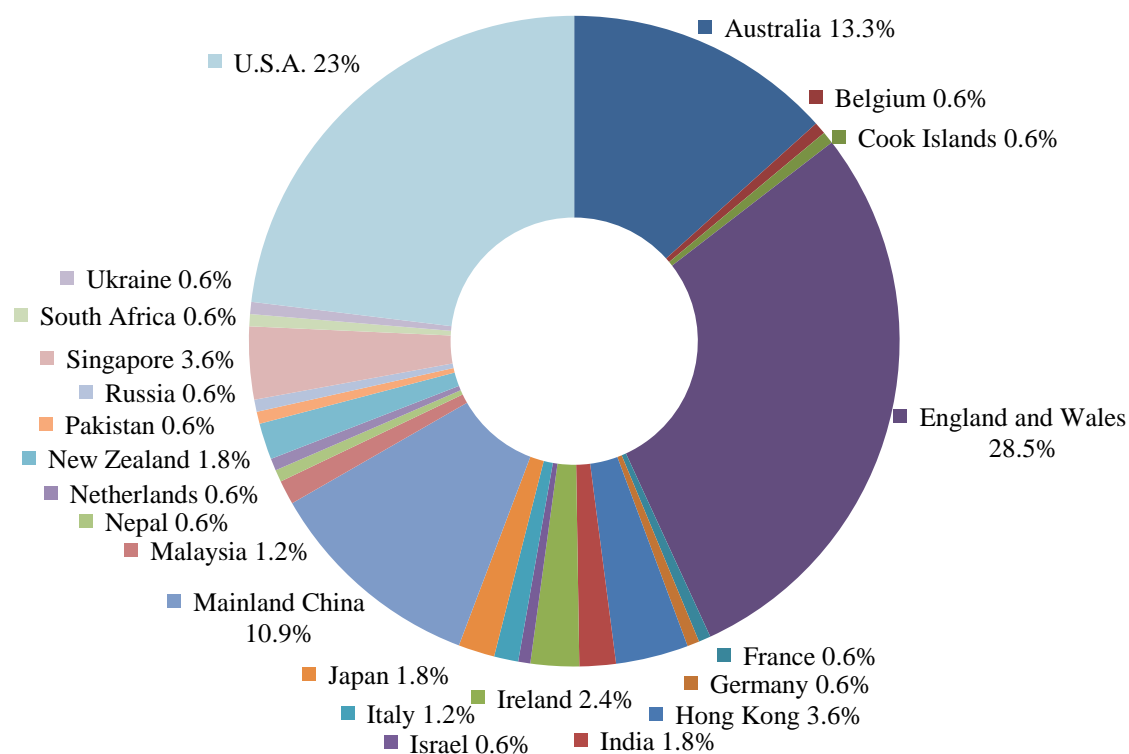
Written Heads

Head I – Head IV & Head VI

Oral Head

Head V

Figure 8: Jurisdictions of the candidates



Jurisdictions	No. of Candidates	%*	Jurisdictions	No. of Candidates	%*
Australia	22	13.3	Mainland China ¹	18	10.9
Belgium ¹	1	0.6	Malaysia	2	1.2
Cook Islands	1	0.6	Nepal ¹	1	0.6
England and Wales	47	28.5	Netherlands ¹	1	0.6
France ¹	1	0.6	New Zealand	3	1.8
Germany ¹	1	0.6	Pakistan	1	0.6
Hong Kong ²	6	3.6	Russia ¹	1	0.6
India	3	1.8	Singapore	6	3.6
Ireland	4	2.4	South Africa	1	0.6
Israel	1	0.6	Ukraine ¹	1	0.6
Italy ¹	2	1.2	U.S.A.	38	23.0
Japan ¹	3	1.8	Total	165	

¹ Non-common law jurisdiction

² Barrister

* The percentages have been calculated to the nearest decimal point. Therefore the aggregation of the percentages may not add up to 100%.

RME COMMITTEE

The Committee oversees the administration of the *RME Programme* which aims at raising the awareness of risk issues and promoting good risk management of legal practice.

Since its implementation in November 2004, the *RME Programme* has been in operation for over 10 years extending its application gradually to all Hong Kong solicitors practising as sole practitioners, partners, associates, consultants, trainee solicitors, and registered foreign lawyers working in Hong Kong law firms.

With the establishment of the Academy, the RME courses are all offered through the Academy.

