

LEGAL PROFESSION ACT
(CHAPTER 161)
LEGAL PROFESSION (CONTINUING PROFESSIONAL
DEVELOPMENT) RULES 2012

GUIDELINES ON THE CONTINUING PROFESSIONAL
DEVELOPMENT SCHEME 2017
(with effect from 1 January 2017)

Pursuant to rule 14 of the Legal Profession (Continuing Professional Development) Rules 2012, the Singapore Institute of Legal Education (“the Institute”) issues the following Guidelines on the continuing professional development scheme:

Interpretation

1.—In these Guidelines, the term “lawyer” refers to an advocate and solicitor of the Supreme Court and a foreign practitioner as defined in the Legal Profession (Continuing Professional Development) Rules 2012.

PART I

Accredited CPD activities

1A.—(1) The persons authorised to organise and administer accredited CPD activities are listed on the Institute’s Internet website. These persons may also be referred to as “Accredited Institutions”.

(2) A CPD activity organised by an Accredited Institution and registered with the Institute before it has been conducted may qualify as an accredited CPD activity.

(3) The Accreditation Committee may from time to time approve specific CPD activities as accredited CPD activities.

(4) A CPD point obtained by a lawyer by undertaking an accredited CPD activity may be referred to as a “public CPD point”.

(5) Unless otherwise permitted by the Accreditation Committee, all accredited CPD activities must be conducted in Singapore, and must be open for all lawyers who register to attend, whether for a fee or otherwise.

PART II

Other CPD activities

2.—(1) A CPD point obtained by a lawyer by undertaking a CPD activity other than an accredited CPD activity may also be referred to as a “private CPD point”.

(2) A CPD activity other than an accredited CPD activity may be conducted or undertaken in Singapore or elsewhere.

CPD activities not conducted by Accredited Institutions

3.—(1) A lawyer may obtain private CPD points for attending CPD activities under rule 3(1)(a) not conducted by Accredited Institutions.

(2) A lawyer must ascertain that the CPD activity under rule 3(1)(a)(i) which he is attending meets the requirements under rules 3(2) and 3(3) before claiming any CPD points.

(2A) A lawyer must ascertain that the CPD activity under rule 3(1)(a)(ii) which he is attending meets the requirements under rules 3(2A) and 3(3) before claiming any CPD points.

(3) Distance learning programmes and any programme without any structured contact time between the lawyer and an instructor do not qualify as CPD activities.

In-house seminars

4.—(1) A lawyer may obtain private CPD points for attending an “in-house seminar”.

(2) An in-house seminar is a CPD activity under rule 3(1)(a) which is organised by a law practice solely or predominantly for the lawyers of that law practice.

(3) The law practice organising an in-house seminar must monitor the attendance of the lawyers in accordance with the Attendance Policy, and at the request of the Institute, furnish a copy of the attendance list to the Institute.

Small group discussions

5.—(1) A lawyer may obtain private CPD points for attending a “small group discussion”.

(2) A small group discussion is a CPD activity under rule 3(1)(a) which is organised by or for a group of lawyers or law practices.

(3) In order to qualify for private CPD points, the following guidelines apply to a small group discussion:

- (a) The discussion must be attended by at least 3 lawyers;
- (b) The discussion must be structured, as may be evidenced by the presence of an agenda for discussion, and must be organised in advance;
- (c) There must be a coordinator appointed for each session of the discussion; and
- (d) The coordinator of the discussion group:

- (i) is responsible for monitoring the attendance of lawyers at the discussion in accordance with the Attendance Policy;
- (ii) must cause an attendance list to be circulated to all lawyers who participated in the discussion within 1 week from the conclusion of the discussion; and
- (iii) must cause notes of the discussion to be recorded and circulated to all lawyers who participated in the discussion within 1 week from the conclusion of the discussion.

(4) An office meeting, reviews or discussions on on-going cases, or any other discussion which is not primarily for the purposes of substantive learning or does not have a learning agenda may not be considered a small group discussion under paragraph 5.

Reviewing multimedia programmes etc.

6.—(1) A lawyer may obtain private CPD points for reviewing programmes or material under rule 3(1)(b).

(2) In order to qualify for private CPD points, the following guidelines apply to a CPD activity under rule 3(1)(b):

- (a) The programme or material reviewed must be structured. There must be an identifiable block of time during which the lawyer either listens to a recording or watches a programme. A lawyer who reviews a programme or material which is not structured, e.g. a programme consisting only of reading a series of slides, will not obtain any private CPD points. Reading or reviewing of online cases or articles are not eligible for CPD points.
- (b) The review of the programme or material must not be undertaken in breach of the intellectual property rights relating to the programme or material.
- (c) A lawyer must review the entire programme or material presented in order to obtain any private CPD points. This includes reading any accompanying materials and completing any accompanying quiz or questionnaire.
- (d) A lawyer may not obtain any private CPD points in respect of time spent reading any accompanying materials or completing any accompanying quiz or questionnaire referred to in paragraph (6)(2)(c).

