

**立法會**  
**Legislative Council**

Ref : CB4/PL/AJLS

LC Paper No. CB(4)1083/15-16  
(These minutes have been seen  
by the Administration)

**Panel on Administration of Justice and Legal Services**

**Minutes of meeting**  
**held on Monday, 25 April 2016, at 4:30 pm**  
**in Conference Room 2 of the Legislative Council Complex**

**Members present** : Hon Martin LIAO Cheung-kong, SBS, JP (Chairman)  
Hon Dennis KWOK (Deputy Chairman)  
Hon Albert HO Chun-yan  
Hon James TO Kun-sun  
Hon Emily LAU Wai-hing, JP  
Hon Starry LEE Wai-king, JP  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Hon LEUNG Kwok-hung  
Hon WONG Yuk-man  
Hon MA Fung-kwok, SBS, JP  
Hon Alice MAK Mei-kuen, BBS, JP  
Hon TANG Ka-piu, JP  
Dr Hon CHIANG Lai-wan, JP  
Hon Alvin YEUNG Ngok-kiu

**Members absent** : Hon TAM Yiu-chung, GBS, JP  
Hon Alan LEONG Kah-kit, SC  
Hon NG Leung-sing, SBS, JP  
Hon Steven HO Chun-yin, BBS  
Dr Hon Elizabeth QUAT, JP

**Public officers  
attending** : Item III

Department of Justice

Mr Rimsky YUEN, SC  
Secretary for Justice

Action

Mr Wesley WONG, SC  
Solicitor General (Acting)

Mr Peter WONG  
Deputy Solicitor General (General)

Item IV

Department of Justice

Mr Alan SIU, JP  
Director of Administration and Development

Mr Wesley WONG, SC  
Solicitor General (Acting)

Mrs Apollonia LIU  
Deputy Director (Special Duty)

Ms Josephine CHEUNG  
Principal Executive Officer (Special Duty)

Architectural Services Department

Mr Frank WONG  
Project Director

Ms Teresa LEUNG  
Senior Project Manager

**Attendance by  
invitation**

: Item III

The Law Society of Hong Kong

Mr Stephen HUNG  
President

Mr Thomas SO  
Vice-President

Action

Ms Heidi CHU  
Secretary General

Ms Vivien LEE  
Director of Standards & Development

Hong Kong Bar Association

Mr Edward CHAN, SC

Faculty of Law, The University of Hong Kong

Professor Michael HOR  
Dean

Mr Wilson CHOW  
Head, Department of Professional Legal Education

Faculty of Law, The Chinese University of Hong Kong

Professor Christopher GANE  
Dean

School of Law, City University of Hong Kong

Professor LIN Feng  
Associate Dean

Mr Peter CHAN  
Teaching Fellow

Law Association, HKUSU

Miss CHAN Wing-yee  
Chairman

Aquila, Undergraduate Law Society of the Student Union  
of The Chinese University of Hong Kong

Mr Kasper FAN  
President

Action

City University of Hong Kong Students' Union

Miss Sharmaine CHAN Sin-yuen  
President of the 26th Law Students' Society

Miss CHAN Sze-kei  
Acting President and Council Chairperson  
of the 27th Law Student Society

**Clerk in attendance :** Miss Mary SO  
Chief Council Secretary (4)2

**Staff in attendance :** Mr Stephen LAM  
Senior Assistant Legal Adviser 2

Miss Joyce CHING  
Senior Council Secretary (4)2

Miss Vivian YUEN  
Legislative Assistant (4)2

---

**I. Information paper(s) issued since the last meeting**

Members noted that no information paper had been issued since the last meeting.

**II. Items for discussion at the next meeting**

LC Paper No. CB(4)884/15-16(01) -- List of outstanding items for discussion

LC Paper No. CB(4)884/15-16(02) -- List of follow-up actions

2. Members agreed to discuss the following items at the next regular meeting scheduled for 23 May 2016 at 4:30 pm:

- (a) Terms and conditions of service of part-time interpreters in the Judiciary; and

Action

- (b) Implementation of the recommendations made by the Law Reform Commission

**III. Common Entrance Examination of The Law Society of Hong Kong**

LC Paper No. CB(4)899/15-16(01) -- Paper provided by The Law Society of Hong Kong  
(English version only)

LC Paper No. CB(4)884/15-16(03) -- Submission from the Faculty of Law, The University of Hong Kong  
(English version only)

LC Paper No. CB(4)884/15-16(04) -- Submission from the Law Association, HKUSU  
(English version only)

LC Paper No. CB(4)884/15-16(05) -- Background brief on "The Law Society of Hong Kong's proposal to introduce a Common Entrance Examination in Hong Kong" prepared by the Legislative Council ("LegCo") Secretariat

Briefing by The Law Society of Hong Kong ("the Law Society")

3. Mr Stephen HUNG briefed members on the progress of the Law Society's discussion with the law schools of the University of Hong Kong ("HKU"), the Chinese University of Hong Kong ("CUHK") and the City University of Hong Kong ("CityU") on implementing a common entrance examination ("CEE") for students of their respective Postgraduate in Certificate in Laws ("PCLL") programmes for admission as trainee solicitors in Hong Kong starting from 2021, details of which were set out in the Law Society's paper (LC Paper No. CB(4)899/15-16(01)). Notably, the Law Society was proposing a CEE in the format of a centralized assessment, so that PCLL students of the three universities did not have to take two sets of examinations. A centralized assessment meant that all PCLL students of the three universities would be required to take the same examinations in the same subjects within their respective PCLL programme. For the moment, the Law Society proposed to conduct the CEE on the core subjects of the PCLL programme. The Law Society would set the examination questions, mark the scripts, and have the final say on the final mark of each answer to the CEE questions.

