

Specialist Accreditation Scheme

Building and Construction Law Information for Specialists

This Guide is for specialists on how to maintain their specialist accreditation in Building and Construction Law.

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Contents

1. Definitions	2
2. Validity of Accreditation	2
3. Applying for Reaccreditation.....	3
4. Maintaining Accreditation – Criteria.....	3
Accredited Specialists	3
Senior Accredited Specialist.....	4
5. Continuing Professional Development	5
6. Professional Conduct.....	6
7. Exemptions	6
8. Leave of Absence	6
9. Suspension, cancellation and reinstatement of accreditation	7
10. Fees	8
11. Refunds	8

1. Definitions

- 1.1. *Building and construction legal practice.* This is the practice of law relating to all aspects of development, design and construction of public and private projects. It shall encompass, but is not limited to, all advisory and documentation work undertaken for related stakeholders including contractors, developers, consultants, insurers and financial institutions, prior to the commencement of and all dispute-related work arising from such projects.
- 1.2. *Singapore Academy of Law (SAL).* The entity that oversees the Specialist Accreditation Scheme.
- 1.3. *Specialist.* A legal practitioner who is either an Accredited Specialist or a Senior Accredited Specialist.

2. Validity of Accreditation

- 2.1 Both the Accredited Specialist and Senior Accredited Specialist accreditations are valid for 2 years as of the date on which accreditation is conferred.
- 2.2 All specialists must be reaccredited every 2 years.

3. Applying for Reaccreditation

- 3.1 It is the responsibility of the specialists to renew their accreditation by the specified deadline.
- 3.2 Specialists must submit their reaccreditation application and pay the reaccreditation fee before the stipulated deadline to be considered for reaccreditation.
-  3.3 **Opening date.** Applications for reaccreditation are open on 1 January.
- 3.4 **Closing date.** Specialists must submit their application, supporting documents and the payment confirmation email by **28 February, 5pm**
- 3.5 If the closing date is a public holiday or falls over a weekend, the deadline for submission will be the next working day.
- 3.6 Applications are to be submitted by email to accreditation@sal.org.sg
- 3.7 The SAL will send an acknowledgment of receipt of application ONLY if the application form for reaccreditation is fully completed and accompanied by all the required documentation, and the reaccreditation application fee paid.
- 3.8 The onus is on the specialists to ensure that their application has been received by the SAL.

4. Maintaining Accreditation – Criteria

- 4.1. To be reaccredited, specialists are required to maintain their accreditation as follows:
- Hold a **currently valid practising certificate**
 - Have NOT been subject to any **professional disciplinary proceedings** or charged and convicted of a serious crime
 - Have been **substantially involved** in the full-time practice of building and construction (B&C) law
 - Have been engaged in **continuing professional development** (CPD) in the said practice area
 - Pay the required reaccreditation fee before the closing reaccreditation application date
- 4.2. Specialists are advised to maintain a record of the practice work done and CPD activities attended. Sample logs for this purpose are provided on the [Specialist Accreditation Scheme website](#).
- 4.3. The SAL's decision to award or deny reaccreditation is final and is not required to provide any reasons for the said decision.

Accredited Specialists

- 4.4. **Substantial involvement.** Accredited Specialists must show that, in the 2 years prior to application for reaccreditation, they have been engaged in full-time practice in the practice area for which specialist

reaccreditation is sought by having dedicated a **minimum billable amount of S\$200,000 or 450 billable hours**¹ a year to the said practice area.

- 4.5. As part of their substantial involvement in B&C law, Accredited Specialists must have been involved in a trial, arbitration or binding adjudication or statutory adjudication at least as second chair, and/or performed front-end work which can include but is not limited to detailed review, drafting and preparation of construction contracts and tenders.
- 4.6. If they have been involved only in front-end work, whether this criterion is met shall depend on the complexity of the work done.
- 4.7. **Continuing professional development (CPD).** In the 2 years prior to application for reaccreditation, Accredited Specialists must have accumulated at least 6 public and/or private CPD points a year in the practice area for which specialist reaccreditation is sought, 3 of which must be public CPD points.
- 4.8. **Panel interview.** Accredited Specialists may be subject to a panel interview which revolves around their legal practice as a specialist in the 2 years prior to application for reaccreditation, as detailed in the application form, and developments in the law.

