

# APPLICATION FORM FOR ARCHIE ZIMMERN MEMORIAL FUND

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## Personal Details:

Name of Applicant: English

Chinese  Age:  Sex: M / F

Residential Address: \_\_\_\_\_

Correspondence Address (if different from the above): \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_

## Admission & Pupillage:

Date of Call to the Bar:  /  /   
D D / M M / Y Y Y Y

Date of Call to the U.K. Bar (if applicable):  /  /   
D D / M M / Y Y Y Y

Date of Commencement of Pupillage:  /  /   
D D / M M / Y Y Y Y

Period or Intended  
Period of Pupillage

Name of Pupil Masters: 1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_

## Qualification:

a). For a **holder** of the P.C.LL. :-

- The P.C.LL. awarded by:  the University of Hong Kong  
 the City University of Hong Kong  
 the City Polytechnic of Hong Kong  
 the Chinese University of Hong Kong

b). For a **non-holder** of P.C.LL. (but who otherwise falls within any of the categories of persons set out in section 27(1)(a)(iv) of the Legal Practitioners Ordinance) :-

- A barrister who commenced pupillage not more than 6 months before the date of such application or who intends shortly thereafter to enter into pupillage.
- A person who at the date of such application is not a barrister but who: (a) satisfies the requirements of Section 27 of the Legal Practitioners Ordinance, and (b) undertakes to apply with due diligence to the Court to be enrolled as a barrister and thereafter to enter into pupillage.

**Financial Assistance Requested:**

Loan  Amount HK\$ \_\_\_\_\_

Grant\*  Amount HK\$ \_\_\_\_\_

\* the Applicant should be aware that a grant will only be considered appropriate where there are circumstances of exceptional hardship shown.

**Purpose of Loan :**

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**Personal Financial Background:**

Previous Employment / Profession (*if any*).

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Income (*if any*) in past 12 months.

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Assets over \$10,000 (*including balance in Bank A/C, Stocks and Shares*).

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Sources of Financial Support (*if any*) within past 12 months.

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Current Debts and Liabilities (including potential liabilities) within 1 year from date of application.

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Projected personal monthly expenses for the next 12 months.

(*please give a simple breakdown*)

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Projected extraordinary expenses (*if any*) for the next 12 months.

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Any other matters as may be relevant to this application.

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Proposed Method of Repayment of Loan

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**Referees**

This application **must** be accompanied by at least 2 references from suitable referees, such as a pupil-master or a university teacher. The reference must be put in a sealed envelope addressed to the Bar Council of the Hong Kong Bar Association and *either* returned to the applicant for submission to the Bar Secretariat with the Application Form *or* sent directly by the referee to the Bar Secretariat.

**Name(s)**

**Title**

1.	<hr/>	<hr/>
2.	<hr/>	<hr/>
3.	<hr/>	<hr/>

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**To the Bar Council of the Hong Kong Bar Association:**

I, \_\_\_\_\_ (Print Name) have read and fully understood the Rules for The Archie Zimmern Memorial Fund "The Rules" in Appendix A attached hereto and I agree to the terms of, and undertake to abide by the Rules if the Bar Council of the Hong Kong Bar Association offers me the loan(s) under the Archie Zimmern Memorial Fund.

I declare that the above matters are accurate, complete and true to the best of my knowledge. I am prepared to produce available supporting documents upon request.

\_\_\_\_\_  
Date of Application

\_\_\_\_\_  
Signature of Applicant

Please return this form to the Administrator at the Bar Secretariat LG2 Floor, High Court, 38 Queensway, Hong Kong. The contents of this form will be kept confidential to the sub-committee considering this application, save where discreet verification procedures are necessary.

**Rules for The Archie Zimmern Memorial Fund**

*(amended as of 23<sup>rd</sup> April 2015)*

1. In these Rules:-
  - (1) "Bar Council", except when used in Rule 11, includes any sub-committee appointed under Rule 3.
  - (2) "Loan" means a loan provided or to be provided from the Fund.
  - (3) "Grant" means a grant provided or to be provided from the Fund.
  - (4) "The Ordinance" means the Legal Practitioners Ordinance (Cap.159, L.H.K. 1981 Ed.) and all amendments thereto.
  - (5) "Barrister" means a barrister within the meaning of the Ordinance.
  
