



## HONG KONG BAR ASSOCIATION

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26 June 2007

Mrs. Percy Ma  
 Clerk to Bills Committee on Civil Justice  
 (Miscellaneous Amendments) Bill 2007  
 Legislative Council  
 Legislative Council Bldg., 8 Jackson Road  
 Central, Hong Kong.

Dear *Percy,*

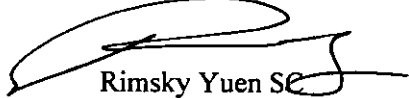
**Re: Bills Committee on Civil Justice (Miscellaneous Amendments) Bill 2007**

Thank you for your letter dated 18 June 2007.

We consider that the Bills Committee would, in the examination of Part 7 of the Bill, benefit from studying the relevant draft subsidiary legislation.

Part 7 of the Bill is concerned with the wasted costs jurisdiction. The Bills Committee would fully appreciate how the proposed jurisdiction may be exercised by studying the draft subsidiary legislation for the mechanisms by which the jurisdiction may be triggered and the counsel or solicitor concerned may show cause. In particular, the Bills Committee will see that the draft rules provide that the Court can of its own motion direct a legal representative to show cause but without imposing any costs sanction in the event the barrister in question demonstrates that a wasted costs order should not be made.

Yours sincerely,

  
 Rimsky Yuen SC  
 Chairman

JF/PYL/al

cc: Mr. Joseph Fok SC / Mr. PY Lo

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香港金鐘道三十八號高等法院低層二樓

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