

LC Paper No. LS69/12-13

Paper for the House Committee Meeting on 5 July 2013

Further Report by Legal Service Division on Solicitors (General) Costs (Amendment) Rules 2013 (L.N. 110) gazetted on 21 June 2013

Members may recall that at the last meeting of the House Committee held on 28 June 2013, the Legal Service Division reported (LC Paper No. LS65/12-13) that the Solicitors (General) Costs (Amendment) Rules 2013, published in the Gazette on 21 June 2013 as L.N. 110, had apparently been made by the Council of The Law Society of Hong Kong (The Law Society), rather than the Costs Committee as provided under section 74 of the Legal Practitioners Ordinance (Cap. 159). The Law Society was asked to clarify whether L.N. 110 was properly made.

2. In its reply on 28 June 2013, The Law Society stated that it would ask the Costs Committee to arrange to have the proposed amendments published in the Gazette again and to provide a LegCo Brief for Members.

3. In light of The Law Society's response, the amendment rules published in the Gazette as L.N. 110 do not have any legal effect. We will write to the Administration to ascertain how L.N. 110 is to be dealt with in the meantime or after a proper set of amendment rules is made by the Costs Committee.

4. We will report further if necessary.

Prepared by

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