Action

4. Regarding the model of "Commonly Recognized Assessments" proposed by the three law schools set out in Appendix C of the submission from the Faculty of Law of HKU (LC Paper No .CB(4)884/15-16(03)), Mr Stephen HUNG said that the direction of the proposal was broadly in line with that of the CEE. The Law Society would not be in a position to agree to any suggestions for the moment. The Law Society's Legal Education Committee would study any suggestions before submitting its views to the Law Society's Standing Committee on Standards and Development for consideration. The Standing Committee on Standards and Development would submit its views to the Council of the Law Society for its consideration.

Views of the Department of Justice ("DoJ")

5. Secretary for Justice ("SJ") said that DoJ attached great importance to the future direction of legal education and training in Hong Kong, given that legal profession existed to serve the community and to be a gatekeeper of the rule of law. DoJ was supportive of a resolution made by the Standing Committee on Legal Education and Training ("SCLET") on 18 December 2013 to conduct a comprehensive study on legal education and training in Hong Kong ("the Study"), the scope of which also covered the feasibility of introducing a CEE as a route for admission into the legal profession in Hong Kong. In March 2015, DoJ provided a sum of HK\$1.5 million to SCLET to fund its appointment of consultants to undertake the Study. To his understanding, the consultants would provide an interim report on the progress of the Study to SCLET before 30 April 2016 and complete the Study before 31 July 2016. A final report on the Study would be submitted by the consultants to SCLET in October 2016 ("the Report"). As the CEE would have significant impact, DoJ was of the view that it should be considered not only from the perspectives of the two legal professional bodies, universities and students, but also from a macro perspective with regard to the overall situation of the legal education and training in Hong Kong. DoJ noted from the Law Society's paper to the Panel that "the matter was still in stage of development" and the Law Society was in discussion with the three universities on how to implement the CEE. As the Law Society was still in discussion with the relevant universities, and SCLET would complete the Study in October 2016, DoJ hoped that, when considering the issue of CEE, all the stakeholders including the Law Society, the Hong Kong Bar Association ("the Bar Association") and the three universities would allow time and make room for the consideration of the release of the Report by the SCLET. Such approach in handling the matter would be more appropriate, and should not affect the overall progress. Pending release of the Report and the opportunity to study it, DoJ would keep an open mind on the proposed CEE. SJ reiterated DoJ's position that, as said in his speech at the Ceremonial

Action

Opening of the Legal Year 2016, the ultimate yardstick for considering any changes to legal education and training should be the public interest.

Views of the Bar Association

6. Mr Edward CHAN said that the Bar Association concurred with SJ that the Law Society should wait for the conclusions of the SCLET on the comprehensive review on legal education and training in Hong Kong, given that any significant changes to legal education would have serious implications on public interest. The Bar Association welcomed the Law Society's present position in engaging the three universities on the implementation of the CEE for qualifying entries into the solicitors' profession, which was a departure from the Law Society's previous unilateral decision to implement the CEE as set out in its two open statements on the CEE made earlier in the year. As the implementation of the CEE would inevitably have a strong impact on the future shape and form of the PCLL which was currently also a common qualification for barristers, the Bar Association hoped to provide its input on the implementation of the CEE, say, after the three universities and the Law Society had come up with a tentative model on implementing the CEE.

Views of deputations

Faculty of Law, HKU

7. Professor Michael HOR said that the submission of the Faculty of Law of HKU to the Panel (LC Paper No. CB(4) 884/15-16(03)) was an extract of the submission that it had earlier made to the SCLET Review Panel in response to its Consultation Paper on the comprehensive review of legal education and training in Hong Kong. Notably, the Faculty of Law of HKU considered that SCLET, which comprised all relevant stakeholders, should be the main body in deciding whether, and if so, how the qualification examination to the legal profession should be changed. Following the announcement made by the Law Society on introducing a CEE starting from 2021, HKU together with CUHK and CityU had come up with a possible model of "Commonly Recognized Assessments". All three universities were optimistic that they might be able to find a common ground with the Law Society on implementing the CEE.

Faculty of Law, CUHK

8. Professor Christopher GANE echoed the views of the Bar Association and the Faculty of Law of HKU. Specifically, the Faculty of Law of CUHK considered that any decision made by the three universities on how to change the PCLL programme for the implementation of a CEE to the legal profession

Action

should not be inconsistent with the conclusions of the comprehensive review on legal education and training in Hong Kong conducted by SCLET. In reforming legal education, due consideration should, apart from the interests of legal educators and legal profession, be given to those of law students.