(3) The Accreditation Committee may from time to time identify specific programmes or materials for which lawyers may claim private CPD points for reviewing.

Writing articles

7.—(1) A lawyer may obtain private CPD points for writing an article under rule 3(1)(c). Writing one or more chapters of a book may be considered under rule 3(1)(c) as writing an article.

(2) In order to qualify for private CPD points, the following guidelines apply to the writing of an article under rule 3(1)(c):

- (a) The article must:
 - (i) be written and published in the English language;
 - (ii) be at least 1,000 words (excluding footnotes, endnotes and bibliography) per named author;
 - (iii) not be written or published in breach of the intellectual property rights of another party;
 - (iv) not be pay-to-publish or self-published;
 - (v) not be an advertorial, book review, biography, autobiography or work of fiction; and
 - (vi) have been published in or as an ‘Approved Publication’ as defined in paragraph 7(2)(b) below.
- (b) An ‘Approved Publication’ may be any book (i.e. textbook, reference book, monograph etc), journal, periodical, or any other publication of a similar nature, which may exist in print or electronic format and is:
 - (i) substantially about the law or the practice of law;
 - (ii) targeted predominantly at the legal community;
 - (iii) peer-edited and/or refereed if it is a journal or is similar to a journal; and
 - (iv) not a client, in-house or commemorative publication.

(3) A lawyer may only claim private CPD points once in relation to a published article. A lawyer must not claim private CPD points for an identical or materially similar article which is published in different publications.

(4) Only articles which are published will qualify for private CPD points. A lawyer may not claim any private CPD points for an article which was commissioned by a publication but subsequently not published, regardless of the reason for non-publication.

(5) The relevant date for obtaining the private CPD points is the date of publication of the article, and not the date of completion or submission of the article.

Teaching in Institute’s course etc.

8.—(1) A lawyer may obtain public CPD points under rule 3(1)(d) for teaching in or acting as a subject coordinator or examiner in the Preparatory Course leading to Part B of the Singapore Bar Examinations.

(1A) A lawyer may obtain public CPD points under rule 3(1)(d) for teaching in or acting as a subject coordinator or examiner in the Part A Singapore Bar Course and Examinations.

(2) A lawyer may obtain public CPD Points under rule 3(1)(d) for being an examiner for the Foreign Practitioner Examinations.

Serving in an Approved Committee etc.

9.—(1) A lawyer may obtain private CPD points under rule 3(1)(e) for serving as a member of any committee, sub-committee, working party or advisory panel of the Academy, the Institute or the Society. These may also be referred to as “Approved Committees”.

(2) In order for service in an Approved Committee to be eligible for private CPD points, the work of the Approved Committee must —

- (a) deal primarily with matters relating to the practice of the law; and
 - (i) extend the knowledge or skill of a lawyer serving in the Approved Committee; or
 - (ii) contribute to the continuing professional development of a lawyer serving in the Approved Committee.

(3) Each of the Academy, the Institute and the Society may determine whether a committee, sub-committee, working party or advisory panel it has respectively constituted meets the criteria in paragraph 2.

(4) A lawyer must ascertain that the committee he is a member of is an Approved Committee before claiming any CPD points.

Performing services in pro bono programme for law students

10.—(1) A lawyer may obtain private CPD points for performing services in the pro bono programme for law students under rule 3(1)(f).

(2) The programmes which are eligible are listed on the Institute’s Internet website, or otherwise certified by the Director as approved pro bono work under the pro bono programme for law students as determined by the review committee appointed by the Institute.

Speaking in conferences etc.

11.—(1) A lawyer may obtain CPD points for speaking, teaching or participating at conferences etc, under rule 3(1)(g) and rule 3(1)(h).

(2) In order to qualify for CPD points, the following guidelines apply to CPD activities under rule 3(1)(g) and rule 3(1)(h):

(a) A lawyer may claim public CPD points for speaking at accredited CPD activities.

(b) A lawyer may claim private CPD points for speaking at non-accredited CPD activities which satisfy the requirements under rule 3(1)(g) or rule 3(1)(h).

(c) Speaking, teaching or participating at activities which do not satisfy the requirements under rule 3(1)(g) or rule 3(1)(h) is not eligible for claims of CPD points.

