

Size of Loan Requested: HK\$ _____

Purpose of Loan :

Eligibility to apply:

Please tick to indicate your status:-

- A barrister who commenced active practice not more than 3 years before the date of such application or who intends shortly thereafter to enter into active practice.
- A person who at the date of such application is not a barrister but who: (a) has satisfied or is capable of satisfying the requirements of Section 27 of the Legal Practitioners Ordinance or, if the same should be amended or changed, the equivalent thereof and, (b) intends shortly after such application to apply to the Court to be enrolled as a barrister and thereafter to enter into active practice.

Archie Zimmern Memorial Fund :

Did you ever apply for the Archie Zimmern Memorial Fund ? Yes No

Have you received any grant/ loan under the Archie Zimmern Memorial Fund? Yes No

Personal Financial Background:

Previous Employment / Profession (*if any*).

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

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

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

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

Projected personal monthly expenses for the next 12 months.

(please give a simple breakdown)

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

Any other matters as may be relevant to this application.

Proposed Method of Repayment

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. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |

To the Bar Council of the Hong Kong Bar Association:

I, _____(Print Name) have read and fully understood the Rules for The Fund for New Barristers "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 Fund for New Barristers.

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 Fund for New Barristers

(amended as of 29th November 2001)

1. In these Rules :-
 - (1) "Bar Council" (save in Rule 3) includes any sub-committee appointed under Rule 3.
 - (2) "Loan" means a loan provided or to be provided from the Fund.
 - (3) "The Ordinance" means the Legal Practitioners Ordinance (Cap, 159, L.H.K. 1981 Ed.) and all amendments thereto.
 - (4) "Barrister" means a barrister within the meaning of the Ordinance.

2. The fund herein referred to shall be known as Fund for New Barristers (hereinafter called "the Fund")

3. The Bar Council shall administer the 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. Each of the following persons shall be eligible to apply for a Loan, namely:-
 - (1) A barrister who commenced active practice not more than 3 years before the date of such application or who intends shortly thereafter to enter into active practice.
 - (2) A person who at the date of such application is not a barrister but who:-
 - (a) has satisfied or is capable of satisfying 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 active practice.
5. An application for a Loan 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, 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 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 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 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 or to enter into or continue in active practice as a barrister; and,

- (3) the applicant has in writing signified acceptance of the terms and conditions upon which the loan 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 Fund;
 - (2) in the event that the Bar Council is of the opinion that a choice must be made between eligible applicants so that one or more of their applications must be rejected, it shall, in exercising such choice give weight to the fact that any particular applicant is a local law graduate and/or has a substantial connection with Hong Kong if such be the case; and,
 - (3) 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 defaults in making repayment of any instalment if the Loan be repayable by instalments; and,
 - (4) 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. Upon final approval of any Loan the Bar Council shall in due course cause payment to be effected to the applicant and on receiving payment the

Appendix A

applicant shall in writing and by his signature acknowledge receipt of such payment and the terms and conditions upon which the Loan is made.

10. 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.