

香港律師會



香港律師會是香港事務律師的專業團體，於一九零七年註冊為擔保有限公司。

宗旨

律師會之宗旨詳載於其組織章程內，扼要內容如下：

- 維護香港事務律師的特點、地位及利益
- 維持專業水平及操守
- 執行有關紀律之法則及規定
- 協助會員發展及維持其業務
- 確保準確地反映律師的意見
- 為會員提供各項服務
- 考慮所有涉及業界利益的問題，並代表業界推動法律或執業的改革

功能

本會之章程細則定下管理架構之運作制度，包括：理事會選舉、授予委員會職責、委任職員、及調查有關對執業事務律師專業操守之投訴。

《法律執業者條例》（香港法例第159章）授予律師會於事務律師執業認可程序中的決策權及以下權力：

- 為本港事務律師發出週年執業證書，和處理外地律師及外地律師行之登記事宜
- 調查及向律師紀律審裁組陳述有關律師之專業操守事宜
- 如發現律師不誠實、故意延誤個案進度、破產、死亡或遭遇其他意外，本會有權介入該律師行之日常運作
- 為律師及實習律師之專業操守和教育訂下規則
- 安排及維持強制性專業賠償計劃

管理架構

理事會由二十名理事組成，是本會的管理機構。律師會之會長及兩名副會長每年由理事會選出。

認可成為執業律師

成為認可執業律師有三大途徑：

- (一) 循本港途徑：
須具有合資格法律學位，一般為香港大學、香港城市大學或香港中文大學頒發的法律學位，並完成一年制之法學專業證書課程及在香港律師行實習滿兩年。
- (二) 循海外途徑：
在普通法及非普通法司法管轄區域內合資格之外地律師，可申請成為認可執業律師，但該律師必須符合本地居留資格、有關教育認可資格和執業經驗，在律師界享有良好信譽、成功地完成或獲豁免所有或部份海外律師資格考試。
- (三) 循訟務律師轉任途徑：
在香港執業超過五年之訟務律師可申請成為事務律師，他們未必需要完成兩年實習，但需成功通過海外律師資格考試中的記賬及專業操守試卷。

電話：(852) 2846 0500

傳真：(852) 2845 0387

電郵：sg@hklawsoc.org.hk

網址：<http://www.hklawsoc.org.hk>

地址：香港中環德輔道中七十一號永安集團大廈三樓

The Law Society of Hong Kong

The Law Society is a professional association for solicitors in Hong Kong. It was incorporated in 1907 as a company limited by guarantee.

Aim

The aims of the Law Society are set out in its Memorandum of Association. In summary, they are as follows:

- To support and protect the character, status and interests of solicitors in Hong Kong
- To promote good standards of practice and maintain ethical practice
- To ensure compliance by solicitors with relevant laws, codes, regulations and practice directions
- To develop and maintain the work of solicitors in all areas of the law, legal practice and procedures
- To ensure the view of solicitors is accurately and purposefully communicated
- To provide services to its members
- To consider all questions affecting the interests of the profession, and to represent the profession to procure changes of law or practice

Function

The Articles of Association deal with the machinery of government of the Law Society: election of the Council, delegation of responsibilities to committees, employment of staff and investigation of complaints regarding professional misconduct.

Under the Legal Practitioners Ordinance (Cap. 159, Laws of Hong Kong), the Law Society has a certificating role in the admission procedure and it is empowered to:

- Issue annual practising certificates and certificates of registration to Hong Kong solicitors, foreign lawyers and foreign law firms
- Investigate and refer allegations of professional misconduct to the Solicitors Disciplinary Tribunal
- Intervene in a solicitor's practice in cases of dishonesty, undue delay, bankruptcy or other causes
- Establish rules for the conduct and education of solicitors and trainee solicitors
- Arrange and maintain a compulsory Professional Indemnity Scheme

Structure

The Council is the governing body of the Law Society. There are twenty members in the Council. The President and two Vice-Presidents are elected annually by the Council.

Admission as a Solicitor

There are three main routes to admission as a solicitor in Hong Kong.

- The local route**
A qualifying law degree is required, in most cases obtained from the University of Hong Kong, the City University of Hong Kong or the Chinese University of Hong Kong, followed by the successful completion of the course in Postgraduate Certificate in Laws in Hong Kong, and working as a trainee solicitor in a Hong Kong law firm for a two-year training period.
- The overseas route**
Overseas qualified lawyers from both common law and non-common law jurisdictions are entitled to apply for admission in Hong Kong if they fulfill certain conditions on residence, legal qualifications and practice experience, are of good standing in their jurisdiction, and have successfully completed or are exempted from all or part of the Overseas Lawyers Qualification Examination.
- Transfer from the Bar**
Barristers admitted in Hong Kong who have been in practice for more than five years may apply for admission as solicitors. They may not have to complete the two-year training period required of trainee solicitors, but they will be required to sit and pass the Accounts and Professional Conduct Head of the Overseas Lawyers Qualification Examination.

Tel : (852) 2846 0500

Fax : (852) 2845 0387

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E-mail : sg@hklawsoc.org.hk

Website : <http://www.hklawsoc.org.hk>