



APPLICATION
FOR APPOINTMENT
AS
SENIOR COUNSEL
2023

APPLICATION FOR APPOINTMENT AS SENIOR COUNSEL 2023

Guidance Note	i ~ iv
Application Form	1-10

Please return the application form, together with 2 passport-sized photographs, to:

Selection Committee for the Appointment of Senior Counsel
Singapore Academy of Law
1 Coleman Street
#08-06 The Adelphi
Singapore 179803

under “PRIVATE AND CONFIDENTIAL” cover and marked “SENIOR COUNSEL 2023”.

All completed applications are to be couriered to SAL during our operating hours as follows:
Mondays - Fridays: 9:00am to 4:30pm
Saturdays, Sundays & Public Holidays: Closed

NOTE: Please note that submission period is strictly from 20 to 30 September 2022. An acknowledgement of receipt will be sent to you by e-mail within 3 to 5 working days of submission of the application.

Applications close on 30 September 2022.

GUIDANCE NOTE FOR APPLICANTS

The context in which appointments are made

1. Sections 30 and 31 of the Legal Profession Act, Cap 161 provide as follows:

‘30. (1) A Selection Committee comprising the Chief Justice, the Attorney-General and the Justices of the Court of Appeal may appoint an advocate and solicitor, a Judicial Service Officer or a Legal Service Officer as Senior Counsel if the Selection Committee is of the opinion that, by virtue of the person’s ability, standing at the Bar or special knowledge or experience in law, he or she is deserving of such distinction.

(2) At every meeting of the Selection Committee, 3 members shall constitute a quorum, and no business shall be transacted unless a quorum is present.

(3) A decision at a meeting of the Selection Committee shall be adopted by a simple majority of the members present and voting except that, in the case of an equality of votes, the Chief Justice shall have a casting vote in addition to his original vote.

(4) Subject to this section, the Selection Committee may establish its own practice and regulate its own procedure.

(5) The appointment of a Senior Counsel shall be deemed to be revoked if the Senior Counsel –

(a) *(Deleted by Act 19 of 2008)*

(b) being a Judicial Service Officer or a Legal Service Officer, is dismissed from the Singapore Judicial Service or the Singapore Legal Service, as the case may be;

(c) being a member of the Faculty of Law of the National University of Singapore, the School of Law of the Singapore Management University or the School of Law of the Singapore University of Social Sciences, is dismissed from the Faculty or School, as the case may be;

(d) is convicted of an offence by a court of law in Singapore or elsewhere and sentenced to imprisonment for a term of not less than 12 months or to a fine of not less than \$2,000 and has not received a free pardon;

(e) becomes mentally disordered and incapable of managing himself or his affairs;

(f) is an undischarged bankrupt; or

(g) enters into a composition with his or her creditors or a deed of arrangement with his or her creditors.

(5A) The appointment of a Senior Counsel is deemed to be revoked if, upon an application under section 82A(10) or 98(1) —

(a) the Senior Counsel is suspended from practice or struck off the roll; or

(b) a court of 3 Supreme Court Judges recommends that the appointment of the Senior Counsel be revoked.

(6) No person may be appointed as a Senior Counsel unless the person has, for an aggregate period of at least 10 years, been one or more of the following:

- (a) an advocate and solicitor;
- (b) a Judicial Service Officer;
- (c) a Legal Service Officer.

(7) On 21st April 1989, those persons who, on the date immediately preceding that date, are holding office as the Attorney-General and the Solicitor General shall be deemed to have been appointed as Senior Counsel under this section.

(8) Any person who, on or after 1 June 2007, holds office as the Attorney-General, a Deputy Attorney-General or the Solicitor-General is deemed, if he or she is not a Senior Counsel, to have been appointed as Senior Counsel under this section on that date or the date on which he or she is appointed Attorney-General, Deputy Attorney-General or Solicitor-General, whichever is the later.

31. (1) Senior Counsel rank in precedence after the Attorney-General, any Deputy Attorney-General and the Solicitor-General according to their seniority of appointment as Senior Counsel.

(2) If 2 or more Senior Counsel are appointed on the same day, they take precedence according to the date on which they were admitted as advocates and solicitors.

Persons eligible to apply

2. The rank is essentially an award for outstanding advocacy. It is accordingly the practice of the Selection Committee to appoint practising Senior Counsel from amongst those candidates who excel in advocacy-related work.

3. Applicants should have a minimum of ten years' experience as an advocate and solicitor or legal service officer and an active practice which involves substantial advocacy in the Supreme Court.