(d) A lawyer must speak 'live' (i.e. in real time and not pre-recorded) in order to claim CPD points. Recordings are not eligible for claims of CPD points.

(e) The CPD activity must be structured and pre-planned.

(3) A lawyer must ascertain that the activity which he is speaking at meets the requirements under rule 3(1)(g) or rule 3(1)(h) before claiming any CPD points.

PART III

Attendance Policy

12.—(1) The guidelines in this paragraph may be referred to as the "Attendance Policy", and apply in relation to attendance at CPD activities under rule 3(1)(a).

(2) A lawyer may obtain CPD points for undertaking a CPD activity under rule 3(1)(a) only if the following conditions are met on each day of the CPD activity:

(a) For a CPD activity of 1 hour in duration, the lawyer must attend the entire CPD activity i.e. the lawyer must arrive punctually, and cannot leave the CPD activity before it has ended.

(b) For a CPD activity of more than 1 hour in duration, a lawyer may be absent from the CPD activity for up to 15 minutes during the CPD activity.

Illustration:

(i) *A lawyer who arrives 10 minutes late but leaves when the CPD activity ends may obtain CPD points for that activity;*

(ii) *A lawyer who arrives punctually but leaves 15 minutes before the CPD activity ends may obtain CPD points for that activity;*

(iii) A lawyer arrives 10 minutes late and leaves 10 minutes before the CPD activity ends may not obtain any CPD points for that activity;

(iv) A lawyer arrives punctually and leaves the CPD activity when it ends, but steps out for 25 minutes during the CPD activity may not obtain any CPD points for that activity.

(3) For the purpose of the Attendance Policy, time is reckoned based on the published times of the CPD activity, rather than the time the CPD activity actually commences.

(4) A lawyer who wishes to obtain public CPD points by attending an accredited CPD activity should indicate to the Accredited Institution in advance so that his attendance may be taken at the accredited CPD activity. It is the lawyer's responsibility to ensure that the Accredited Institution has noted his attendance.

(5) Accredited Institutions are obliged to enforce the Attendance Policy at accredited CPD activities, and may use a "sign-in, sign-out" method of monitoring attendance, or such other method as may be approved by the Accreditation Committee. Lawyers are requested to cooperate with the Accredited Institutions.

(6) The coordinator of a small group discussion must enforce the Attendance Policy at the discussion, and must use a "sign-in, sign-out" method of monitoring attendance, or such other method as may be approved by the Accreditation Committee.

(7) For CPD activities which are not conducted by Accredited Institutions, a lawyer must ensure that he complies with the Attendance Policy before claiming private CPD points for them.

(8) The Attendance Policy does not apply to the reviewing of a recording described in rule 3(1)(a).

PART IV

CPD Points

13.—(1) The CPD points to be obtained for undertaking any one CPD activity are counted in full or half points only. No other fraction or percentage of CPD points will be allowed.

(2) CPD points obtained by a lawyer in a calendar year in excess of the requirements under rule 9(b) for that calendar year may not be carried over to satisfy the requirements under rule 9(b) for subsequent calendar years.

Calculation of CPD points for CPD activities under rule 3(1)(a) – attending conferences etc.

14.—(1) The following guidelines apply for determining the number of CPD points a lawyer may obtain by undertaking a CPD activity under rule 3(1)(a):

- (a) A lawyer may obtain 1 CPD point for each full hour of a CPD activity attended, including reasonable time allotted for questions and answers, but excluding breaks for refreshments.
- (b) Where, as a result of the duration of a CPD activity, the calculation of the CPD points to be obtained for undertaking that CPD activity does not result in full or half points, the number of CPD points must be rounded up or down to the nearest 0.5 CPD point.
- (c) The minimum duration of a CPD activity under rule 3(1)(a) must be 1 hour.
- (d) A lawyer must, subject to the Attendance Policy, attend the entire CPD activity in order to be entitled to obtain any CPD points for that activity.

Illustration:

A lawyer who attends only 1 hour of a 3-hour lecture is not entitled to claim any CPD points for the partial attendance.

- (e) Except in the case of activities accredited under rule 4A, the Director may determine the number of CPD points to be assigned to an accredited CPD activity in consultation with the Accreditation Committee.

Calculation of CPD points for CPD activities under rule 3(1)(b) – reviewing multimedia programmes etc.

15.—(1) The following guidelines apply for determining the number of CPD points a lawyer may obtain by undertaking a CPD activity under rule 3(1)(b):

- (a) A lawyer may obtain 1 CPD point for each full hour of a programme or material reviewed.
- (b) Where, as a result of the duration of a CPD activity, the calculation of the CPD points to be obtained for undertaking that CPD activity does not result in full or half points, the number of CPD points must be rounded up or down to the nearest full or 0.5 CPD Point.
- (c) The minimum duration of a programme or material to be reviewed under rule 3(1)(b) must be 20 minutes.

