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21 January 2004

By Fax [2509 9055]

Mrs Percy Ma
Clerk to the Panel on Administration
of Justice and Legal Services
Legislative Council Building
8 Jackson Road
Hong Kong

Dear Mrs Ma,

LegCo Panel on Administration of Justice and Legal Services

System for the Determination of Judicial Remuneration

Further to the discussion of the captioned subject at the Panel meetings held on 26 May and 24 November 2003, I am writing to advise Members that the Chief Executive (CE) has appointed the Standing Committee on Judicial Salaries and Conditions of Service (the Judicial Committee) to make recommendations to him on an appropriate institutional structure, mechanism and methodology for the determination of judicial remuneration in Hong Kong. In undertaking this task, the Judicial Committee is asked to look into all aspects of the Judiciary's proposal based on the Consultancy Report compiled by Sir Anthony Mason, and to make recommendations on whether the Judiciary's proposal should be accepted.

The Judicial Committee will submit its recommendations to the CE by October 2004. An advance copy of the press release on the matter, which will be issued later today, is attached for Members' information.

Yours sincerely,

(Chan Yum-min, James)
for Director of Administration

Embargoed until 5:00 p.m. 21 January 2004

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Press Release

Standing Committee on Judicial Salaries and Conditions of Service to recommend a System for the Determination of Judicial Remuneration

The Chief Executive (CE), Mr Tung Chee Hwa, has appointed the Standing Committee on Judicial Salaries and Conditions of Service (the Judicial Committee) to make recommendations to him on an appropriate institutional structure, mechanism and methodology for the determination of judicial remuneration in Hong Kong.

A government spokesman said today, "In recognition of the independent status of the Judiciary, the Government had been in discussion with the Judiciary for some time on the establishment of a new institutional structure, mechanism, as well as the appropriate methodology for the determination and revision of judicial pay and conditions of service."

In May 2002, the Judiciary commissioned Sir Anthony Mason to undertake a Consultancy Study with a view to recommending the appropriate system for the determination of judicial remuneration in Hong Kong. On 23 April 2003, the Chief Justice (CJ) submitted to the CE the Judiciary's proposal that the views and recommendations contained in the Consultancy Report should be adopted.

The government spokesman added, "Having considered the Judiciary's proposal, and in full recognition of the independent status of the Judiciary, the CE considers that it would be in the overall interest of Hong Kong to ask an independent body, the Judicial Committee, to make recommendations to him on the appropriate institutional structure, mechanism and methodology for the determination of judicial remuneration, and in particular, to make recommendations on whether the Judiciary's proposal based on the Consultancy Report should be accepted."

The Judicial Committee comprises Mr Christopher Cheng as the Chairman, Messrs Victor Fung and Henry Fan as the two lay members, Mr Anthony Neoh as the barrister member and Mr Herbert Tsoi as the solicitor member.

The Judicial Committee will submit its recommendations to the CE by October 2004.