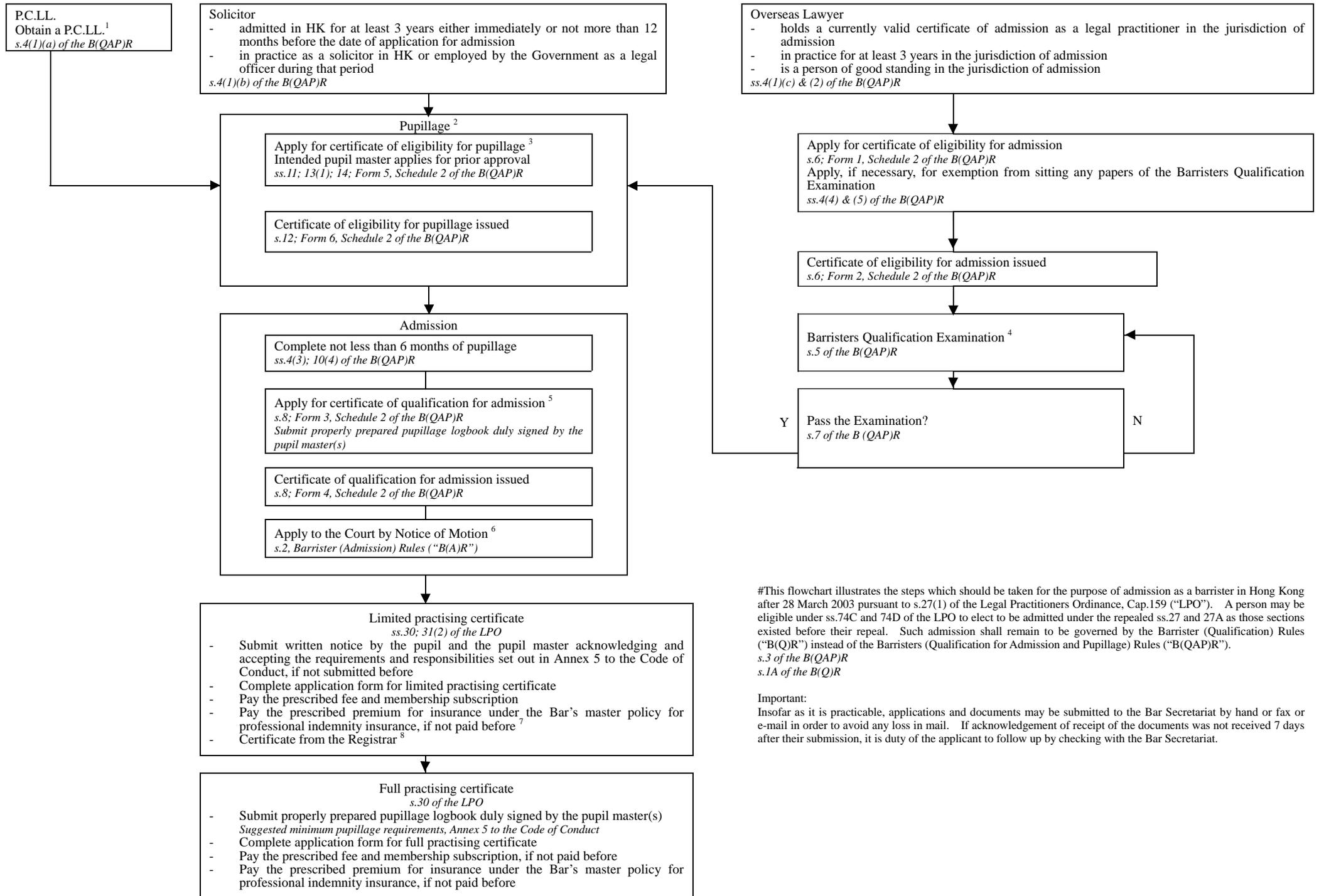


ADMISSION UNDER S.27(1) OF THE LEGAL PRACTITIONERS ORDINANCE#



#This flowchart illustrates the steps which should be taken for the purpose of admission as a barrister in Hong Kong after 28 March 2003 pursuant to s.27(1) of the Legal Practitioners Ordinance, Cap.159 ("LPO"). A person may be eligible under ss.74C and 74D of the LPO to elect to be admitted under the repealed ss.27 and 27A as those sections existed before their repeal. Such admission shall remain to be governed by the Barrister (Qualification) Rules ("B(Q)R") instead of the Barristers (Qualification for Admission and Pupillage) Rules ("B(QAP)R").
s.3 of the B(QAP)R
s.1A of the B(Q)R

Important:
Insofar as it is practicable, applications and documents may be submitted to the Bar Secretariat by hand or fax or e-mail in order to avoid any loss in mail. If acknowledgement of receipt of the documents was not received 7 days after their submission, it is duty of the applicant to follow up by checking with the Bar Secretariat.