Eight Module 1A, eight Module 1B, eight Module 2A and eight Module 2B of principals' core courses, four Module 1 and four Module 2 of non-principals' core courses, 15 Module 1 and 16 Module 2 of registered foreign lawyers' core courses, 21 Module 1 and 21 Module 2 of trainee solicitors' core courses, 20 compulsory first elective courses for trainee solicitors, and 220 elective courses were held during the year. The Committee monitored closely the evaluation of these courses by the course participants.

RME electives have since 1 November 2008 been offered free of charge to those participants who have to fulfil their RME obligations in the relevant RME practice year and who have not attended any other RME electives during that year. Free core courses have also been offered by the Academy to all trainee solicitors since 1 November 2009. Since 1 November 2014, subject to certain exceptions, all courses within the *RME Programme* have been offered free to participants.

RME courses are generally conducted in English. However, since 2010 the Academy has offered RME core courses in Putonghua to registered foreign lawyers.

The RME Committee convened one meeting during the year. Matters considered by the Committee in the meeting and by paper circulation included:

- (a) the appointment of part-time RME trainers;
- (b) review of the progress in updating the *RME Programme* and developing new electives;
- (c) amendments to the *RME Information Package*;
- (d) applications for exemption from complying with the RME requirements;
- (e) new RME elective courses;
- (f) review of the procedures for accreditation of RME elective courses;
- (g) review of the course evaluation forms;

- (h) review of the enrolment and absence policies applicable to RME courses;
- (i) review of the standard hourly rate payable to speakers of RME courses.

The Committee considered 67 applications for exemption from complying with the RME requirements pursuant to rule 8A of the *RME Rules*.

RME ACCREDITATION SUB-COMMITTEE

The Sub-committee is tasked with the responsibility to review applications for accreditation of RME course providers, courses and activities in accordance with the accreditation criteria.

The Sub-Committee convened one meeting during the year. Matters considered by the Sub-Committee in the meeting and by paper circulation included:

- (a) amendments to the *RME Information Package*;
- (b) mechanism for handling appeals against decisions of the Sub-Committee;
- (c) review of the procedures for accreditation as RME courses;
- (d) applications for accreditation as RME elective courses;
- (e) reasons for rejecting applications for accreditation.

93 applications for accreditation were processed, out of which 52 elective courses offered by law firms and other institutions and 23 elective courses offered by commercial providers were accredited.

Course provider accreditation for RME elective courses was introduced in 2007. 11 law firms accredited as RME elective course providers offered a total of 122 in-house elective courses during the year.

WORKING PARTY ON SOLICITOR CORPORATION RULES

The Working Party convened one meeting to consider:

- (a) the progress of the drafting exercise on the consequential amendments to the subsidiary legislation to the *LPO*;
- (b) further amendments to the *Solicitor Corporation Rules* arising from the requirement

- to notify clients of the identity of the overall supervising partners;
- (c) review of the draft *Solicitor Corporation Rules* in the light of the *Companies Ordinance* Cap. 622;
 - (d) translation of various Amendment Rules from English into Chinese.

WORKING PARTY ON CEE

Member of the Working Party conducted a telephone conference with the Consultants appointed by The Law Society to conduct a consultation on CEE together with Members of the Legal Education Committee. They discussed the draft preliminary findings and the draft recommendations of the Consultants.

WORKING PARTY ON PRACTICE IN SERVICE CENTRES, AT HOME, IN DOMESTIC PREMISES OR BY VIRTUAL OFFICES

The newly formed Working Party is tasked to carry out a feasibility study for practice in service centres, at home, in domestic premises or by virtual offices. The Working Party held two meetings. The Working Party considered the pros and cons of various modes of operation. The paramount consideration is to preserve clients' confidentiality.

The Working Party reviewed the existing *PD*, rules and regulations which restrict the law firm's practice in a service centre. It also reviewed the relevant rules and regulations of the overseas jurisdictions. The Working Party recommended various measures for solicitors to take to maintain clients' confidentiality if they wish to practise in a service centre. The recommendations will be considered by the Standing Committee in due course.

TRAINEE SOLICITORS COMMITTEE

The Committee held one meeting to consider:

- (a) cases of failure to observe the *Code of Good Practice in the Recruitment of Trainee Solicitors* ("Code");
- (b) enquiries made by DOJ on the *Code*;
- (c) *the Minimum Wage Ordinance* Cap. 608;
- (d) minimum wage of solicitors prescribed by The Law Society;
- (e) terms of reference of the Committee.