

HC/sp/CWP160
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The Law Society of Hong Kong
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4 December 2003

BY FAX

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(Attn: Ms Heidi CHU
Director of Standards and Development)

Dear Ms Chu,

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

We are scrutinizing the legal and drafting aspects of the captioned Rules. We should be grateful for your clarification of the following points -

- (1) Are the Rules applicable to disciplinary offences (as listed in the Schedule) committed before the commencement of the Rules?
- (2) If a solicitor, etc. has been undergoing a disciplinary hearing before the Solicitors Disciplinary Tribunal before the commencement of the Rules, could the solicitor or the Council of The Law Society of Hong Kong elect to adopt the new disciplinary system under the Rules upon their commencement, provided that the disciplinary offence in question is also an offence in the Schedule?

It is appreciated that your reply in both languages could reach us by 6 December 2003.

Yours sincerely,

(Stephen LAM)
Assistant Legal Adviser

c.c. DoJ (Attn: Mr Michael SCOTT, SASG) (Fax No. 21809928)
LA