

立法會
Legislative Council

LC Paper No. LS 25/00-01

**Paper for the House Committee Meeting
of the Legislative Council
on 17 November 2000**

**Legal Service Division Report on
Resolution under section 9 of the
Criminal Procedure Ordinance(Cap. 221)**

The Secretary for the Treasury ("the Secretary") has given notice to move a motion at the meeting of the Legislative Council on 29 November 2000 under section 9 of the Criminal Procedure Ordinance (Cap. 221), which empowers the Criminal Procedure Rules Committee to make rules and orders subject to the approval of the Council.

2. Rule 63 of the Criminal Appeal Rules (Cap. 221 sub. leg.) provides that on payment of a fee of \$17 per page, a transcript of the shorthand note of the trial or other proceedings in relation to which a notice of appeal, or notice of application for leave to appeal has been given, and copies of any documents or exhibits in relation to the appeal, will be furnished to an appellant or his solicitor. The motion seeks to increase the fee from \$17 to \$18. Upon approval by the Council, the fee increase will take effect on 12 January 2001.

3. According to the Secretary's draft speech, which is appended to the motion, the fee increase is made on full-cost recovery basis. The fee was last revised in 1994. It further says that the Financial Affairs Panel of the last legislative session was consulted, at its meeting on 15 June 2000, on proposals to revise fees and charges not directly affecting people's livelihood or general business activities under the Secretary's purview, including the fees under the Criminal Procedure Ordinance. The Panel in general raised no objection.

4. The legal and drafting aspects of the resolution are in order.

Prepared by

Lam Ping-man, Stephen
Assistant Legal Adviser
Legislative Council Secretariat
14 November 2000