

Continuing Professional Development Scheme

Advisory CPD-2020-5

Interpretation of “practice needs” in rule 3(2)(c) of the CPD Rules

Issued on: 4 August 2020

1. This SILE Advisory CPD-2020-5 clarifies the interpretation of the term “practice needs” in rule 3(2)(c) of the Legal Profession (Continuing Professional Development) Rules 2012 (‘CPD Rules’).
2. It has come to SILE’s attention that some lawyers may have interpreted rule 3(2)(c) as requiring that the law-related activities they attend relate strictly to their primary and current practice area(s) in order to be eligible for CPD Points under that rule.
3. In keeping with the aims of the CPD Scheme, the **law-related activities** which a lawyer attends would ordinarily relate to his or her main area(s) of practice. However, a lawyer’s “practice needs” should not be construed as being strictly restricted to their primary or current area(s) of practice but should be considered widely.

The following are non-exhaustive examples of how the “practice needs” requirement may be satisfied:

- (i) *A lawyer who primarily practises mergers and acquisitions may attend CPD activities on tax (which may impact the structuring of a transaction or the stamp duty payable on a sale of shares) or employment (which may impact a client’s obligations to its employees when a business is sold).*
- (ii) *A lawyer who does not practise criminal law, but wishes to prepare himself or herself to take on pro bono work under the Criminal Legal Aid Scheme, may attend CPD activities on criminal law and advocacy.*
- (iii) *A lawyer who practises corporate law but is contemplating a switch to litigation practice may attend CPD activities on litigation or arbitration.*
- (iv) *A lawyer who practices matrimonial law may attend CPD activities on foreign law relating to/foreign approaches to law on practice areas which are directly or indirectly related to matrimonial law.*
- (v) *In the case of any lawyer, CPD activities on the practice of law which are of general applicability (such as mediation, professional responsibility or the Singapore legal system) would satisfy the “practice needs” requirement.*
- (vi) *In the case of any lawyer, CPD activities on new or emerging areas of law (such as liability of artificial intelligence and cyber security) would satisfy the “practice needs” requirement.*

4. Apart from law-related activities, lawyers may also undertake **non-law-related** CPD activities on financial literacy, information technology and computer literacy, office productivity and management skills, presentation and communication skills, personal management and development skills and non-legal specialist knowledge relevant to their practice needs under rule 3(1)(a)(ii) read with rule 3(2A) of the CPD Rules.

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