

《有限法律責任合夥 (加額保險) 規則》  
(第 159 章，附屬法例 AL)

**Limited Liability Partnerships (Top-up Insurance) Rules**  
(Cap. 159 sub. leg. AL)

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經核證文本  
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### 制定史

本為 2015 年第 103 號法律公告——2015 年第 3 號編輯修訂紀錄，  
2015 年第 12 號，2016 年第 1 號編輯修訂紀錄

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## 《有限法律責任合夥（加額保險）規則》

## （第 159 章，附屬法例 AL）

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## Limited Liability Partnerships (Top-up Insurance) Rules

## (Cap. 159 sub. leg. AL)

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## 《有限法律責任合夥（加額保險）規則》

（第 159 章第 73A(3)(fa) 條）  
（略去制定語式條文——2015 年第 3 號編輯修訂紀錄）

[2016 年 3 月 1 日] 2015 年第 238 號法律公告

### 第 1 部

#### 導言

1. （已失時效而略去——2016 年第 1 號編輯修訂紀錄）
2. **釋義**  
在本規則中——  
**有限法律責任合夥** (limited liability partnership) 具有本條例第 7AB 條所給予的涵義。

## Limited Liability Partnerships (Top-up Insurance) Rules

(Cap. 159, section 73A(3)(fa))  
(Enacting provision omitted—E.R. 3 of 2015)

[1 March 2016] L.N. 238 of 2015

### Part 1

#### Preliminary

1. (Omitted as spent—E.R. 1 of 2016)
2. **Interpretation**  
In these Rules—  
**limited liability partnership** (有限法律責任合夥) has the meaning given by section 7AB of the Ordinance.

**第 2 部****本條例第 7AD 條規定的加額保險****3. 應從何人取得加額保險——本條例第 7AD(2)(b) 及 (4)(b) 條的規定**

- (1) 本條例第 7AD(2) 或 (4) 條規定須投購的保險單，須由以下人士承保——
- (a) 根據《保險業條例》(第 41 章)(**第 41 章**) 第 8 條獲授權在香港或從香港經營屬第 41 章附表 1 第 3 部第 13 類別中指定的性質的保險業務的公司，或根據下述條文當作如此獲授權的公司：在緊接《2015 年保險公司（修訂）條例》(2015 年第 12 號) 第 10 條的生效日期之前有效，並因第 41 章附表 11 第 2(7) 條的施行而具有持續效力的第 41 章第 61(1) 或 (2) 條；
  - (b) 勞合社；或
  - (c) 保監局認可的承保人組織。(2015 年第 12 號第 170 條)
- (2) 在第 (1) 款中——
- 公司** (company) 具有《保險業條例》(第 41 章) 第 2(1) 條所給予的涵義；(2015 年第 12 號第 170 條)
- 保監局** (Insurance Authority) 指根據《保險業條例》(第 41 章) 第 4AAA 條設立的保險業監管局；(2015 年第 12 號第 170 條)
- 勞合社** (Lloyd's) 具有《保險業條例》(第 41 章) 第 2(1) 條所給予的涵義。(2015 年第 12 號第 170 條)
- (2015 年第 12 號第 170 條)

**Part 2****Top-up Insurance under Section 7AD of Ordinance****3. From whom top-up insurance should be obtained—requirements under section 7AD(2)(b) and (4)(b) of Ordinance**

- (1) A policy of insurance required to be maintained under section 7AD(2) or (4) of the Ordinance must be written by—
- (a) a company authorized under section 8 of the Insurance Ordinance (Cap. 41)(**Cap. 41**), or deemed to be so authorized under section 61(1) or (2) of Cap. 41 as in force immediately before the commencement date of section 10 of the Insurance Companies (Amendment) Ordinance 2015 (12 of 2015) having continuing effect by the operation of section 2(7) of Schedule 11 to Cap. 41, to carry on, in or from Hong Kong, insurance business of the nature specified in class 13 in Part 3 of Schedule 1 to Cap. 41; (12 of 2015 s. 170)
  - (b) Lloyd's; or
  - (c) an association of underwriters approved by the Insurance Authority.
- (2) In subrule (1)—
- company** (公司) has the meaning given by section 2(1) of the Insurance Ordinance (Cap. 41); (12 of 2015 s. 170)
- Insurance Authority** (保監局) means the Insurance Authority established under section 4AAA of the Insurance Ordinance (Cap. 41); (12 of 2015 s. 170)
- Lloyd's** (勞合社) has the meaning given by section 2(1) of the Insurance Ordinance (Cap. 41). (12 of 2015 s. 170)
- (12 of 2015 s. 170)