Honorary Senior Counsel

4. In other jurisdictions, non-advocates who have made outstanding contribution to the development of the law have been appointed *honoris causa*. In England and Wales, for example, such appointees have included various illustrious scholars. This practice will be adopted on a very occasional basis, and, to satisfy the basic criteria of section 30 of the Legal Profession Act, only in favour of persons admitted as advocates and solicitors. The appointment is a recognition of eminence and no application need be made.

Criteria to be used in assessing each application

5. The emphasis, as in other jurisdictions, will be upon outstanding ability as an advocate, professional integrity and maturity, extensive grasp of the law as well as a successful practice. Regard will be had solely to merit; there is no numerical limit to the number of appointees each year.

6. Information on the applicant's level of earnings is requested in the application form merely to enable the Selection Committee to form a more complete view of the standing and quality of the

practice of the applicant. It is not decisive in determining the outcome of an application.

Privileges of Senior Counsel

7. Under section 12(e) of the Singapore Academy of Law Act, Senior Counsel become Fellows of the Academy upon appointment. In addition, both practising as well as honorary Senior Counsel are permitted to wear silk gowns while appearing in court and to use the designation 'Senior Counsel'.

Use of the designation

8. The rank is primarily a functional rank. Accordingly, it is only appropriate whilst in the pursuit of advocacy-related work in litigation or arbitration. If Senior Counsel should embark on other ventures, for instance of a political or business nature, it is desirable that the rank not be used. If, on the other hand, Senior Counsel should retire from active practice of the law without venturing into fields unrelated to the law, continued use of the designation would be permissible. If Senior Counsel should retire only partially from an active legal career, maintaining at the same time a portfolio of diverse interests, it is expected that they use the designation only in respect of that part of their work which is law-related.

9. Furthermore, as the rank is focused on advocacy, use of the designation should lapse for the term of any appointment to judicial office. If the appointment is a short term one, as a judicial commissioner or as a judicial officer within the legal service, use of the rank may continue immediately upon the advocate resuming non-judicial duties. If, on the other hand, the appointment is as a judge of the High Court, the Senior Counsel's use of the designation shall cease.

10. Upon appointment, therefore, counsel will be required to give certain undertakings limiting their use of the designation. These are set out at page 9 of the application form. Similar undertakings will be required also of honorary Senior Counsel.

The application process

11. The administrative support is provided by the Singapore Academy of Law ("SAL"), which treats each application as confidential to the Selection Committee.

12. Submission period is strictly from 20 to 30 September 2022.

13. Each application must be received by SAL before 4.30pm on 30 September 2022. Late applications will not be considered, whatever the reason proffered. If no acknowledgment of receipt of your application has been received within 5 days of dispatch, please telephone SAL at 6335 5093 or email janet_ng@sal.org.sg.

14. A processing fee of \$2,000 must accompany each application. Only cheques are acceptable. These should be made payable to the 'Singapore Academy of Law'. No monies will be returned to applicants who are unsuccessful in their applications.

Notification of result

15. The names of the successful applicants, as well as those of any Senior Counsel appointed *honoris causa*, will be announced by the Chief Justice at the Opening of the Legal Year 2023.

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APPLICATION FOR APPOINTMENT AS SENIOR COUNSEL 2023

For office use only

Acknowledge

Ref no. /2023

Please complete all parts of this form, print and submit to Singapore Academy of Law. Please enclose 2 passport-sized photographs. Please print on both sides of the paper.

IMPORTANT: Annexes to this form should not exceed 10 pages in total length.

Section A - Personal Details

1 Personal Details

Title (tick as applicable)

Mr

Ms

Mrs

Other (please state)

Name in full as it appears in your practising certificate
(please state your surname in UPPERCASE)

Chinese characters
(if applicable)

Any other name by which you are generally
known and by which you wish to be mentioned
in the consultation process

Admission no. & date of admission

No. of years in active legal practice

If you have applied for appointment before,
please state the year/s for which you applied
(e.g. state '2011' if you applied in 2010)

Date of birth

Age at 31 December 2022

Professional address
(please include firm's name)

Private address

Please indicate which address is to be used for
correspondence relating to this application and its result

Professional Address

Private Address

E-mail address

Contact number

Present nationality

2 Education

College and/or University attended

Dates	College/ University attended
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Degrees, diplomas, certificates awarded and any other academic achievements
(Please state class of degree).

Please state (with dates, addresses and other relevant details) any qualifications, achievements, experience or employment other than as a member of the legal profession

Dates	Qualification, experience, employment	Details
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Section B - Professional Details

Career History

Please give details in chronological order, of your professional career since its inception. Please include law firms, professional organisations, legal teaching posts and salaried legal posts in commerce, finance, industry of the public service. Under 'Particulars', please specify if appropriate the position or grade you held and the type of work done, including your areas of practice. Please conclude by giving the name of your current senior partner.