- (d) A lawyer must review the entire programme or material in order to be entitled to obtain any CPD points for that activity.
- (e) For specific programmes identified by the Accreditation Committee under paragraph 6(3), the Director may determine the number of CPD points to be assigned to a CPD activity in consultation with the Accreditation Committee.

Calculation of CPD points for CPD activities under rule 3(1)(c) – writing articles

16.—(1) The following guidelines apply for determining the number of CPD points a lawyer may obtain by undertaking a CPD activity under rule 3(1)(c):

- (a) The length of the article must be at least 1,000 words. A lawyer, who must be the named author of the article, may obtain 1 private CPD point for the first 1,000 words.
- (b) For each subsequent block of 500 words, a lawyer may obtain 0.5 private CPD point.
- (c) Where as a result of the number of words in the article, the calculation of the private CPD points to be obtained does not result in full or half points, the number of private CPD points must be rounded up or down to the nearest 0.5 CPD point.

(2) In the event of multiple authorship of an article, the length of the article must be at least 1,000 words per named author of the article. Each author may only obtain an equal share of the total number of private CPD points and where each share does not result in full or half points, the number of private CPD points for each share must be rounded up or down to the nearest full or 0.5 CPD point.

Calculation of CPD points for CPD activities under rule 3(1)(d) – teaching in Institute’s Part B Course.

17.—(1) The following guidelines apply for determining the number of CPD points a lawyer may obtain by teaching in the Institute’s preparatory course leading to Part B of the Singapore Bar Examinations (Part B Course) or by being an external examiner in the Part B Course under rule 3(1)(d):

- (a) A lawyer may obtain CPD points for the calendar year in which the Part B Course is conducted, even if part of the duties may be performed before or after the calendar year.
- (b) The following tariffs apply:
 - (i) Subject coordinator (including deputy subject coordinator) – 8 public CPD points for each session of the Part B Course;

- (ii) Facilitator/Tutor – 2 public CPD points per practice session, workshop or class conducted (regardless of the length of the session);
- (iii) Instructional Designer – 2 public CPD points for developing teaching materials for each practice session, workshop or class (regardless of the length of the session);
- (iv) FMS Mentor – 6 public CPD points for each session of the Part B Course;
- (v) Lecturer (live lecture) – 1 public CPD point for each 0.5 hour that he speaks, excluding breaks for refreshments;
- (vi) External examiner – 2 public CPD points for each session of the examinations.

Calculation of CPD points for CPD activities under rule 3(1)(d) – teaching in Institute’s Part A Course.

17A.—(1) The following guidelines apply for determining the number of CPD points a lawyer may obtain by teaching in the Institute’s Part A Bar course (Part A Course) or by being an external examiner in the Part A Course and Examinations under rule 3(1)(d):

- (a) A lawyer may obtain CPD points for the calendar year in which the session of the Part A Course is conducted, even if part of the duties may be performed before or after the calendar year.
- (b) The following tariffs apply:
 - (i) Subject coordinator (including deputy subject coordinator) – 8 public CPD points each year;
 - (ii) Facilitator/Tutor – 2 public CPD points per practice session, workshop or class conducted (regardless of the length of the session);
 - (iii) Instructional Designer – 2 public CPD points for developing teaching materials for each practice session, workshop or class (regardless of the length of the session);
 - (iv) Lecturer (live lecture) – 1 public CPD point for each 0.5 hour that he speaks, excluding breaks for refreshments;
 - (v) External examiner – 2 public CPD points for each session of the examinations.

Calculation of CPD points for CPD activities under rule 3(1)(d) – being an examiner of the Foreign Practitioner Examinations.

18.—(1) The following guidelines apply for determining the number of CPD points a lawyer may obtain by being an examiner of the Foreign Practitioner Examinations:

- (a) A lawyer may obtain CPD points for the calendar year of the session of the Foreign Practitioner Examinations only, even if part of the duties may be performed before or after that calendar year.
- (b) The following tariffs apply:
 - (i) Chief Examiner – 8 public CPD points for each session of the examinations;
 - (ii) Principal Examiner – 8 public CPD points for each session of the examinations.

