

ภาคผนวก

ระเบียบวิชาชีพนักกฎหมายปี พ.ศ. 2554 (การทดสอบนักกฎหมายต่างชาติ) ของสภาวิชาชีพ  
**(Legal Profession (Foreign Practitioner Examinations) Rules 2011)**

**Application to sit for Examinations**

4.—(1) A person who applies to be registered by the Attorney-General to practise Singapore law under section 130I of the Act cannot, for the purposes of satisfying any requirement for such registration, or of ascertaining whether any such requirement is satisfied, rely on any determination of the person's eligibility to sit for the Examinations by the Director, the Examinations Review Board or the Institute.

(2) An application to sit for a particular session of the Examinations shall —

(a) be made to the Director —

(i) in such form and manner as the Director may require;

(ii) within such period as the Director may specify; and

(iii) regardless of whether the applicant has been exempted by the Minister under rule 16(1) from all or any, or from the whole or any part of any, of the requirements under paragraph (3)(b) to (g); and

(b) be accompanied by —

(i) a non-refundable application fee of the amount specified in the Schedule;

and

(ii) such documents as the Director may require.

(3) Subject to rule 16, but without prejudice to paragraph (6), a person shall not be eligible, and the Director shall not approve the person's application, to sit for a particular session of the Examinations unless, at the time the application is made under paragraph (2), the person —

(a) is a foreign lawyer;

(b) has attained the age of 21 years;

(c) is not the subject of any disciplinary proceedings as a solicitor or foreign lawyer in Singapore or elsewhere and has not been previously disciplined for any disciplinary offence;

(d) is not a party to any criminal or civil proceedings that may lead to disciplinary proceedings being taken against him as a solicitor or foreign lawyer in Singapore or elsewhere;

(e) is not, as a result of any criminal or civil proceedings against him in Singapore or elsewhere, prohibited from practising law in Singapore or elsewhere or subject to any special conditions in the practice of law;

(f) has, after becoming a foreign lawyer, been engaged in relevant legal practice or work, in Singapore or elsewhere, in one or more of the permitted areas of legal practice in any foreign law, for at least 3 years in the 5 years immediately preceding the date on which the application is made;

(g) is practising in Singapore as a foreign lawyer in a Joint Law Venture, Qualifying Foreign Law Practice, licensed foreign law practice or Singapore law practice, or has received a job offer to practise in Singapore as a foreign lawyer in a Joint Law Venture, Qualifying Foreign Law Practice, licensed foreign law practice or Singapore law practice (being a job offer which may, but need not, be contingent on him passing the Examinations); and

(h) is not disentitled from sitting for that session of the Examinations under rule 13(1)(a).

(4) For the purposes of paragraph (3), the Director may require a foreign lawyer —

(a) to provide, in addition to any documents referred to in paragraph (2)(b)(ii), such other evidence as the Director considers necessary;

(b) to depose to any facts relevant to the application by a statutory declaration; and

(c) to attend an interview.

(5) For the purposes of determining whether a foreign lawyer has been engaged in relevant legal practice or work for at least 3 years, as set out under paragraph (3)(f), any period spent in attending any course of instruction, course of study or postgraduate education (not being a period spent to satisfy any applicable requirements relating to continuing professional development), and any period spent in serving any articles, period of pupillage, practice training period or other period of supervised training in relation to the practice of law (by whatever name called), shall be disregarded.

(6) Without prejudice to paragraph (3), a foreign lawyer who has failed the Examinations twice within a period of 5 years shall not be eligible, and the Director shall not approve the person's application, to sit for another session of the Examinations until a period of 3 years has elapsed from the year in which he last failed the Examinations.

- (7) In this rule, “relevant legal practice or work” means —
- (a) active practice as —
    - (i) a legal practitioner, by whatever name called, in any jurisdiction other than Singapore; or
    - (ii) a foreign lawyer in Singapore; or
  - (b) work of a legal nature which is performed as a legal counsel in any corporation or other entity the equity securities of which are listed on the official list of a securities exchange in Singapore or elsewhere.