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10 January 2004

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Assistant Legal Adviser
Legal Service Division
Legislative Council Secretariat
Legislative Council Building
8 Jackson Road
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Via Fax - 2877 5029
& Via Post

Dear Mr Lam

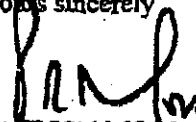
Re : Subcommittee on Summary Disposal of Complaints (Solicitors) Rules
under L.N. No. 251 of 2003

I refer to your letter dated 5 January 2004, which was tabled at the meeting of the Subcommittee on the same day.

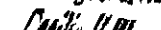
Your first query relates to the date of receipt of documents. Under section 13(1) of the Rules, a document will be regarded as duly sent if it is sent by personal delivery, left at or sent by registered post to the last known place of business or abode of the addressee of the document. As explained at the meeting, it is not envisaged that there will be difficulty in ascertaining the date of receipt of a document sent by the means stated in section 13(1).

Your second query relates to documents crossing in the post. As discussed at the meeting, in the unlikely event that the situation you described arises, namely, the Council's notice of revocation to the relevant person crosses in the post with the notice by the relevant person to the Council indicating his wish to discuss the matter with the Council representative, the revocation should take effect where the Council has exercised its power of revocation prior to its receipt of the notice from the relevant person in accordance with section 5(1) (as amended) and the revocation is not required to have been received by the relevant person to become effective.

Yours sincerely


PATRICK MOSS
Secretary General

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