Senior Accredited Specialist

- 4.9. **Substantial involvement.** Senior Accredited Specialists must show that, in the 2 years prior to application for reaccreditation, they have been engaged in full-time practice in the area for which specialist reaccreditation is sought by having dedicated a **minimum billable amount of S\$500,000 or 600 billable hours** a year to the said practice area.
- 4.10. They must have, in the immediate 2 years prior to application for reaccreditation, been involved in a trial, arbitration or binding adjudication or statutory adjudication as lead counsel, arbitrator or adjudicator, and/or performed front-end work which can include but is not limited to detailed review, drafting and preparation of construction contracts and tenders.
- 4.11. If they have presided over an arbitration or adjudication, they must include a list of their written awards with their applications.
- 4.12. They are expected to have undertaken work that deals with more complex issues.
- 4.13. **Continuing professional development (CPD).** In the 2 years prior to application for reaccreditation, senior accredited specialists must have accumulated at least 6 public and/or private CPD points a year in the practice area for which specialist reaccreditation is sought, 3 of which must be public CPD points.
- 4.14. **Panel interview.** Senior Accredited Specialists may be subject to a panel interview which revolves around their legal practice as a specialist in the 2 years prior to application for reaccreditation, as detailed in the application form, and developments in the law.
- 4.15. **Mentorship.** Senior Accredited Specialists agree to be mentors to at least one Accredited Specialist candidate so long as they maintain their specialist accreditation.

¹ There is no correlation between the billable amounts and billable hours.

- 4.16. As mentors, they are expected to guide Accredited Specialist candidates during the assessment process, where responsibilities may include:
- guiding them through the exam preparations
 - answering any questions in relation to the law and practice in the area of specialisation for which they are seeking specialist accreditation

5. Continuing Professional Development

- 5.1 Specialists must show that they have kept abreast of legal developments in B&C law by accumulating public and/or private CPD points.
- 5.2 Other than participating in Singapore Institute of Legal Education (SILE)-accredited programmes, the CPD criteria can be met by participating in other activities including, but not limited to, teaching, guest lecturing or being on a discussion panel in a course, seminar or conference, conducting in-house seminars, authoring, contributing and/or editing publications and post-graduate degree studies at a reputable institution in the said practice area.
- 5.3 To assist them in calculating the required 6 public and/or private CPD points, the following table provides an inexhaustive list of activities and their respective points.

Activity	Points
Attending a conference, lecture, seminar, course or workshop relating to B&C law	1 point per hour
Lecturing or participated as a panellist at a conference, lecture, seminar, course or workshop including in-house relating to B&C law	3 points per hour
Teaching or contributing in various roles in the preparatory course in B&C law for the Singapore Bar examinations	<ul style="list-style-type: none"> • Subject Coordinator or Deputy Subject Coordinator – 8 points per session • Tutor – 2 points per practice session, workshop or class conducted • Instructional Designer – 2 points for developing teaching materials for each practice session, workshop or class • FMS Mentor – 6 points per session • Lecturer – 1 point per 0.5 hour
Attending an in-house seminar on B&C law	1 point per hour
Reviewing a multimedia, Internet-based, audio-visual, audio or video programme or material relating to B&C law	1 point per hour (minimum programme length of 20 minutes)
Writing an article relating to B&C law that is published in an approved publication (as defined by the latest Guidelines on the Continuing Professional Development Scheme)	1 point for the first 1,000 words; 0.5 point for every subsequent block of 500 words
Serving as a member of any committee, sub-committee, working party or advisory panel of Law Society of Singapore, SAL or legal professional body related to B&C law for at least four months	Maximum 2 points per year for all committees served

6. Professional Conduct

- 6.1. Specialists must declare if, throughout their professional legal career, they have been:
- a. subject to proceedings, due process or sanctions for professional misconduct by Law Society, the Disciplinary or any authorised disciplinary authority such as a court of law, pursuant to the Legal Profession Act (Cap 161), Legal Profession (Disciplinary Tribunal) Rules (Cap 161, R 2) or Legal Profession (Inadequate Professional Services Complaint Inquiry) Rules, or any proceedings, due process or sanctions for any professional misconduct that may bring the profession and the Scheme into disrepute, or
 - b. charged and convicted for committing or abetting to commit a criminal offence, implying a defect of character which makes them unfit for their profession.
- 6.2. Applicants must also inform the SAL if, at any time during the application process or thereafter, proceedings have been instituted against them for professional misconduct or commission or abetment to commit a criminal offence.
- 6.3. The SAL may make enquires of the Disciplinary Tribunal as to any findings of misconduct or unsatisfactory conduct concerning the applicants.
- 6.4. The SAL may decline to accept an application for reaccreditation on the grounds stated in **paragraphs 6.1 and 6.2.**

7. Exemptions

- 7.1 **Substantial involvement.** For specialists applying for reaccreditation who cannot meet this criterion due to a leave of absence, the SAL shall determine the exemption based on the amount of time the specialist has been on leave in the prior 2 years and whether he or she has maintained a connection with the specialisation, for example, fulfilling the CPD criterion.
- 7.2 **Continuing professional development (CPD).** Specialists must fulfil the CPD requirement even if they have been on a leave of absence, unless they were physically unable to do so due to illness or accident, in which case they may be given an extension of time to accumulate the requisite number of CPD points to be reaccredited.
- 7.3 The SAL will have the discretion to approve or reject applications for exemptions. All decisions will be final.

