

GUIDELINES

- (i) For the Society to assist firms applying to open offices in China, a firm should be well established in Hong Kong, have sufficient capacity properly to conduct its work both in Hong Kong and in China, and the partners and admitted staff be of good standing.

- (ii) To be regarded as well-established:
 - (a) the firm should have been in existence as a Hong Kong firm for a period of at least 10 years with at least one partner having partnership or sole practitioner status in the firm for not less than five years; alternatively
 - (b) a partner in the firm should have been in practice in Hong Kong with the firm seeking assistance or with another Hong Kong firm, whether as a partner or sole proprietor, for an aggregate of ten years.

- (iii) To be regarded as having sufficient capacity properly to conduct its work both in Hong Kong and in China, a firm should have at least two partners and two admitted assistant solicitors. Attention is drawn to rule 4A of the Solicitors' Practice Rules and Principle 2.04 of *The Hong Kong Solicitors' Guide to Professional Conduct* which apply to branch offices wherever these are situated. Applicant-firms are encouraged to apply for waivers (which may or may not be granted) from compliance with rule 4A and Principle 2.04 in good time if they anticipate difficulty in compliance with the rule and/or the Principle.

- (iv) The Consents Committee will consider, taking into account applicants' professional conduct records, whether or not certificates of good standing should be issued to individual applicant members of the Society and whether or not the certificate should record particular matters of professional conduct.

- (v) Any firm to which the Society declines to issue a letter of commendation will be informed of the reasons for the decision and the firm given an opportunity to seek review of the decision.

(June 2003)