

Legal Services Regulatory Authority

Introduction

On 18 November 2015, the office of the Director of Legal Services (“DLS”) was established under the Legal Profession Act (“LPA”). Certain regulatory functions previously performed by the Attorney-General and the Law Society of Singapore were transferred to the DLS.

To support the DLS, the Legal Services Regulatory Authority (“LSRA”) was established as a new department under the Ministry of Law. Through the LSRA, the DLS regulates and licenses law practice entities and registers foreign lawyers and regulated non-practitioners, as well as Singapore solicitors practising in foreign law practices (“FLPs”).

The DLS is assisted by the Registrar and a multidisciplinary team of 11 officers. Since the launch of LSRA, the team has processed almost 200 applications relating to law practice entities, about 1,600 applications relating to individuals, and 2,700 e-mail enquiries.¹

Commonly Asked Questions

1. How do I set up a law practice?

Prior to 18 November 2015, a Singapore solicitor would set up a Singapore law practice (“SLP”) by applying to the Law Society for name approval and registering the entity with ACRA, while foreign law practice entities applied to the Attorney-General’s Chambers for licences.

With the launch of LSRA, all law practices in Singapore are now subject to a licensing regime, and must obtain a licence from LSRA before commencing operations.²

2. I have an existing law practice. How do I view or obtain a copy of my licence?

To view or obtain a copy of your licence, log in to LSRA e-Services, go to “myDashboard”, click on the “Entities” tab, and select “Download Licence”.

3. How do I update the contact details and other particulars of my law practice?

To update the particulars of your law practice, please submit an application via

LSRA e-Services. Log in, go to “myDashboard”, click on the “Entities” tab, select “Update”, amend the particulars in the form, and submit the form.

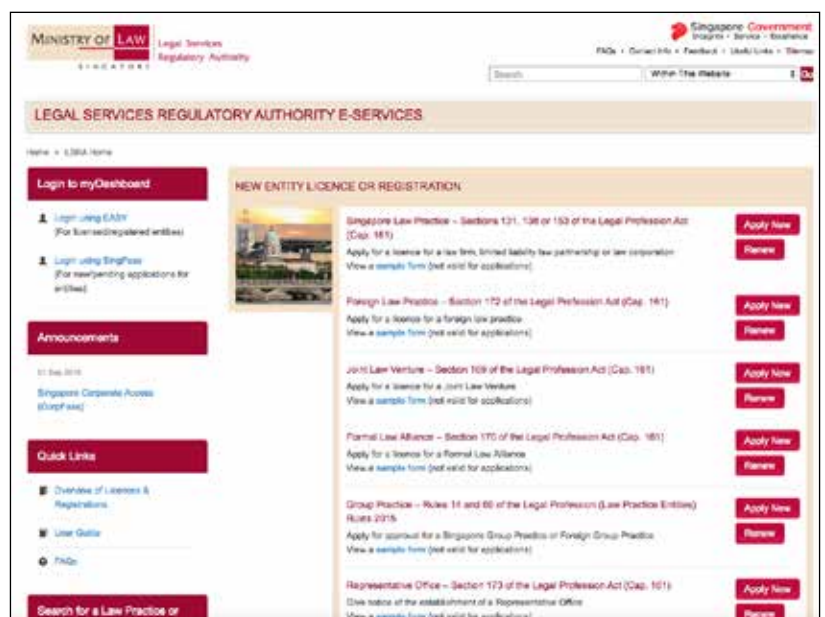
Once processed, your law practice’s updated particulars will be transmitted to the Supreme Court’s eLitigation system after one to two working days.³

Your law practice’s updated particulars will also be reflected in LSRA’s online search function. The contact details and practice areas of all law practices in Singapore are published free of charge on LSRA’s search function. We would therefore encourage all law practices to update your details with LSRA so that potential clients can contact you.

4. My law practice would like to share premises with another law practice or business entity. Do I need to inform or seek the approval of LSRA?

a. Sharing premises with a non-SLP

Under rule 81 of the Legal Profession (Law Practice Entities) Rules 2015 (“LPER”), SLPs, Qualifying Foreign Law Practices (“QFLPs”), licensed FLPs and representative offices must obtain the prior approval of DLS before they can share premises with an entity other than an SLP. You can seek



LSRA e-Services Homepage

approval by submitting an update application via LSRA e-Services (see process in (3)). Fill in the "Sharing of Premises" section of the online form, and submit the relevant supporting documents.

