

Continuing Professional Development Scheme

Advisory

Deemed waivers: CPD-2012-1

Effective Date: 31 October 2012

Last revised: --

1 The Singapore Institute of Legal Education has implemented three ‘deemed waiver’ categories. In each CPD year, advocates and solicitors of the Supreme Court of Singapore (‘solicitors’) with CPD points requirements to fulfil may self-assess whether they fall into any of the ‘deemed waiver’ categories and then fulfil their CPD points requirements for a given CPD year accordingly. All other CPD requirements under the applicable rules and guidelines (i.e. the obligation to keep records, submit to audit etc.) must be fulfilled in the usual fashion.

2 The three ‘deemed waiver’ categories are:

a. **Statutorily-prescribed maternity leave:** In a given CPD year, where a solicitor is on statutorily-prescribed maternity leave for a continuous period of one (1) month or more but holds a valid Singapore practising certificate during that period of maternity leave, that period of maternity leave shall be waived for the purposes of calculating the CPD points which that solicitor must obtain in that CPD year.

b. **Certified long-term medical leave:** In a given CPD year, where a solicitor is on certified medical leave for a continuous, uninterrupted period of one (1) month or more but holds a valid Singapore practising certificate during that period of medical leave, that period of medical leave shall be waived for the purposes of calculating the CPD points which that solicitor must obtain in that CPD year.

c. **Overseas secondment:** In a given CPD year, where a solicitor is on overseas secondment but holds a valid Singapore practising certificate during that period of overseas secondment, that solicitor shall fulfil his CPD points requirements for that given CPD year as follows:

i. Where a solicitor is on overseas secondment for a continuous, uninterrupted period of less than two (2) months, the solicitor must fulfil his CPD points requirements in the standard manner.

ii. Where a solicitor is on overseas secondment for a continuous, uninterrupted period of two (2) months or more and less than four (4) months, that solicitor may opt to substitute up to half his public CPD points requirements with private CPD points.

iii. where a solicitor is on overseas secondment for a continuous, uninterrupted period of four (4) months or more, that solicitor may opt to substitute up to all of his public CPD points requirements with private CPD points.

3 Notwithstanding the foregoing, solicitors with CPD points requirements to fulfil for a CPD year are advised to undertake CPD activities to obtain their CPD points sooner rather than later in the year, to avoid a last-minute rush for CPD activities towards the end of a CPD year.

This advisory takes effect on the 'Effective Date'.

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Office of Continuing Professional Development
Singapore Institute of Legal Education

The following examples* illustrate your CPD points requirements if you are eligible for any one of the three 'deemed waiver' categories set out in SILE Advisory CPD-2012-1 on 'Deemed waivers'.

Example 1: You hold a Singapore practising certificate ('PC') from 1 January 2013 to 31 December 2013. From 1 March 2013 to 31 May 2013, you are on continuous, uninterrupted certified medical leave. For the purposes of calculating the CPD points which you must obtain in CPD Year 2013, you shall be deemed to have held a PC for the duration of calendar year 2013 minus the three (3) months you were on continuous, uninterrupted certified medical leave. Consequently, there would be no change to your CPD requirements for CPD Year 2013. You would have to obtain a total of sixteen (16) CPD points in CPD Year 2013, eight (8) of which would have to be public CPD points.

Example 2: You hold a PC from 1 January 2013 to 31 December 2013. From 1 February 2013 to 31 March 2013, you are on continuous, uninterrupted certified medical leave. Then, from 1 October 2013 to 31 December 2013 you are again on continuous, uninterrupted certified medical leave. For the purposes of calculating the CPD points which you must obtain in CPD Year 2013, you shall be deemed to have held a PC for the duration of calendar year 2013 minus the five (5) months you were on continuous, uninterrupted certified medical leave. Consequently, you would have to obtain a total of eight (8) CPD points in CPD Year 2013, four (4) of which would have to be public CPD points.

Example 3: You hold a PC from 1 January 2013 to 31 December 2013. From 1 February 2013 to 30 April 2013, you are on continuous, uninterrupted certified medical leave. You then take four (4) months of statutorily-prescribed maternity leave from 1 July 2013 to 31 October 2013. For the purposes of calculating the CPD points which you must obtain in CPD Year 2013, you shall be deemed to have held a PC for the duration of calendar year 2013 minus the seven (7) months you were on continuous, uninterrupted certified medical leave and statutorily-prescribed maternity leave. Consequently, you would not have to obtain any CPD points in CPD Year 2013.

Example 4: You hold a PC from 1 January 2013 to 31 December 2013. As such, your CPD points requirements for CPD Year 2013 is sixteen (16) points, eight (8) of which would have to be public CPD points. From 1 January 2013 to 28 February 2013 (i.e. for a period of two (2) months), you are on continuous, uninterrupted overseas secondment. You may therefore opt to substitute up to half your public CPD points with private CPD points so that by obtaining twelve (12) private CPD points and four (4) public CPD points, you are deemed to have fulfilled your CPD points requirements for CPD Year 2013.

Example 5: You hold a PC from 1 January 2013 to 31 December 2013. As such, your CPD points requirements for CPD Year 2013 is sixteen (16) points, eight (8) of which would have to be public CPD points. However, from 1 April 2013 to 31 July 2013 (i.e. for a period of four (4) months) you are on continuous, uninterrupted overseas secondment. You may therefore opt to substitute all your public CPD points with private CPD points so that by obtaining sixteen (16) private CPD points, you are deemed to have fulfilled your CPD points requirements for CPD Year 2013.

NOTE: For CPD Year 2012, only the period from 1 April 2012 to 31 December 2012 is relevant for determining CPD points requirements and the deemed waivers apply to that period only.

*For reference only and do not form part of SILE Advisory CPD-2012-1.