

立法會
Legislative Council

LC Paper No. LS54/08-09

**Paper for the House Committee Meeting
on 17 April 2009**

**Legal Service Division Report on
Proposed Resolution under section 14 of the
Judicial Officers Recommendation Commission Ordinance (Cap. 92)**

The Chief Secretary for Administration (the Secretary) has given notice to move a motion at the Legislative Council meeting to be held on 29 April 2009 to amend Schedule 1 to the Judicial Officers Recommendation Commission Ordinance (Cap. 92) (the Ordinance) by adding “Principal Family Court Judge” (the new Office).

2. Schedule 1 to the Ordinance (the Schedule) lists the offices which are specified as judicial offices for the purposes of the Ordinance. Appointment to any such judicial office is subject to the advice of the Judicial Officers Recommendation Commission (JORC) constituted under the Ordinance.

3. The proposed amendment would entitle JORC to advise or make recommendation to the Chief Executive on the filling of vacancy in the new Office. The holder of the new Office will supervise the District Judges sitting in the Family Court and assume full responsibility for the administration of the Family Court.

4. The Panel on Administration of Justice and Legal Services (the Panel) discussed a package of staffing proposals in the Judiciary, including the proposed creation of the new Office, at the meetings on 26 and 29 May 2008. Members in general supported these staffing proposals which were subsequently endorsed by the Establishment Subcommittee and the Finance Committee on 20 June and 4 July 2008 respectively. The Judiciary Administration has on 25 March 2009 issued to the Panel for information a paper on the proposed legislative amendment to the Schedule in view of the creation of the new Office. Members may refer to the LegCo Brief in respect of the motion issued by the Judiciary Administration in April 2009 for background and further information.

5. The amendment is technical. No difficulties in the legal and drafting aspects of the proposed Resolution have been identified.

Prepared by

KAU Kin-wah
Assistant Legal Adviser
Legislative Council Secretariat
9 April 2009
LS/R/11/08-09