**4. 加額保險的範圍——本條例第 7AD(2)(b) 及 (4)(b) 條的規定**

- (1) 就屬香港律師行的有限法律責任合夥而言，本條例第 7AD(2) 條規定須投購的保險單，須就該律師行的執業業務的相關情況下招致的任何種類的民事法律責任，提供彌償，而彌償的方式及程度，須類似根據《律師（專業彌償）規則》（第 159 章，附屬法例 M）第 3 條成立的基金向律師提供的彌償。
- (2) 就屬外地律師行的有限法律責任合夥而言，本條例第 7AD(4) 條規定須投購的保險單，須就該律師行提供的服務，提供彌償，而彌償的方式及程度，須類似根據《外地律師註冊規則》（第 159 章，附屬法例 S）第 6 條向外地律師提供的彌償。
- (3) 在第 (1) 款中——  
**執業業務** (Practice) 具有《律師（專業彌償）規則》（第 159 章，附屬法例 M）第 2 條所給予的涵義。

**5. 律師行遵守本條例第 7AD 條的證明**

- (1) 屬有限法律責任合夥的律師行的主管，須按照第 (2) 款向律師會提供律師會要求的證據，以證明該律師行已遵守本條例第 7AD 條。
- (2) 上述證據——
  - (a) 須——
    - (i) 以律師會指明的形式及方式提供；及

**4. Scope of top-up insurance—requirements under section 7AD(2)(b) and (4)(b) of Ordinance**

- (1) For a limited liability partnership that is a Hong Kong firm, the policy of insurance required to be maintained under section 7AD(2) of the Ordinance must provide indemnity in respect of any description of civil liability whatsoever incurred in connection with the Practice of the firm, in a manner and to the extent similar to the indemnity provided to a solicitor under the fund established under rule 3 of the Solicitors (Professional Indemnity) Rules (Cap. 159 sub. leg. M).
- (2) For a limited liability partnership that is a foreign firm, the policy of insurance required to be maintained under section 7AD(4) of the Ordinance must provide indemnity in respect of services rendered by the firm, in a manner and to the extent similar to the indemnity provided to a foreign lawyer under section 6 of the Foreign Lawyers Registration Rules (Cap. 159 sub. leg. S).
- (3) In subrule (1)—  
**Practice** (執業業務) has the meaning given by rule 2 of the Solicitors (Professional Indemnity) Rules (Cap. 159 sub. leg. M).

**5. Proof of firm's compliance with section 7AD of Ordinance**

- (1) A principal in a firm that is a limited liability partnership must provide to the Society, in accordance with subrule (2), evidence required by the Society to show the firm's compliance with section 7AD of the Ordinance.
- (2) The evidence—
  - (a) must be provided—

- (ii) 在指明期間內提供；及
- (b) 可由一名主管代所有其他主管提供。
- (3) 在本條中 ——
- 主管** (principal) ——
- (a) 就香港律師行而言，具有《律師執業規則》(第 159 章，附屬法例 H) 第 1A 條所給予的涵義；及
- (b) 就外地律師行而言，具有《外地律師執業規則》(第 159 章，附屬法例 R) 第 1 條所給予的涵義；
- 指明期間** (specified period) ——
- (a) 就香港律師行而言，指《律師執業規則》(第 159 章，附屬法例 H) 第 5(1B) 條所述的 14 天期間；及
- (b) 就外地律師行而言，指《外地律師執業規則》(第 159 章，附屬法例 R) 第 9(1B) 條所述的 14 天期間。

- (i) in the form and manner specified by the Society; and
- (ii) within the specified period; and
- (b) may be provided by one principal on behalf of all the other principals.
- (3) In this rule—
- principal** (主管)—
- (a) in relation to a Hong Kong firm, has the meaning given by rule 1A of the Solicitors' Practice Rules (Cap. 159 sub. leg. H); and
- (b) in relation to a foreign firm, has the meaning given by section 1 of the Foreign Lawyers Practice Rules (Cap. 159 sub. leg. R);
- specified period** (指明期間) means—
- (a) in relation to a Hong Kong firm, the 14-day period mentioned in rule 5(1B) of the Solicitors' Practice Rules (Cap. 159 sub. leg. H); and
- (b) in relation to a foreign firm, the 14-day period mentioned in section 9(1B) of the Foreign Lawyers Practice Rules (Cap. 159 sub. leg. R).