

Foreign Lawyers in Asia: Developments in Market Access with a Specific Focus on China

Andrew Godwin
Associate Director (Asian Commercial Law)
Asian Law Centre

INAUGURAL SEMINAR

Wednesday 4 March 2009

5.30pm - Refreshments

6.00pm - 7.00pm - Seminar

Room 920, Level 9
Melbourne Law School
185 Pelham st Carlton



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In response to the increasing importance of Australia's trade and investment relationship with Asia, many Australian firms have established offices in Asian jurisdictions such as Hong Kong, mainland China and Singapore.

As foreign law firms have increased their presence in Asia, the regulation of foreign-qualified lawyers has attracted much debate, both in the context of the WTO trade negotiations and also in the context of legal reform generally. For example, Japan liberalised its market in 2005 to allow foreign firms to employ Japanese lawyers and to merge with domestic firms. In addition, Singapore recently took steps to allow foreign law firms to employ Singaporean lawyers. At the other end of the spectrum, countries such as India and South Korea are still closed to foreign law firms.

Mainland China provides an interesting case study on the regulation of foreign lawyers in view of the legal and regulatory uncertainty surrounding the scope of their permitted activities and the ways in which they are able to cooperate with local law firms. This uncertainty has been exacerbated by ambiguities in the interpretation of the applicable regulations and differing views between the administrative authorities and the local bar.

This seminar provides an update on recent developments in the market for foreign legal services in Asia with a specific focus on the situation in China. The seminar will be delivered by Andrew Godwin, Associate Director (Asian Commercial Law), Asian Law Centre, The University of Melbourne.

Speaker Details

Andrew Godwin is Associate Director (Asian Commercial Law) of the Asian Law Centre. His research interests include Asian law, property law, financial and insolvency law and professional training. Prior to joining the Law School in 2006, Andrew was in private practice for 15 years, 10 of which were spent in Shanghai where he was a partner and chief representative of a major international law firm.

This seminar draws upon recent research that Andrew has conducted, the results of which are contained in the following article: 'The Professional "Tug of War": The Regulation of Foreign Lawyers in China, Business Scope Issues and Some Suggestions for Reform' (to be published in the *Melbourne University Law Review* (volume 33(1) of 2009).



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