Calculation of CPD points for CPD activities under rule 3(1)(e) – serving in Approved Committee

19.—(1) The following guidelines apply for determining the number of CPD points a lawyer may obtain by undertaking a CPD activity under rule 3(1)(e):

- (a) A lawyer may only obtain 2 private CPD points regardless of the number of Approved Committees he participates in within a calendar year.
- (b) A lawyer must, within a calendar year, serve at least 4 months of the term of his appointment to any Approved Committee in order to obtain CPD points in that calendar year. Pro rating of CPD points is not permitted.

Calculation of CPD points for CPD activities under rule 3(1)(f) – performing services in pro bono programme for law students

20.—(1) The following guidelines apply for determining the number of CPD points a lawyer may obtain by undertaking a CPD activity under rule 3(1)(f):

- (a) A lawyer may only obtain 2 private CPD points regardless of the number of approved pro bono work he performs services in within a calendar year; and
- (b) A lawyer must fulfil all his requirements under the approved pro bono programme, including but not limited to providing feedback where required.

Calculation of CPD points for CPD activities under rule 3(1)(g) and rule 3(1)(h) – speaking in conferences etc.

21.—(1) The following guidelines apply for determining the number of CPD points a lawyer may obtain by undertaking a CPD activity under rule 3(1)(g) or rule 3(1)(h):

- (a) A lawyer may obtain 1 CPD point for each 20-minute block that he speaks, excluding breaks for refreshments.

- (b) Where, as a result of the duration of a CPD activity, the calculation of the CPD points to be obtained for speaking does not result in full or half points, the number of CPD points must be rounded up or down to the nearest full or 0.5 CPD point.
- (c) The minimum duration of a lawyer's engagement for a CPD activity under rule 3(1)(g) or rule 3(1)(h) must be 20 minutes.
- (d) For a panel discussion, the duration of the entire discussion must be at least 20 minutes. Each panellist may obtain CPD points corresponding to the duration of the entire discussion.
- (e) For situations not covered by these guidelines, the Director may determine the number of public CPD points to be obtained by a lawyer under rule 3(1)(g) or rule 3(1)(h) for an accredited CPD activity in consultation with the Accreditation Committee.

PART V

Record of CPD activities

22. The record of the CPD activities undertaken to be maintained by a lawyer under rule 10(1)(a) must, at the minimum, include the following information:

- (a) Date on which CPD activity was undertaken;
- (b) Detailed description of CPD activity undertaken:
 - (i) For a CPD activity under rule 3(1)(a): name of the CPD activity and name of the organiser;
 - (ii) For a CPD activity under rule 3(1)(b): name of programme or material reviewed, name of author/presenter/organiser; and source of programme or material (e.g. Internet website address);
 - (iii) For a CPD activity under rule 3(1)(c): title of article, name of publication, date of publication and number of words.
 - (iv) For a CPD activity under rule 3(1)(d): name of course/examination, year of course/examination and nature of appointment.
 - (v) For a CPD activity under rule 3(1)(e): name of committee, nature of appointment and date/term of appointment.
 - (vi) For a CPD activity under rule 3(1)(f): name of approved pro bono work, name of host organisation, date(s) of participation, name and institution of student(s) supervised.
 - (vii) For CPD activities under rule 3(1)(g) and rule 3(1)(h): name of the CPD activity, name of the organiser, role (e.g.

speaker, facilitator, panel member), published duration of engagement in the activity;

- (c) Number of public or private CPD points obtained.

Evidence of CPD activities

23. The evidence of the CPD activities undertaken to be maintained by a lawyer under rule 10(1)(b) must consist of the following, where available:

- (a) For activities under rule 3(1)(a) and 3(1)(b) generally:
- (i) Proof of the lawyer's registration for the CPD activity;
 - (ii) Receipt of payment for the CPD activity;
 - (iii) Confirmation of the lawyer's attendance or completion by the organiser of the CPD activity e.g. through a copy of a certificate of completion or attendance setting out the lawyer's full name;
 - (iv) Copy of presentation notes or other materials issued for the CPD activity.
- (b) For small group discussions:
- (i) Proof of organisation of activity e.g. the e-mail invitation to the discussion;
 - (ii) List of participants as recorded by the coordinator of the discussion;
 - (iii) Copy of notes recorded during the discussion and circulated by the coordinator of the discussion.
- (c) For activities under rule 3(1)(d), rule 3(1)(e) and rule 3(1)(f): copy of correspondence evidencing nature of appointment and term of appointment, setting out the lawyer's full name, practice sessions taught (where applicable).
- (d) For activities under rule 3(1)(g) and rule 3(1)(h):
- (i) Copy of activity programme with indication of speakers, panellists etc;
 - (ii) Copy of any speaker notes or presentation slides;
 - (iii) Copy of correspondence evidencing invitation to speak and acceptance of invitation, setting out the lawyer's full name.