



THE
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CIRCULAR 09-778 (COM)

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APPLICATIONS FOR 2010 PRACTISING CERTIFICATES

PROFESSIONAL INDEMNITY COVER FOR HONG KONG SOLICITORS PRACTISING OVERSEAS

By virtue of section 7 of the Legal Practitioners Ordinance, no person is qualified to act as a solicitor unless, inter alia, he has a current practising certificate and either complies with the requirements for professional indemnity cover or is exempt from them.

The Council is generally prepared to exempt those solicitors who hold practising certificates issued by the Law Society and practise overseas from the indemnity requirements if they can demonstrate that they have alternative cover comparable to that provided by the Law Society's Professional Indemnity Scheme.

Such solicitors must have professional indemnity cover entitling them to be indemnified for not less than HK\$10 million in respect of each and every claim (inclusive of costs) with no aggregate limit and with indemnity against loss occasioned by the fraud or dishonesty of employees of their firms other than that occurring as a result of recklessness or dishonesty or a fraudulent act or fraudulent omission by the principal in the conduct or management of the practice.

Pursuant to the above, solicitors who apply for a practising certificate to practise overseas are required to provide evidence of:

1. an alternative indemnity cover in the form of a broker's certificate of such cover;
2. a certified complete copy of the indemnity policy; and
3. a confirmation letter from the broker or senior partner of their firms confirming that the solicitors are covered under the policy while practising Hong Kong law during the practice year.

Circular **08-632** (COM) is superseded.