2. The fund herein referred to shall be known as The Archie Zimmern Memorial Fund (hereinafter called "The Zimmern Fund").
  
3. The Bar Council shall administer the Zimmern Fund and shall be at liberty from time to time to delegate such administration or any aspect or aspects thereof to a sub-committee consisting of the Chairman of the Bar Council and 2 practising members of the Bar.
  
4.
  - (a) A holder of the P.C.LL. awarded by the University of Hong Kong, the City University of Hong Kong (including its predecessor known as the City Polytechnic of Hong Kong) or the Chinese University of Hong Kong shall be eligible to apply for a Loan or Grant.
  - (b) A non-holder of the P.C.LL. but who otherwise falls within any of the categories of persons set out in s.27(1)(a)(iv) of the Legal Practitioners

Ordinance shall be eligible to apply for a Loan or Grant if he/she is:-

- (1) A barrister who commenced pupillage not more than 6 months before the date of such application or who intends shortly thereafter to enter into pupillage; or
  - (2) A person who at the date of such application is not a barrister but who:-
    - (a) satisfies the requirements of Section 27 of the Ordinance or, if the same should be amended or changed, the equivalent thereof , and
    - (b) undertakes to apply with due diligence to the Court to be enrolled as a barrister and thereafter to enter into pupillage.
5. An application for a Loan or Grant shall be made by completing an Application Form and delivered to the Honorary Secretary of the Hong Kong Bar Association.
6. Upon receipt of an application for a Loan or Grant, the Bar Council shall in due course consider the same and may:-
- (1) provisionally approve the application whereupon it shall cause to be sent to the applicant a letter stating that the application has provisionally but not finally been approved, stating the amount in which and the terms and conditions upon which such Loan or Grant if finally approved would be made and asking the applicant to signify in writing whether he accepts such terms and conditions; or
  - (2) reject the application; or

- (3) defer further consideration of the application until such later date as the Bar Council shall think fit, and may ask for further information from the applicant.
  
7. The Bar Council shall not finally approve nor cause to be effected any Loan or Grant unless the majority of its members present when such decision is taken (the Chairman having a casting vote) are satisfied that:-
  - (1) the applicant is eligible to apply for such Loan or Grant within the meaning of Rule 4; and
  - (2) the applicant is reasonably in need of financial assistance to enable or assist him/her in pupillage; and
  - (3) the applicant has in writing signified acceptance of the terms and conditions upon which the Loan or Grant is to be made.
  
8. The amount, duration and all other terms and conditions as to the making and repayment of each Loan (including the rate of interest, if any) shall be in the Bar Council's absolute discretion save that:-
  - (1) in no single case shall the amount of the Loan exceed two-thirds of the capital comprising the Zimmern Fund;
  - (2) it shall be a term or condition of each Loan that all sums due and owing by the applicant shall become immediately repayable in the event that the applicant ceases to be or to practise as a barrister or pupil, as the case may be, or defaults in making repayment of any instalment; and
  - (3) it shall be a term or condition of each Loan that the same should be fully repaid (whether by instalments or otherwise) not later than 2 years after the date when such Loan is effected unless the Bar Council

is satisfied that a longer period for repayment ought in any particular case to be permitted.

9. In no single case shall the amount of each Grant exceed two-thirds of the capital comprising the Zimmern Fund.
10. Upon final approval of any Loan or Grant the Bar Council shall in due course cause payment to be effected to the applicant and on receiving payment the applicant shall in writing and by his signature acknowledge receipt of such payment and the terms and conditions upon which the Loan or Grant is made.
11. Amendments and additions to these Rules may be made by the Bar in General Meeting or alternatively by resolution of the Bar Council, which shall be operative forthwith, but may be revoked or amended by the Bar in General Meeting.