

**Deliberations of the
Panel on Administration of Justice and Legal Services**

Drafting policy on bilingual legislation

In the light of concerns expressed by the Bills Committee on the Securities and Futures Bill and Banking (Amendment) Bill 2000 that there are different approaches in drafting between the English and Chinese texts of the Bill, the Panel discussed the policy aspects of drafting practice at the meeting on 20 March 2000.

2. The Panel has noted the report of the Legal Service Division that common scenarios on different drafting approaches in the two texts of the Bill can be categorised as follows-

- (a) the Chinese text contains less details than the English text;
- (b) structural difference between the English and Chinese texts; and
- (c) the reader of the Chinese text has to refer to another part of the Bill for details.

3. The Law Drafting Division of the Department of Justice has advised that the drafting policy for the two texts is the same and there should not be any discrepancy in meaning between the two texts. Its drafting policy is to draft legislation that -

- (a) can accurately reflect the policy intent; and
- (b) subject to (a), is easy to comprehend and understand.

4. After discussion, the Panel suggests and the Law Draftsman agrees that another factor should be added to the drafting policy to the effect that the two texts should match as far as possible.

5. The Panel agrees that its deliberations should be brought to the attention of the Bills Committee.