

THE LAW SOCIETY OF HONG KONG

FOR OFFICE USE ONLY
Application No: _____
Date received: _____
Fees received: _____

APPLICATION FOR REGISTRATION AS A FOREIGN LAW FIRM

Applicant should read the "Information for Registration as a Foreign Law Firm" before completing this Form

PART A - INFORMATION ABOUT THE PROPOSED REGISTERED FOREIGN LAW FIRM

1. Proposed Name: _____
(in Chinese): _____

2. Proposed Address: _____

3. (a) Intended Date of Establishment: _____

(b) Action taken or being taken by the proposed firm to comply with the intended date of establishment referred to in (a) above. For actions being taken, please set out a timetable for their completion to cover a period not greater than 3 months from the date of application:

4. The law of the following Jurisdiction(s) will be practised by the firm:

5. All resident partners / The sole practitioner of the proposed firm:

Name (<u>surname first</u>)	Passport (<u>Place of Issue & No.</u>)	Hong Kong I.D. No. (<u>if any</u>)
_____	_____	_____
_____	_____	_____
_____	_____	_____

6. The proposed firm intends to employ the following registered foreign lawyers:

Name (<u>surname first</u>)	Passport (<u>Place of Issue & No.</u>)	Hong Kong I.D. No. (<u>if any</u>)
_____	_____	_____
_____	_____	_____
_____	_____	_____

PART B - INFORMATION ABOUT THE APPLICANT (THE APPLICANT IS THE INTENDED SENIOR RESIDENT PARTNER OR THE SOLE PRACTITIONER OF THE PROPOSED FIRM)

7. Name: _____
(surname) (other name)

8. Name of Employer (if any): _____

9. Address of Employer (if any): _____

10. Correspondence Address: _____

11. Tel No.: _____ Fax No.: _____ Email Address: _____
(Please indicate if the telephone no. and fax no. are in countries other than in Hong Kong.)

PART C - QUALIFICATION FOR REGISTRATION

12. **TO BE COMPLETED IF THE PROPOSED FIRM IS A BRANCH OF AN OVERSEAS FIRM**

a. **INFORMATION ABOUT THE OVERSEAS FIRM**

i. Name of the overseas firm is: _____

- ii. Principal place of business is: _____
 (Address in full) _____

- iii. No. of Partners: _____
- iv. No. of other qualified staff: _____
- v. Email Address: _____
- vi. Home Page: _____
- vii. No. of branch offices: _____
- viii. Location of each branch office: _____
 (City, Country) _____
- ix. Names of the partners in the head office who will be resident partners of the proposed firm

If you answer "No" to any of the questions in this Part, full particulars should be given in a separate sheet.

- | | <u>Yes</u> | <u>No</u> |
|---|--------------------------|--------------------------|
| b. Is the overseas firm lawfully carrying on the practice of law in its foreign jurisdiction? | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Is the overseas firm in good standing in every jurisdiction in which it has at any time within the past 5 years carried on the practice of law? | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Is there at least one of the partners of the firm who intends to practise in Hong Kong who: | | |
| i. is a partner in the overseas firm? | <input type="checkbox"/> | <input type="checkbox"/> |
| ii. has, at the date of the application for registration, been associated on a full-time basis with the overseas firm for the immediately preceding period of 12 months and had, during the 4 years immediately preceding the commencement of that period, been so associated with the overseas firm for an additional period of not less than 12 months? and | <input type="checkbox"/> | <input type="checkbox"/> |

- | | | <u>Yes</u> | <u>No</u> |
|------|---|--------------------------|--------------------------|
| iii. | has been in the practice of the law for not less than 5 years? | <input type="checkbox"/> | <input type="checkbox"/> |
| e. i | Will the overseas firm provide financial and logistical support to the proposed firm? | <input type="checkbox"/> | <input type="checkbox"/> |
| ii | If so, will the overseas firm advise the Law Society if the situation changes? | <input type="checkbox"/> | <input type="checkbox"/> |

Please enclose an original letter issued by the relevant Law Society or Governing Body confirming the facts in Nos.12b and c above. Please enclose an original letter issued by the overseas firm confirming the answers to Nos.12d and e above.

13. **TO BE COMPLETED IF THE PROPOSED FIRM IS NOT A BRANCH OF AN OVERSEAS FIRM**

If you answer "No" to any of the questions in this Part, full particulars should be given on a separate sheet.

- | | | <u>Yes</u> | <u>No</u> |
|----|--|--------------------------|--------------------------|
| a. | Is each of the partners of the firm who intends to practise in Hong Kong of good standing in the foreign jurisdiction of which he is qualified to practise the law and in every jurisdiction of which he has at any time within the past 5 years practised the law? | <input type="checkbox"/> | <input type="checkbox"/> |

Please enclose an original letter issued by the relevant Law Society or Governing Body.

- | | | | |
|----|--|--------------------------|--------------------------|
| b. | Has each of the partners who intends to practise in Hong Kong been engaged in the practise of the law of a foreign jurisdiction in which he is qualified to practise for not less than 3 years? | <input type="checkbox"/> | <input type="checkbox"/> |
| c. | Is one of the partners who intends to practise in Hong Kong of substantial reputation in the foreign jurisdiction the law of which he is qualified to practise, or in a jurisdiction of which he has practised that law during the preceding 5 years? | <input type="checkbox"/> | <input type="checkbox"/> |

Please complete the first and second references attached.

