

REQUIREMENT TO SUBMIT CERTIFICATES OF GOOD STANDING – FREQUENTLY ASKED QUESTIONS

This document sets out answers to frequently-asked questions about the new requirement for a Certificate of Good Standing to be submitted as part of an application by certain foreign-qualified lawyers to be registered with the Legal Services Regulatory Authority under the Legal Profession Act.

No.	Frequently-Asked Question	Answer
1.	What is the new requirement?	<p>From 2 May 2018, the Legal Services Regulatory Authority (LSRA) will require the submission of a Certificate of Good Standing (CoGS) from the principal jurisdiction of all foreign-qualified lawyers who are not able to submit a current practising certificate (PC) from that jurisdiction as part of their application to be registered with the LSRA to practise in Singapore under the Legal Profession Act (LPA).</p> <p>This will ensure that only foreign-qualified lawyers who are eligible to practise and in good standing in their principal jurisdiction (i.e. the jurisdiction whose law the lawyer primarily practises) will be eligible to be registered in Singapore.</p>
2.	Which categories of lawyer registration does the new requirement apply to?	Foreign practitioners applying to be registered under section 36B of the LPA are already required to submit a CoGS. This requirement will be extended to lawyers applying to be registered under sections 36C, 36D and 36E of the LPA.
3.	What about applications submitted before 2 May 2018?	The requirement will not apply to applications submitted via LSRA e-Services before 2 May 2018.
4.	What about renewal applications?	The requirement will only apply to applications to new applications for Certificates of Registration (CoR) for lawyers without a current PC from their principal jurisdiction. It will not apply to applications to renew the registration of a lawyer where there is no change of employment.
5.	Do we need to submit a CoGS for all our foreign-qualified lawyers now?	The requirement will only apply to new CoR applications for lawyers without a current PC from their principal jurisdiction. Law practices do not need to submit CoGS for their foreign-qualified lawyers who have an existing CoR.
6.	What if the lawyer is transferring between law practices?	Where a lawyer is transferring from a licensed law practice in Singapore to another and requires a CoR, this will be treated as a new registration and they will be required to submit a CoGS.
7.	What if the lawyer has a PC from their principal jurisdiction?	A foreign-qualified lawyer who is able to submit a current PC from their principal jurisdiction will not need to submit a CoGS.

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8.	Can the lawyer submit a CoGS instead of a PC?	If the lawyer's principal jurisdiction requires a PC for practice outside that jurisdiction, then the lawyer must submit a current PC for that jurisdiction. A CoGS will not be accepted as a substitute.
9.	What if the lawyer has a PC from another jurisdiction, but not their principal jurisdiction?	A foreign-qualified lawyer who is unable to submit a current PC from their principal jurisdiction will be required to submit a CoGS.
10.	Does the lawyer need to submit a CoGS for every jurisdiction in which they are admitted to practise?	A foreign-qualified lawyer is only required to submit a CoGS for their principal jurisdiction.
11.	What if the lawyer's principal jurisdiction is Singapore?	A Singapore solicitor applying to be registered under section 36E of the LPA to practise in a foreign law practice entity in Singapore is only required to submit a CoGS if their principal jurisdiction is a foreign one. They need not submit a CoGS from Singapore.
12.	Which entity must the lawyer obtain the CoGS from?	The CoGS must be issued by the foreign authority in the lawyer's principal jurisdiction which has the function conferred by law of authorising or registering persons to practise law in that jurisdiction.
13.	What if the foreign authority does not issue CoGS?	If the foreign authority in the lawyer's principal jurisdiction does not issue CoGS, the applicant law practice should submit a certification or letter from that authority confirming that the lawyer is entitled to practise in that jurisdiction.
14.	What if there is no foreign authority that authorises or registers persons to practise law in that jurisdiction? Can the lawyer submit an affidavit instead?	If there is no foreign authority in the lawyer's principal jurisdiction which has the function conferred by law of authorising or registering persons to practise law in that jurisdiction, the applicant law practice should submit a letter signed by its Managing Partner/Director to explain this and confirm that the lawyer is entitled to practise in their principal jurisdiction. An affidavit from the lawyer will not be accepted.
15.	How recently must the CoGS be issued?	The date of issue of the CoGS should be no earlier than 3 months prior to the date of submission of the CoR application via LSRA e-Services. Applications for lawyer registrations can be submitted to the LSRA up to 6 months before the requested start date of the CoR. (This means that the CoGS can be issued up to 9 months before the lawyer is due to commence employment at the law practice.)
16.	Is there a CoGS template? What information should be in the CoGS?	LSRA does not provide a CoGS template as this is issued by the foreign authority in the lawyer's principal jurisdiction. However, the CoGS usually specifies, at the minimum, the name and admission details of the lawyer, and whether there is any record by the foreign authority of past or current professional misconduct or proceedings against the lawyer.
17.	How do we submit the CoGS to LSRA?	Please upload a scanned copy of the CoGS as a supporting document in the online application via LSRA e-Services.
18.	Can we submit the application first and follow up with the CoGS later?	You should only submit an application via LSRA e-Services when the application, including all supporting documents, is complete. It generally takes around 3 to 6 weeks for the LSRA to process CoR applications.
19.	Who can help me with further queries?	If you have further queries, please Contact Us @ OneMinLaw .