Dates

Law Firm or other organisation

Particulars

Committees

Please give details of Committees that you have served in and the positions held in those Committees i.e. in the Law Society, SAL or other professional or government bodies for the 3 years immediately preceding this application.

Seminars and Conferences

Please give details of any papers and speeches which you have delivered in Singapore and overseas.

Publications

Please give details of any legal publications which you have written or edited.

Others

Please give details of any other contributions and service to the legal community and public.

Billings

Please give an estimate of the amount you have billed in each year for your work in litigation, arbitration or other tribunals.

Amount	Accounting year ending		
	2022	2021	2020
below \$500,000			
between \$500,000 and \$750,000			
between \$750,000 and \$1m			
above \$1m			

If you consider that the level of your fees or earnings in any year has been affected by the nature of your or your firm's practice, your time spent in service to the legal profession and/or public or by any extraneous factors, please give details in this section

Areas of Advocacy Practice

Please indicate in the boxes provided the areas of law in which you have an active advocacy practice:

Alternative Dispute Resolution

Defamation

Industrial/Employment

Appellate

Environmental and Planning

International

Commercial

Equity

Public/Administrative

Criminal

Family Law & Guardianship

Tax/Revenue

Others (please specify)

(1)

(2)

(3)

Courts

Please indicate in the boxes provided the courts and/or tribunals in which you regularly practice:

Court of Appeal

Arbitral Tribunals

High Court

Singapore International Commercial Court

State Courts

Please state the areas of law in which you have an active advocacy practice.

(1)

(2)

(3)

Please also give a fuller description of the development and the present nature of your professional work. Also mention any special changes in the nature or balance of your practice or in the amount of time you spend in court as an advocate and mention any special factors which may have affected it. Please also set out any other matters which are relevant to your application including, if you wish, why you believe you should be appointed Senior Counsel.

Please list some cases of substance in which you have appeared as counsel in the last 2 years, and the names of the judges who presided over those cases.

Please submit a list of cases in which you have appeared as leading counsel in the last 2 years.

Section C - Character

Have you ever been subject to, or are you now facing, any proceedings or other circumstances which may lead to:

- | | | | |
|----|---|----|-----|
| 1. | a conviction for a criminal offence, (other than a minor road traffic offence such as parking) | No | Yes |
| 2. | a finding of professional negligence | No | Yes |
| 3. | a finding of any professional disciplinary fault | No | Yes |
| 4. | being adjudged bankrupt, making a composition with creditors or being sued to judgment for debt | No | Yes |
| 5. | a penalty or composition for failure to pay any form of public taxation or related default? | No | Yes |

If you answered Yes to any of these questions, please give brief details, including dates and the outcome.

Date	Detail	Outcome
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Section D - Administrative Details

Enclosed is a cheque no. _____ for \$2,000 made payable to the “Singapore Academy of Law”.
(Note: No monies will be returned to applicants who are unsuccessful in their applications.)

Enclosed are 2 passport-sized photographs.

I declare that the information I have given on this form is true to the best of my knowledge and belief.

Signature of applicant

Date

I confirm that if selected for appointment in 2023, I shall agree to the following Declaration and Undertaking.

I, _____ declare as follows -

- (a) that I have an active advocacy practice in the areas of law as specified in this application.
- (b) that I intend to remain in active advocacy practice.

I, _____ undertake as follow -

- (a) that I shall use the designation only for the purposes of my practice or employment in the legal service;
- (b) that upon appointment to a judicial office other than that mentioned in point (c), I shall cease to use the designation, upon the understanding that such restriction is confined to my period of service in judicial office;
- (c) that upon appointment as a judge of the Supreme Court, I shall cease to use the designation.

Signature of applicant

Date

Note:

This application form is to be submitted to:

The Selection Committee for the Appointment of Senior Counsel
Singapore Academy of Law
Coleman Street
#08-06 The Adelphi
Singapore 179803

under “PRIVATE AND CONFIDENTIAL” cover and marked “SENIOR COUNSEL 2023”,
by 4.30pm, 30 September 2022.

THE OATHS AND DECLARATION ACT
(CHAPTER 211)

STATUTORY DECLARATION

I, _____

NRIC/ Passport No. _____ Occupation _____

Address _____

do solemnly and sincerely declare that I understand and accept the terms set out in the attached application form and that the particulars given by me in this application form are accurate and true to the best of my knowledge.

And I make this solemn declaration by virtue of the provisions of the Oaths and Declarations Act (Cap. 211), and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

(Signature of Declarant)

Declared before me at Singapore

this _____ day of _____ of 20 _____

Justice of the Peace, Notary Public or other officer
empowered by law to administer oaths,
affirmations or affidavits