Each of the partner(s) who holds a current certificate of registration as a foreign lawyer must provide two references in the form approved by the Law Society. One of the referees must be a member in good standing of the legal profession in the jurisdiction in which the partner was admitted. The other referee must satisfy either one of the following requirements:

- (a) *a member in good standing of the Law Society of Hong Kong; or*
- (b) *a member in good standing of the legal profession in the jurisdiction in which the partner was admitted; or*

- (c) *a member of the judiciary in the jurisdictions specified in the above (a) or (b).*

PART D - PROFESSIONAL LIABILITY INSURANCE

14. The proposed firm will maintain a professional liability insurance policy for all the registered foreign lawyers with:

a. Name of Insurer: _____

b. Address of Insurer: _____

c. Policy No.: _____

Please enclose a certified copy of the insurance policy and complete the attached confirmation.

PART E - ACCOUNTANT'S REPORT

15. The firm's accounting period for the purpose of the Accountant's Report Rules will be:

From _____ to _____ for every year.

DECLARATION OF APPLICANT

I, _____, DO SOLEMNLY DECLARE
(full name as stated in passport)

THAT:

1. I am the applicant of this Application.
2. I wish # _____ to be registered with the Law Society of Hong Kong as a foreign law firm to practise * _____ law in Hong Kong.
3. I have personal knowledge of the information I have submitted in this Application, and confirm that the information is true, accurate and complete;

and I make this solemn declaration conscientiously believing it to be true and knowing that it has the same legal force and effect as if made under oath.

Declared before me at _____,
_____, this _____ day of _____, 20_____.
(detailed address)

Notary Public, Commissioner for Oaths, or other person
authorised by the *Oaths and Declarations Ordinance* to
take declarations

Signature of the Applicant

Name of witness: _____

- # Please insert the name of the proposed firm.
- * Please insert the jurisdiction on which this application is based.

APPLICANT'S UNDERTAKING AND AUTHORIZATION

I, _____, the applicant in this Application apply
(full name)
for registration of * _____ as a foreign law firm
in Hong Kong. On behalf of the said foreign law firm, I will submit to the jurisdiction of the Law Society of Hong Kong, and will comply with the *Legal Practitioners Ordinance*, the Law Society Rules, the Practice Directions and the Hong Kong Solicitors' Guide to Professional Conduct, I consent to permit the Law Society to make inquiries on the information contained in this form of other lawyers, solicitors, governing bodies, etc.

Date

Signature of the Applicant

- * Please insert the name of the proposed firm.

FIRST REFERENCE*

This letter must be completed by a referee who is a member in good standing of the legal profession in the jurisdiction in which the partner was admitted.

I, _____;
(full name of referee)

CERTIFY THAT:

1. I am a member in good standing of the _____
(Law Society or Governing Body)
2. I am well acquainted with _____
(full name of the partner)
and have personally known him or her for _____ years;
3. he or she, in my opinion, is fit to practise in Hong Kong and has the necessary active practice experience.

Provide details of the partner's work experience including the number of years and areas of practice, his or her fitness to practise in the jurisdiction in which the partner is qualified to practise and any other information you may think is relevant.

_____ Date

_____ Signature

Address: _____

Telephone: _____

Fax: _____

* To be completed where the foreign firm to be established is not a branch of a firm whose principal place of business is outside Hong Kong.

SECOND REFERENCE*

This letter must be completed by a referee who satisfies either one of the following:
(a) a member in good standing of the Law Society of Hong Kong; or
(b) a member in good standing of the legal profession in the jurisdiction in which the partner was admitted; or
(c) a member of the judiciary of the jurisdictions specified in (a) or (b)

I, _____;
(full name of referee)

CERTIFY THAT:

1. I am a member in good standing of the _____ /
(Law Society or Governing Body)
I am a member of the judiciary of _____
(jurisdiction)
2. I am well acquainted with _____
(full name of the partner)
and have personally known him or her for _____ years;
3. he or she, in my opinion, is fit to practise in Hong Kong and has the necessary active practice experience.

Provide details of the partner's work experience including the number of years and areas of practice, his or her fitness to practise in the jurisdiction in which the partner is qualified to practise and any other information you may think is relevant.

_____ Date

_____ Signature

Address: _____

Telephone: _____

Fax: _____

* To be completed where the foreign firm to be established is not a branch of a firm whose principal place of business is outside Hong Kong.

CONFIRMATION

**PROFESSIONAL INDEMNITY INSURANCE
FOR REGISTERED FOREIGN LAWYERS**

We confirm that the professional indemnity insurance for _____
(Name of Firm)
_____ complies with Rule 6(1) of the Foreign Lawyers

Registration Rules, namely,

- i) the registered foreign lawyers of the firm are entitled 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

- ii) indemnity is provided against loss occasioned by the fraud or dishonesty of the employees of the firm 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.

Name of Insurance Company

Signature of the Resident Partner

Company Chop & Authorized Signature
of Insurance company

Company Chop of Foreign Law Firm

Name & Title of Authorized Signatory
of Insurance Company

Date

****Encl: a complete set of the policy of insurance****

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.