



立法會秘書處 法律事務部
LEGAL SERVICE DIVISION
LEGISLATIVE COUNCIL SECRETARIAT

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By Fax (2845 0387)

8 September 2015

Ms Angela LI
The Law Society of Hong Kong
3/F, Wing On House
71 Des Voeux Road Central
Hong Kong

Dear Ms LI,

**Trainee Solicitors (Amendment) Rules 2015
(L.N. 174 of 2015)**

I am scrutinizing the legal and drafting aspects of the subject Amendment Rules.

LegCo Brief

The Legislative Council Brief (LegCo Brief) provided by The Law Society of Hong Kong (The Law Society) to the Legislative Council (LegCo) in respect of the Amendment Rules lacks significant details such as the background and justification of the Amendment Rules, whether the relevant Panel of LegCo or any stakeholder has been consulted and the result of the consultation, the name of the person and contact details for enquiries on the LegCo Brief, the issuing party and the date of issue of the LegCo Brief.

To facilitate Members' consideration of the Amendment Rules in detail, please provide a LegCo Brief in respect of the Amendment Rules by reference to the contents and format of LegCo Briefs provided by the Administration which are available from the LegCo website.

Rule 1 - Commencement

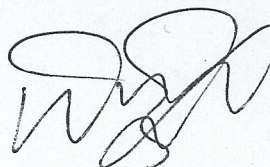
It is stated on the website of The Chinese University of Hong Kong (CUHK) that its Postgraduate Certificate in Laws (PCLL) classes were founded in 2008, and therefore there have already been PCLL graduates of CUHK since 2009. Please explain why rule 14 of the Trainee Solicitors Rules (Cap. 159J) was not amended to include CUHK before there were PCLL graduates in 2009. If the trainee solicitor contracts of the PCLL graduates of CUHK have been registered by The Law Society and such graduates have been admitted as a solicitor by virtue of section 4(1)(a) of the Legal Practitioners Ordinance (Cap. 159), please clarify the legal basis for so doing.

It is further noted that the Amendment Rules come into operation on a day to be appointed by the President of The Law Society by notice published in the Gazette. In light of the above, what is the intended date on which the Amendment Rules come into operation and the reason for appointing that day?

The tertiary institutions in rule 14 of Cap. 159J as amended would be in the order of "the University of Hong Kong, the City University of Hong Kong, the City Polytechnic of Hong Kong or The Chinese University of Hong Kong". Please consider grouping the three universities together.

I would appreciate if you could let me have the said information (in both Chinese and English with soft copy to Miss Kathy NG at pcng@legco.gov.hk) at your earliest convenience, and in any event not later than 14 September 2015.

Yours sincerely,



(Winnie LO)

Assistant Legal Adviser

c.c. DoJ (Attn: Ms Phyllis POON, SGC)
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