If an SLP/QFLP/FLP wishes to share premises with a non-law practice entity, and if any of the solicitors, or foreign lawyers registered under s 36B of the LPA, in the SLP/QFLP/FLP is holding an executive appointment in the entity, the solicitor or foreign lawyer should take note of rule 34 of the Legal Profession (Professional Conduct) Rules 2015 and ensure that his or her executive appointment is in compliance with rule 34 before submitting the update application. Otherwise, the SLP/QFLP/FLP can upload an explanatory note in the "Additional Documents" section of the online application to tell us how the solicitor or foreign lawyer intends to rectify the non-compliance.

b. Sharing premises with an entity where approval is not required

Where the prior approval of DLS is not required to share premises (eg, sharing between two SLPs), both entities must still submit an application via LSRA e-Services to update their particulars.

5. My law practice would like to rent space from a serviced office. Do I need to inform or seek the approval of LSRA?

You will need to obtain the prior approval of DLS via LSRA e-Services (see process in (4)) to share premises with the facility management company that owns or manages the serviced office.

You do not need approval to share premises with the other tenants of the serviced office.

6. What do I need to do if I want to change the legal structure of my law practice?

Where a change in the legal structure of your law practice requires a new UEN (eg, from law firm to law

corporation), you will need to terminate your existing licence and apply for a new one.

Both applications (for the termination and for the new law practice) can be submitted in advance as you can propose a future start date for the new law practice, and a future termination date for the existing law practice. The licence of your existing law practice will continue to be valid until the approved termination date.

7. Can a non-lawyer employee be a partner, director or shareholder in, or share in the profits of, a law practice?

Your law practice will need to apply via LSRA e-Services for approval to register the employee as a regulated non-practitioner under s 36G of the LPA. Please note that approval is required even if the employee will be a salaried partner or director.

Such non-lawyer employee participation in a law practice is subject to certain statutory requirements, including the limits set out in the Legal Profession (Regulated Individuals) Rules 2015 ("RIR").

8. Can a foreign lawyer be a partner, director or shareholder in, or share in the profits of, an SLP?

The approval of DLS under s 176 of the LPA is required before a foreign lawyer registered under ss 36B, 36C or

LSRA's Search Function

36D of the LPA can be a partner, director or shareholder in, or share in the profits of, an SLP. Please note that approval is required even if the foreign lawyer will be a salaried partner or director in the SLP.

Such foreign lawyer participation in an SLP is subject to certain statutory requirements, including the limits set out in the LPER.

To apply for approval, log in to LSRA e-Services, go to "myDashboard", choose "Approval to Hold Interests in a Law Practice", enter the details of the proposed foreign lawyer or foreign law practice, and submit the form.

9. Do I need to seek approval for a foreign law practice to invest in my SLP?

If the FLP intends to be a shareholder in, or share in the profits of, your SLP, you will need to seek the approval of DLS under s 176 of the LPA via LSRA e-Services (see process in (8)).

Such foreign law practice participation in an SLP is subject to certain statutory requirements, including the limits set out in the LPER.

10. How do I apply to form a Joint Law Venture or Formal Law Alliance?

You can apply for a Joint Law Venture licence or Formal Law Alliance licence via LSRA e-Services.

The relevant rules and requirements relating to the formation of a Joint Law Venture or Formal Law Alliance can be found in Part IXA of the LPA, read with the LPER.

11. I intend to wind up my law practice. Do I need to inform LSRA?

You will need to submit an application via LSRA e-Services to terminate your licence before de-registering the entity with ACRA. You can submit the termination application in advance as you can propose a future termination date in the application form. The licence of your law practice will continue to be valid until the approved termination date.

12. How long will it take for LSRA to process my application, and what can I do to speed this up?

It generally takes three to six weeks to process applications relating to individuals, and three to 16 weeks

to process applications relating to licences (including new licences, updates, terminations and approvals), depending on the complexity of the application as well as LSRA's caseload at the time.