**This flowchart provides a convenient overview of the steps to be taken at various stages of pupillage.
This is not a substitute for reference to the applicable Ordinance and Rules.**

Annotations

1. P.C.LL.

If the certificate is yet to be issued, an official written confirmation of the passing of all the P.C.LL. examinations issued by the relevant university may be acceptable for the purpose of the application for the certificate of eligibility for pupillage.

2. Pupillage in Hong Kong

The period of approved pupillage in Hong Kong shall be a period of not less than 12 months and as defined in the Rules (*s.10 of the B(QAP)R*). The period may be reduced to a minimum of 3 months and application for reduction of pupillage shall be made to the Chief Judge of the High Court (*s.16 of the B(QAP)R*). The minimum period of pupillage undertaken with a particular barrister is expected to be 3 months. If the last part of the 12-month minimum period of approved pupillage with a particular barrister turns out to be less than 3 months due to exceptional circumstances, the Bar Council may still consider approving such an arrangement (*Circular No.75/03*).

3. Application for pupillage in Hong Kong

The prescribed form for the application must be strictly adhered to or else it would be rejected (*s.11(2) of the B(QAP)R*). Both the application for the certificate of eligibility for pupillage and the intended pupil master's application to receive the pupil into his chambers must be submitted in a timely fashion (*s.11(1) of the B(QAP)R*). The Bar Council has no discretion to accept as part of the approved pupillage any period of work in the nature of pupillage undertaken prior to the issue of the certificate (*s.10(6) of the B(QAP)R*). To apply for the transfer and continuation of pupillage after the issue of the certificate of eligibility for pupillage, the applications by the pupil and the intended pupil master should still be submitted for the Bar Council's prior approval (*s.13(1) of the B(QAP)R*).

4. The Barristers Qualification Examination

The Barristers Qualification Examination shall be held at least once every year.

5. Application for certificate of qualification for admission and limited practice

The prescribed form for the application must be strictly adhered to or else it would be rejected (*s.8(2) of the B(QAP)R*). The pupil must submit the pupil masters' certificates (*s.10(4) of the B(QAP)R*) together with the properly prepared pupillage log book duly signed by the pupil masters (*Circular No. 23/04*). Pupils intending to commence limited practice following their admission as barristers may also submit their such applications at the same time. For such purpose, pupils and pupil masters should submit their respective written notices acknowledging and accepting the requirements and responsibilities set out in Annex 5 of the Code of Conduct. The Bar Council may consider at the same time the pupils' eligibility to commence limited practice subject to their admission.

6. Application for admission

Some time may be taken before the pupils' applications to be admitted as barristers will be heard by the Court (*s.2(2) of the B(A)R*). Therefore, the motion paper, affidavits and other arrangements necessary for the applications should be prepared in advance as far as practicable.

7. Professional indemnity insurance

Application for professional indemnity insurance coverage may be made any time during the first 6 months of pupillage. Pupils may arrange the insurance coverage in advance so that the evidence of their insurance coverage would be available by the time when they apply for commencement of limited practice. Pupils would be entitled to a refund of any overpaid premium in respect of the period between the expected date of commencement of limited practice stated by the pupils in their applications for insurance coverage and the actual commencement date subsequently approved by the Bar Council (*contact details of the insurance broker may be obtained from the Bar Secretariat*).

8. Declaration of admission

It may take time after the pupil's admission as a barrister before the Registrar's certificate of his admission is issued. Pupils applying to commence limited practice may instead declare in writing of their admission and undertake to the Bar Council to file the Registrar's certificates of their admission as soon as the same are received (*standard form of declaration and undertaking may be obtained from the Bar Secretariat*).