

**5. Business letters**

- (1) A principal of a foreign firm shall ensure that there is stated on all business letters issued in connection with the firm's practice -
  - (a) the name and address of the firm;
  - (b) the main jurisdiction in the law of which the firm practises, or the country of that jurisdiction;
  - (c) the names of all principals of the firm who are ordinarily resident in Hong Kong;
  - (d) if the name of any principal not ordinarily resident in Hong Kong is stated, a description of the person as non-resident;
  - (e) in respect of each individual whose name appears on the letter, his foreign jurisdiction of admission or the country of that jurisdiction, except that no such statement is required where the foreign jurisdiction of admission of the individual, or the country of that jurisdiction, is the same as that stated on the letter for the purpose of paragraph (b).
- (1A) A principal of a foreign firm shall ensure that if the name or any other description of the firm is stated in more than one language on any business letter issued in connection with the firm's practice, each version of the name or description corresponds to the other version or versions of the name or description.
- (2) A principal of a foreign firm forming part of an Association shall ensure that on all business letters issued in connection with the firm's practice -
  - (a) the firm's name is more prominent than the name of any other firm;
  - (b) any reference to another firm in the Association clearly distinguishes that firm from any other that is not in the Association; and
  - (c) the firm's address in Hong Kong is more prominent than any other address.

**6. Supervision of office**

A principal of a foreign firm shall ensure that every office where his firm practises is and can reasonably be seen to be properly supervised in accordance with the following minimum standards -

- (a) every such office shall be managed by a foreign lawyer who shall normally be in attendance at that office during all the hours when it is open to the public; and
- (b) every office shall be attended on each day when it is open to the public by a foreign lawyer who holds an unconditional practising certificate of registration being either a principal of, or a foreign lawyer employed by, the firm and who shall spend sufficient time at such office to ensure adequate control of the staff employed there and afford requisite facilities for consultation with clients

**7. Sharing an office and staff**

- (1) A principal of a foreign firm shall ensure that the firm's practice is conducted in self-contained premises, and that the firm's staff and facilities are under its exclusive control.
- (2) Subject to subsection (3), a principal of a foreign firm shall ensure that in the conduct of its practice the firm does not -

- (a) share premises, which term includes waiting rooms and reception areas;
  - (b) share staff, which term includes telephonists, receptionists and all other non-fee earning staff employed by the firm;
  - (c) share telephone, computer or electronic equipment used for the transmission or storage of clients' confidential information.
- (3) Subject to the need to maintain clients' confidentiality -
- (a) a foreign firm may share services reasonably regarded as those of an independent contractor with any other foreign firm or third party;
  - (b) a foreign firm forming part of an Association may share premises, personnel and facilities with any other firm in the Association,
- but subject to the foregoing a principal of a foreign firm shall ensure that the firm does not share any services, premises, personnel or facilities with any other person.
- (4) Where a building is shared by a foreign firm with another business or where there are shared common areas a principal of the foreign firm shall ensure that -
- (a) there are signs indicating the premises of the firm so as to distinguish them from the premises occupied by others;
  - (b) common areas do not give the appearance of being part of another business.

**8. Control of employment of unqualified person**

- (1) A principal of a foreign firm shall ensure that the firm does not employ persons who are not foreign lawyers ("unqualified persons") in a number more than 6 plus 8 times the number of resident principals and foreign lawyers employed full-time in that firm.
- (2) For the purpose of this section -
- (a) persons employed otherwise than by a foreign firm (such as by a service company set up by the principal or principals of the firm) but for the purposes of the firm shall be deemed to be persons employed in that firm;
  - (b) in calculating the number of unqualified persons employed in a foreign firm, full-time law students working part-time or full-time during holidays and breaks or part-time during the academic year shall not be taken into account; and
  - (c) in calculating the number of resident principals and foreign lawyers employed full-time in a foreign firm, a foreign lawyer shall not be taken into account in respect of more than one firm.
- (3) A principal of a foreign firm shall ensure that every name card of an employee who is an unqualified person, being a card which bears the name of the foreign firm, includes a clear description of the capacity in which the employee is being employed.