Here are some things you can do to speed up your application:

- a. Do not wait until the last minute to submit your application. **Apply well in advance.**
- b. To ensure that you will be able to log in to LSRA e-Services, **make sure that the main contact for the application is an authorised EASY user for LSRA e-Services for the law practice** (in EASY, select "Ministry of Law (MLAW)" > "Legal Services Regulatory Authority"). If you encounter difficulties with SingPass or EASY, please contact SingPass or IRAS respectively.
- c. **Check that your solicitors' details (if any) in the Supreme Court's eLitigation system are up to date**, as the information will be automatically populated in LSRA's online form.
- d. **Read the relevant legislation** and ensure that your proposed arrangement complies with not just the letter, but the spirit, of the law. In particular, SLPs should ensure that they fulfil the threshold requirements specified in rule 3 of the LPER.
- e. **Read the FAQs, LSRA e-Services user manual and sample application forms** available on the LSRA e-Services homepage to ensure that you have filled in the application form correctly.
- f. **Complete all relevant fields in the online form and submit all required documents.** Many applications are delayed because they are incomplete and/or the law practice takes a long time to submit further information that is requested.
- g. If you are setting up a law corporation, you will need to submit a draft constitution. If time is of the essence, **please consider using the specimen clauses available on our website.** Your application will take longer to process if your draft constitution contains significant deviations from our specimen clauses.

13. How do I register a foreign lawyer? Or a Singapore solicitor in a foreign law practice? Which category should I choose?

Your law practice can apply for a Certificate of Registration for the foreign lawyer or the Singapore solicitor via LSRA e-Services.

An overview of the various categories can be found on our website. For further details, please refer to ss 36B to 36E of the LPA, and Part 2 of the RIR.

14. How do I update the particulars of a foreign lawyer or regulated non-practitioner?

Please submit an application via LSRA e-Services to update the individual's particulars. Log in, go to "myDashboard", click on the "Individuals" tab, select "Update", amend the particulars in the form, and submit the form.

15. Do I need to update LSRA regarding the particulars of Singapore solicitors?

As matters relating to Singapore solicitors are under the purview of the Supreme Court, Singapore solicitors should continue to submit a Notice of Change of Particulars via eLitigation if their particulars change, or if they leave or join law practices.⁴

16. How do I search for a law practice/Singapore solicitor/foreign lawyer/regulated non-practitioner?

LSRA has an integrated online search function which lists all law practices (foreign and local), Singapore solicitors,⁵ foreign lawyers, and regulated non-practitioners. At present, you can search by name, practice area, and the type of law practice. We are working on further enhancements to the search function.

Information on law practices, foreign lawyers and regulated non-practitioners in LSRA's search function is based on LSRA's records. If your law practice's particulars (eg, practice areas, address, contact details) on the search function are incorrect, you will need to update your records by submitting an update application via LSRA e-Services.

17. How do I contact LSRA? Can I request a meeting?

The answers to many of the enquiries we receive can be found by referring to the relevant legislation, our FAQs,

LSRA e-Services user manual, and sample application forms available on the LSRA e-Services homepage.

If you are unable to find the information you require, you can e-mail or call us. Please note that it usually takes three to five working days for us to reply to straightforward email queries, and up to 14 working days for more complex queries. Please also note that LSRA does not give legal advice.

If you would like to request a meeting, please send us an e-mail setting out the issues you wish to discuss, so that we can see how best to assist.

Useful Links:

- **LSRA e-Services:** www.mlaw.gov.sg/eservices/lra/lra-home
- **LSRA search function:** www.mlaw.gov.sg/eservices/lra/search-lawyer-or-law-firm
- **LSRA e-mail:** MLAW_LSRA@mlaw.gov.sg
- **MinLaw hotline:** 1800 2255 529

Notes

- 1 As at October 2016.
- 2 To set up a law practice:
 - a. Apply via LSRA e-Services for a new licence, and pay the application fee.
 - b. If LSRA grants in-principle approval, register the entity with ACRA via Bizfile.
 - c. After the entity is registered with ACRA, submit details and pay the licence fee via LSRA e-Services.
 - d. LSRA will issue a licence.
 - e. File a Notice of Change of Particulars via eLitigation (for Singapore solicitors) and/or apply for a Certificate of Registration via LSRA e-Services (for foreign lawyers).
- 3 For subscribers of eLitigation who have updated their address and wish to use the updated address for e-filing and correspondence, the registered administrator will also need to update the law practice's address in eLitigation.
- 4 LSRA has a data interface with the Supreme Court, so the information submitted to the Supreme Court will be transmitted to LSRA, and our records and search function will be automatically updated.
- 5 Information on Singapore solicitors in LSRA's search function is transmitted from the Supreme Court.