

Executive Summary

Introduction

1. The Working Group (Legal Services) ("LWG") has considered ways in which the legal profession can contribute to Singapore's transformation into a services hub for the region. Measures have been proposed for the legal profession to develop cutting edge practices which keep pace with the services economy. Solutions have also been offered which will render Singapore an attractive forum for foreign lawyer and in-house counsel to re-locate. Singapore should also aim towards becoming an important dispute resolution centre for the region. All these measures are aimed at increasing the volume and quality of legal work flowing in and out of Singapore.

Recommendations

2. The LWG has made detailed recommendations in a number of areas.

I. Changes in Legal Education

3. The LWG has recommended the following:
 - a. Singapore lawyers must develop niche expertise in life and bio-sciences, information technology and media, e-commerce, cyberlaw and various aspects of international trade law and financial services, and Chinese laws.
 - b. Increasing legal research in Asian law and other comparative legal systems.
 - c. The legal curricula of the Law Faculty of the National University of Singapore ("NUS") should be oriented around a transnational legal system, spanning core and specialist subjects.
 - d. The current Bachelor of Laws (LLB) Course should be supplemented by combined degree courses and postgraduate programmes in different areas of specialisation.
 - e. The implementation of accelerated law degree courses for mature students and graduates in other disciplines.

II. Regional Hub for Legal Training and Research

4. Other initiatives that would promote Singapore as a regional hub for legal training and research include:
 - a. setting up an Institute of Asian Legal Studies in Singapore;
 - b. establishing facilities and scholarship for dual or combined law degree courses, language courses and executive programmes, in Singapore and overseas;
 - c. marketing and promoting NUS Law Faculty's courses into the region;
 - d. putting in place an attractive curriculum and scholarship programme that

will attract top legal scholars and Asian foreign talent to Singapore;

- e. NUS Law Faculty working with the Singapore Academy Of Law and Law Society of Singapore to further develop continuing legal education programmes;
- f. the initiation of 'summer school 'programmes with other renowned law schools in US/UK;
- g. setting up local training facilities for local and professional qualification, in collaboration with foreign institutions.
- h. organising training programmes for students from third-world countries, in collaboration with other prestigious law schools; and
- i. setting up short-term training courses for Chinese lawyers.

III. Changes to NUS Law Faculty Admission and Related Matters

- 5. The LWG has recommended that the annual numerical quota for admission into the NUS Law Faculty should be reviewed regularly to respond to market needs so that when Singapore's services sector grows, the quota of lawyers will have to be adjusted accordingly.

IV. Recognition of Foreign Law Degrees for Admission to the Local Bar

- 6. At present, the LWG does not recommend any changes to the qualifying standards for overseas law graduates (from recognised universities) to be admitted into the Singapore bar. However, it is recommended that these qualifying standards should be reviewed periodically, taking into account changing market conditions and the growth of the services sector.

V. Multi-Disciplinary Partnership ("MDPs")

- 7. The LWG supports and recommends the formation of MDPs for legal work or business outside Singapore, provided that the necessary safeguards are incorporated into current legislation.
- 8. Singapore law firms and lawyers should also be permitted to have business or fee-sharing arrangements with business agents or consultants in respect of the marketing, promotion and referral of overseas legal work.

VI. Regional and China Legal Work

- 9. The LWG has proposed various strategies to promote effective regionalisation of Singapore law firms and lawyers. Singapore companies and government-linked companies are in a position to instruct Singapore law firms and/or joint law ventures for regional work.
- 10. Singapore lawyers should also be encouraged to accompany agencies such as the Economic Development Board ("EDB") and International Enterprise Singapore ("IE Singapore") on their overseas missions, as this will foster and promote networking opportunities and new business contacts.

VII. Promotion and Marketing of Legal Services

11. To further enhance the promotion and marketing of Legal Services, the LWG has recommended the formation of a Special Unit, which will be a centralised unit that provides support, information and contacts to assist the regionalisation of Singapore law firms.
12. The Special Unit will also work with key agencies to (i) promote and market Singapore legal services to foreign corporations and financial institutions; (ii) encourage in-house legal departments and corporate counsels of multi-national corporations ("MNCs") to re-locate to Singapore; (iii) promote Singapore as a regional dispute resolution centre; and (iv) promote the selection of Singapore law to govern commercial transactions, financial instruments and other contractual documentation.

VIII. Promotion of Singapore as a Regional Alternative Dispute Resolution ("ADR") Service Centre

13. The LWG recommends ADR centres in Singapore should form affiliations and alliances with foreign arbitration centres, and also periodically review the constitution of ADR panels, for example, to include experienced ADR practitioner from other jurisdiction, fees and costs (to ensure competitiveness), infrastructure and facilities. Demand factors have been identified by the LWG which would be influential and bear upon the selection of Singapore as the preferred forum or seat for ADR.
14. Specific measures are also proposed to create a Singapore 'brand' of ADR, offering a full range of ADR services (making Singapore a one-stop ADR centre), supported by cost-competitive administrative and IT support, translation and conference facilities.
15. Other proposals extend to the promotion and marketing of ADR services through a joint Marketing Council, under the auspices of the Special Unit (referred to in paragraphs 11 and 12 above) and ADR 'Ambassadors' (comprising Senior Counsel and experienced arbitrators); the reciprocal enforceability of non-New York convention awards in Singapore, bilateral agreements with other regional ADR institutions (leading to more cross-referrals of cases); and the evolution and development of new methodology and alternative models of ADR.

IX. In-house Legal Developments and/or Counsel of Private Corporations

16. As part of the Government's vision to build on Singapore's reputation as a premier location for MNCs in different industries to base and re-locate their operational or overseas headquarters in Singapore, the LWG has recommended fiscal incentives to realise this objective.
17. The Special Unit should actively promote the location of in-house legal departments and personnel in Singapore; thus creating more opportunities for Singapore lawyers to provide value-added services to MNCs.

X. Promotion of Singapore as a Regional Intellectual Property Hub

18. Singapore is well-placed to develop into an effective regional and international hub for the management of intellectual property ("IP"). The LWG believes that the necessary foundation for an innovation-driven IP-based economy has been established, including the expansion of creative talent in Singapore, the accession to a number of international and bilateral treaties, higher value-added manufacturing and services, and good progress

made in enforcement and the fight against piracy.

19. To this end, the LWG has recommended three specific initiatives to further develop Singapore's IP infrastructure:
 - a. Developing specialised IP expertise within the Courts;
 - b. Setting up an IP Academy; and
 - c. Providing favourable taxation and incentive regime for IP creation and exploitation.

Conclusion

20. Singapore will develop into a foremost services hub only if the very best of Singaporean lawyers are retained and consider it attractive to pursue and develop their careers in domestic and off-shore law firms in Singapore.
21. With the implementation of the proposals and initiatives (including fiscal incentives) set out in the LWG Report, further infrastructure and opportunities will be put in place to enable Singapore law firms to develop formidable expertise in advisory, dispute resolution and transactional services.
22. The LWG is confident that in the long term, the private legal services sector will be well placed to enjoy sustained growth, both domestically and regionally.