

**GUIDE TO DECLARATION(S) IN THE ADMISSION AFFIDAVIT**  
**IN RELATION TO ACADEMIC MISCONDUCT AND DELIBERATE ASSESSMENT OFFENCES**

As an applicant for admission as a lawyer (NP) and for admission as an advocate and solicitor, you owe a duty of candour to the Court which requires you to disclose any misconduct and/or material fact(s) that affect your suitability to practise as an advocate and solicitor in Singapore or as a legal practitioner (by whatever name called) elsewhere.<sup>1</sup>

Applicants for admission are *inter alia* required to make the relevant disclosures:

- under paragraph 5 of Form A(1) for admission as a lawyer (NP); and
- under paragraphs 7 and 8 of Form A(2) for admission as an advocate and solicitor.

In relation to academic misconduct and deliberate assessment offences, you are required to disclose:<sup>2</sup>

- (a) any determination by any institution of higher learning, of the applicant's commission of a deliberate assessment offence that amounts to plagiarism or cheating to gain an advantage for the applicant or others, ***regardless of whether the institution ultimately charged and/or disciplined the applicant***<sup>3</sup>; and
- (b) any misconduct (including a deliberate assessment offence, if any) for which any of the institutions charged, disciplined or suspended the applicant.

You are required to disclose not just the fact of the misconduct, but also the relevant circumstances and extent of the misconduct, to enable the Court and the stakeholders to properly assess your suitability for admission.<sup>4</sup>

Where such matters have been voluntarily and fully disclosed in your admission affidavit, this is likely to weigh heavily in favour of the Court finding that your duty of candour has been discharged,<sup>5</sup> and your admission to the Singapore Bar will be more favourably considered than if you do not do so.

If you have any doubt as to whether a given matter ought to be disclosed, you are encouraged to disclose the matter with sufficient particulars. You can never be faulted for declaring even though you were not required to do so. Conversely, failure to disclose relevant misconduct can have severe consequences, including but not limited to your application for admission being dismissed, or being

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<sup>1</sup> The duty of candour is equivalent to an advocate and solicitor's duty not to mislead the court. Untrue facts cannot be knowingly stated, and material facts cannot be concealed (*Attorney-General v Shahira Banu d/o Khaja Moinudeen* [2024] 4 SLR 1324 ("**AG v Shahira**") at [2] and [33], citing *Bachoo Mohan Singh v Public Prosecutor and another matter* [2010] 4 SLR 137).

<sup>2</sup> See paragraph 5(j) read with footnote g of Form A(1), and paragraph 8(c) read with footnote (g) of Form A(2) on SILE's website ([https://www.sile.edu.sg/pdf/2024\\_Admission\\_Rules\\_Forms.pdf](https://www.sile.edu.sg/pdf/2024_Admission_Rules_Forms.pdf)); see also *AG v Shahira* at [50].

<sup>3</sup> You should therefore declare even if it is a case where after informing you that the institution has determined that you have committed such an offence, it decided not to initiate formal disciplinary charges or mete out any formal disciplinary punishment, and let you off with a warning.

<sup>4</sup> *AG v Shahira* at [48]. However, applicants should note that they are not expected to disclose "every historical transgression", as such disclosure should only related to "those aspects of character which are relevant to one's suitability to be admitted as an advocate and solicitor" (at [49]).

<sup>5</sup> *AG v Shahira* at [47]; also see [37], where it was held that the fact that some disclosure was made would not be sufficient in itself to support a finding that the advocate and solicitor had discharged their duty of candour to the court. For an example of the duty of candour being sufficiently discharged, see *Re Ong Pei Qi Stasia* [2024] 4 SLR 392.

subject to striking off if you were previously admitted as a lawyer (NP) or as an advocate and solicitor without having made the necessary disclosure(s).

To assist you in discharging your duty of candour to this Court, you may also refer the following:

- [Singapore Institute of Legal Education - Singapore Institute of Legal Education - Admission to the Singapore Bar - Admission Requirements \(sile.edu.sg\)](#)
- [SILE's Form A\(1\) and Form A\(2\) – 2024\\_Admission\\_Rules\\_Forms.pdf \(sile.edu.sg\)](#)
- <https://www.lawsociety.org.sg/our-community/admissions/>
- <https://www.agc.gov.sg/legal-processes/admission-of-advocates-and-solicitors>