



THE
LAW SOCIETY
OF HONG KONG
香港律師會

LC Paper No. CB(2) 2517 /05-06(03)

立法會 CB(2) 2517 /05-06(03) 號文件

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Our Ref : SG/FA/1309
Your Ref : CB2/PL/AJLS
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20th June 2006

Mrs. Percy Ma,
Clerk to Panel,
Legislative Council Secretariat,
Legislative Council Building,
8 Jackson Road, Central,
Hong Kong.

Dear Mrs. Ma,

**Panel on Administration of Justice and Legal Services
Meeting on 26th June 2006**

I refer to the LegCo Panel on Administration of Justice and Legal Services meeting to be held on 26th June and in particular item V.

I enclose copy of a letter that was written to the Judiciary Administrator's Office on 3rd May in which the Law Society expressed some concerns over the proposal to implement a 5-day week for the Judiciary. I am pleased to say that those concerns have been addressed by the Judiciary. Consideration is being given to legislative changes to deal with the implications arising from closure of the Registries on Saturday mornings and the Judiciary has confirmed that admission ceremonies will continue to take place on Saturday mornings at least for the time being.

In the light of the Judiciary's ready response to our concerns the Law Society has no wish to comment further on the Judiciary's proposal for 5-day week and is content to make no further representation at this stage in the matter.

Yours sincerely,

Patrick Moss
Secretary General

Encl.

President	Vice-Presidents	Council Members				Secretary General
Peter C.L. Lo	Lester G. Huang Wong Kwai Huen Junius K.Y. Ho	Michael J. Lintern-Smith Ip Shing Hing Billy W.Y. Ma Sylvia W.Y. Siu	Cecilia K.W. Wong Alex T.H. Lai Kenneth S.Y. Ng Andrew Jeffries	Stephen W.S. Hung Dieter L.T. Yih Ambrose S.K. Lam Joseph C.W. Li	Amirati B. Nasir Melissa K. Pang Thomas S.T. So James E. Jamison	Patrick R. Moss



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3rd May 2006

Ms. Sally Wong,
Judiciary Administrator's Office,
Judiciary,
Court of Final Appeal,
No. 1 Battery Path, Central,
Hong Kong.

Dear Ms. Wong,

**Consultation Paper on
Proposed Implementation of a Five-Day Week for the Judiciary**

Thank you for your letter dated 19th April addressed to the President who has asked me to respond.

The Council of the Law Society has considered the Consultation Paper on the Proposed Implementation of a Five-Day Week for the Judiciary. In general terms members accept that if the decision has been made to amend the working week for civil servants to one of five days reality is such that a similar working week should be adopted by the Judiciary.

Whilst the Council do not express any strong views on the proposal concern was shown over 2 aspects of it. The first relates to the absence of any statutory provision to extend time to Saturdays in the same way that time has been extended to public holidays under Section 71 (1) of the Interpretation and General Clauses Ordinance. There were worries that this would deprive a litigant of the right to issue a writ if the last day of any litigation period expired on a Saturday. Members questioned why the provisions of Section 71 (1) cannot similarly be extended to those instances where time expires on a Saturday.

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3rd May 2006

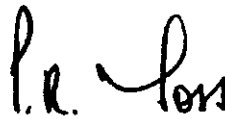
Ms. Sally Wong
Judiciary Administrator's Office
Judiciary

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The other matter which concerned members was the proposal to change the date upon which admission ceremonies took place from the usual Saturday mornings to a week day. It was thought that this may prove to be less convenient to the families of those wishing to attend the admission ceremony.

The Consultation Paper has been referred to other committees of the Law Society but in order to meet the deadline of 10th May I have forwarded to you these comments by the Council of the Law Society for your further consideration.

Yours sincerely,



Patrick Moss
Secretary General

PM/ff