8. Leave of Absence

- 8.1 Leave of absence may take the form of a short-term or temporary change in circumstances affecting a specialist's legal practice, including illness, child and/or parental care, switch in practice focus, secondment or moving into academia.
- 8.2 Specialists must apply for leave of absence PRIOR to taking leave, if the intended period of leave is more than three months and less than 2 years. Approval for leave of absence cannot be given retrospectively.
- 8.3 They must submit their applications to the SAL, outlining the reasons for their leave of absence and how long they require.

- 8.4 If applications for leave of absence are for more than 2 years or applications for leave of absence are rejected, specialists will be required to return their certificate and reapply for specialist accreditation.
- 8.5 Specialists, in applying for a leave of absence, are exempted from the requirement to hold a currently valid practicing certificate as prescribed in **paragraph 4.1**.
- 8.6 During the period of leave, specialists are not to hold themselves out as such and their names will be taken off the directory of specialists.
- 8.7 No later than 28 days prior to the expiration of the leave of absence period, specialists who wish to extend their leave must apply to the SAL to obtain approval for the said extension.
- 8.8 No later than 28 days prior to the expiration of the leave of absence period, specialists must apply to the SAL to be reinstated as a specialist under the Scheme.
- 8.9 Specialists must show in the application for reinstatement that they hold a currently valid practising certificate and have met the CPD requirement as stated in **paragraphs 4.7 and 4.13** unless the SAL has waived or varied the terms of fulfilling this requirement.
- 8.10 Failure on the part of specialists to apply for reinstatement or extension 28 days prior to the expiration of the leave of absence period, the specialists' accreditation shall lapse upon the expiration of that period.
- 8.11 To regain their accreditation status, specialists must reapply for specialist accreditation.
- 8.12 The SAL will have the discretion to approve or reject applications for leave of absence. All decisions will be final.

9. Suspension, cancellation and reinstatement of accreditation

- 9.1 A specialist's accreditation shall be suspended if he or she becomes subject to proceedings or due process for professional misconduct by the Disciplinary or Investigative Tribunal or any authorised disciplinary authority or for the commission or abetment of a criminal offence.
- 9.2 Specialists must also inform the SAL if, at any time, proceedings have been instituted against them for professional misconduct or commission or abetment to commit a criminal offence.
- 9.3 The suspension shall be lifted only when no cause for sanctions has been found by the said Tribunal or authorised disciplinary authority and the case dismissed.
- 9.4 Suspension shall also take place when the accredited specialist's practising certificate has been suspended under s 27B of the Legal Profession Act (Cap 161), and the accreditation shall be reinstated if the suspension of the specialist's practicing certificate has been lifted.
- 9.5 The SAL may make enquires of the Disciplinary Tribunal as to any findings of misconduct or unsatisfactory conduct concerning the specialists.
- 9.6 A specialist shall have his or her accreditation cancelled if the following circumstances arise:

- a. non-payment of the reaccreditation fee
 - b. failure to satisfy all reaccreditation criteria, save for the exemptions in **paragraphs 7.1 and 7.2.**
 - c. non-possession of a currently valid practising certificate, save for the exemption in **paragraph 8.5**
 - d. disqualification for or cancellation of practising certificate
 - e. sanctions have been imposed for professional misconduct by the Disciplinary or any authorised disciplinary authority or for the commission or abetment of a criminal offence
- 9.7 Where a specialist has his or her accreditation suspended or cancelled, he or she is not permitted to hold him or herself out as such and he or she will no longer appear on the directory of specialists.
- 9.8 A specialist may apply for reinstatement to the Scheme if he or she can show that:
- for points a to d in **paragraph 9.6**, he or she:
- a. has paid the reaccreditation fee
 - b. has satisfied the reaccreditation criteria
 - c. holds a currently valid practising certificate
- 9.9 He or she may be subject to a panel interview.
- 9.10 If a specialist does not apply for reinstatement after more than two years from the date his or her accreditation was cancelled, he or she will be required to apply for specialist accreditation again.

10. Fees



- 10.1 All fees are to be paid via **SAL-e**.
- 10.2 **Reaccreditation fee.** Applications for reaccreditation should be accompanied by the payment of a one-time fee of:
- a. Accredited Specialist: S\$214 including GST
 - b. Senior Accredited Specialist: S\$535 including GST
- 10.3 All applications for reaccreditation must be accompanied by the payment confirmation email.
- 10.4 The SAL will consider late payments at its discretion.

11. Refunds

- 11.1 Applications for reaccreditation may be withdrawn at any stage during the assessment process. Refunds are available only if the application is withdrawn before reaccreditation is confirmed or rejected.
- 11.2 The refunds for the reaccreditation are:
- a. Accredited Specialist: S\$160.50 including GST
 - b. Senior Accredited Specialist: S\$374.50 including GST

11.3 No refunds will be provided to specialists whose application for reaccreditation is rejected or who wish to:

- a. take a leave of absence from their accreditation, or
- b. allow their accreditation to lapse.

11.4 The final decision will be made by the SAL.