

立法會
Legislative Council

LC Paper No. CB(2)575/01-02

Ref : CB2/SS/14/00

**Legislative Council
Subcommittee on Solicitors
(Professional Indemnity) (Amendment) Rules 2001**

**Minutes of third meeting
held on Monday, 22 October 2001 at 1:00 pm
in Conference Room B of the Legislative Council Building**

Members Present : Hon Margaret NG (Chairman)
Hon Mrs Miriam LAU Kin-ye, JP
Hon Ambrose LAU Hon-chuen, GBS, JP
Hon Audrey EU, SC, JP

Members Absent : Hon Albert HO Chun-yan
Hon Martin LEE Chu-ming, SC, JP
Hon Eric LI Ka-cheung, JP
Hon Bernard CHAN
Hon Jasper TSANG Yok-sing, JP
Hon MA Fung-kwok

Public Officers Attending : Mr Stephen WONG
Deputy Solicitor General

Ms Kitty FUNG
Senior Government Counsel

By Invitation : Law Society of Hong Kong

Mr Vincent LIANG
Chairman of the Solicitors Indemnity Fund Ltd.

Mr Patrick MOSS
Secretary General

Horvath & Giles and Erving Brettell

Mr William GILES
Mr Christopher ERVING

Holman Fenwick & Willan

Mr Richard WILMOT

Clerk in Attendance : Mrs Percy MA
Chief Assistant Secretary (2)3

Staff in Attendance : Mr Stephen LAM
Assistant Legal Adviser 4

Mr Paul WOO
Senior Assistant Secretary (2)3

The meeting

(LC Paper Nos. CB(2)111/01-02(01) to (03))

The Subcommittee deliberated (Index of proceedings attached at **Annex**).

2. The Law Society agreed to provide a written undertaking, in the form of a letter from the President of the Society to the Chairman of this Subcommittee, to assure Members that once the parameters and likely cost were determined, it would seek a mandate from its members to carry out expeditiously an independent review and would inform the Legislative Council (LegCo) of the progress of the review on or before 30 September 2003. Any recommended arrangements would have to be acceptable to members of the Law Society, approved by the Chief Justice and transformed into amendments to the statutory rules to be approved by LegCo before the expiration of the five-year contracts at the end of September 2005. The Subcommittee accepted the wording of the undertaken as proposed by the Law Society.

3. The Subcommittee agreed to support the Solicitors (Professional Indemnity) (Amendment) Rules 2001 and report its deliberations to the House Committee on 26 October 2001. The Chairman would address the Council on the Amendment Rules at the Council meeting on 31 October 2001.

4. As the Law Society undertook to report to LegCo on or before 30

September 2003, the Subcommittee agreed to recommend to the House Committee that the matter should be referred to the Panel on Administration of Justice and Legal Services (AJLS Panel) for follow-up. Upon receipt of the report from the Law Society on the progress of its review on or before 30 September 2003, the AJLS Panel should report to the House Committee which would then decide whether the report should be referred to a Panel or a subcommittee for further action.

5. There being no other business, the meeting ended at 1:35 pm.

Council Business Division 2
Legislative Council Secretariat
4 December 2001

**Proceedings of the third meeting of the Subcommittee on
Solicitors (Professional Indemnity) (Amendment) Rules 2001
on Monday, 22 October 2001, at 1:00 pm
in Conference Room B of the Legislative Council Building**

Time	Speaker	Subject(s)	Action required
000001-000129	Miss Margaret NG	Draft letter from the President of the Law Society to Chairman of the Subcommittee on the independent review to be undertaken by the Law Society	
000130-000144	Ms Miriam LAU	Timing for the review	
000145-000426	Mr Patrick MOSS	Timing and the matters to be decided for the review / Timing for implementing any agreed changes after the review	
000427-000437	Ms Miriam LAU	Engagement of a suitable reviewer to undertake the review	
000438-000458	Mr Patrick MOSS	-ditto-	
000459-000511	Ms Miriam LAU	Time limit for completion of the review	
000512-000536	Mr Patrick MOSS	-ditto-	
000537-000546	Ms Miriam LAU	Costs of the review	
000547-000622	Mr Partick MOSS	-ditto-	
000619-000622	Miss Margaret NG	-ditto-	
000623-000724	Ms Audrey EU	Timing for Law Society to inform LegCo of the progress of the review	
000725-001131	Miss Margaret NG	-ditto-	
001132-001227	Mr Richard WILMOT	Time required for the review and for implementing changes arising from the review	
001228-001235	Miss Margaret NG	-ditto-	
001236-001243	Mr Richard WILMOT	-ditto-	
001244-001254	Miss Margaret NG	-ditto-	
001255-001303	Mr Richard WILMOT	-ditto-	
001304-001334	Miss Margaret NG	Law Society to consult its membership on time and expenses for the review and any proposed alternative schemes	
001335-001420	Mr Patrick MOSS	-ditto-	
001421-001549	Miss Margaret NG	Consultation on progress of the review and timing for implementing post-review recommendations	
001550-001620	Mr Partick MOSS	-ditto-	
001621-001728	Miss Margaret NG	-ditto-	

001729-002036	Mr Christopher Erving	How and when to seek mandate from the membership to carry out the review	
002037-002105	Miss Margaret NG	-ditto-	
002106-002115	Mr Vincent LIANG	-ditto-	
002116-002134	Miss Margaret NG	-ditto-	
002135-002158	Mr Partick MOSS	-ditto-	
002159-002310	Miss Margaret NG	-ditto-	
002311-002332	Mr Partick MOSS	-ditto-	
002333-002342	Miss Margaret NG	-ditto-	
002343-002403	Mr Partick MOSS	-ditto-	
002404-002423	Miss Margaret NG	-ditto-	
002424-002517	Mr Vincent LIANG	Intention of Law Society to seek advice from the UK Law Society on Qualified Insurers Scheme	
002518-002752	Miss Margaret NG	Concern of the Subcommittee that the review should be completed in good time	
002753-002820	Mr Vincent LIANG	Law Society's intention to consult its membership on the review and any proposed changes	
002821-003005	Miss Margaret NG	How LegCo should monitor progress of the review	
003006-003033	Ms Miriam LAU	-ditto-	
003034-003103	Miss Margaret NG	-ditto-	
003104-003207	Ms Miriam LAU	-ditto-	
003208-003433	Miss Margaret NG	Subcommittee's acceptance of the wording of the Law Society's undertaking / Law Society to report progress to LegCo on or before 30 September 2003 / Subcommittee's acceptance of the Amendment Rules and Chairman of Subcommittee to address the Council on 31 October 2001	Law Society
003434-003444	Mr Vincent LIANG	Letter from the President of Law Society to be submitted to Chairman of Subcommittee	Law Society
003445-003524	Miss Margaret NG	Letter from President of Law Society to be circulated when received	Secretariat

Note : The audio records of the above proceedings are kept at the LegCo Library

Council Business Division 2
Legislative Council Secretariat
 4 December 2001