School of Law, CityU

9. Professor LIN Feng said that School of Law of CityU concurred that the implementation of a CEE should await the conclusions of SCLET on its comprehensive review on legal education and training in Hong Kong, given that the CEE would have serious implications not only on the interests of the universities and the legal profession, but also those of the general public. The School of Law of CityU also welcomed that the CEE proposed by the Law Society in its paper to the Panel would be a virtual examination and comprise a part of the existing PCLL programme, the format of which was similar to that proposed by the School of Law of CityU in its submission to the Panel last year. The School of Law of CityU hoped that the introduction of a CEE to the PCLL programme would not undermine the quality of the existing PCLL programme and the autonomy of the three law schools in providing the PCLL programmes. Public interest should be the ultimate consideration.

Law Association, HKUSU

10. Miss CHAN Wing-yee presented the views of the Law Association of HKUSU as set out in its submission to the Panel (LC Paper No. CB(4)884/15-16(04)). Specifically, the Law Association of HKUSU would like the Law Society to respond to the following issues before confirming the implementation of the CEE:

- (a) it was unclear under rules 7(a)(i) and (ii) of the Trainee Solicitors Rules (Cap. 159 sub. leg. J) whether a person could enter into a trainee solicitor contract if he passed all examination questions set by the Law Society, regardless of whether the person passed or failed the examination questions set by the universities;
- (b) whether it was possible for the Law Society to issue sample questions for the CEE for students' reference, so as to enable students to better plan their studying strategies; and
- (c) whether the Law Society could release a confirmed date for implementing the CEE as soon as possible or at least specify an approximate time when this information could be released, so as to give more preparation time for current year one students of the



Action

five-year double-degree programmes with law studies (BA&LLB, BBA(Law)&LLB and BSocSc(Govt&Laws)&LLB) of HKU.

Miss CHAN further said that the Law Association of HKUSU hoped that the three universities would also have the power equal to that of the Law Society in setting the questions for the CEE and giving the mark to each answer to the CEE question.

Aquila, Undergraduate Law Society of the Student Union of The Chinese University of Hong Kong

11. Mr Kasper FAN said that Aquila, Undergraduate Law Society of the Student Union of The Chinese University of Hong Kong only represented the views of undergraduate law students, and not including Juris Doctor ("JD") students, of CUHK. Mr FAN further said that the Undergraduate Law Society of the Student Union of The Chinese University of Hong Kong wished to make the following points:

- (a) current year one students pursuing their double degree with law studies should be exempted from sitting for the CEE, if the CEE was to be implemented starting from 2021, as some of these students might defer their studies for, say, one year or extend their timing of graduation by attending overseas exchange study programmes;
- (b) whilst welcoming that the Law Society was working closely with the three universities on hammering out the details of implementing the CEE which would form part of the PCLL programme, the Law Society should also invite input from the Bar Association as the CEE would also affect students aspired to enter into the barristers' profession; and
- (c) any decision on how the CEE should be implemented should take into account the final views of SCLET on CEE which should be available later in the year.

City University of Hong Kong Students' Union

12. Miss CHAN Sze-kei said that the City University of Hong Kong Students' Union had the following initial views on why it had reservation on the implementation of a CEE:

Action

- (a) the existing PCLL programmes provided by the three universities had worked well to produce entrants of high standard to the legal profession;
- (b) bestowing the Law Society the sole right to control admission to the solicitors' profession through the CEE would give rise to conflict of interests between the vested interest of the existing solicitors and those who wanted to join the profession to share the rights and privilege; and
- (c) introducing a CEE would impose additional burden on the already heavy workload of PCLL students.

In view of the serious implication of the CEE on rule of law given that a CEE would become a pre-requisite for entering into the solicitors' profession if implemented, the City University of Hong Kong Students' Union hoped that the Law Society's decision to implement a CEE would wait for the conclusions of the SCLET on the comprehensive review on legal education and training in Hong Kong available later in the year.

Discussion

13. Mr Dennis KWOK noted that the model of "Commonly Recognized Assessments" proposed by the three law schools was to enable the Law Society to require PCLL students to pass its CEE before they could become trainee solicitors on the one hand and to enable each of the three law schools to administer its PCLL assessments and examinations under the relevant university regulations for the purpose of certifying students' completion of the PCLL programme on the other, without requiring students to sit for two separate sets of examinations on the same subjects. Mr KWOK urged the Bar Association to actively participate in the discussion of the aforesaid proposed model of "Commonly Recognized Assessments", as the PCLL was also a common qualification for entering into the barristers' profession.

14. Mr Edward CHAN responded that as far as the Bar Association understood, the discussion on the proposed model of "Commonly Recognized Assessments" was only between the Law Society and the three law schools at the moment and that the reason the Bar Association was excluded from the discussion was because the Law Society did not want the Bar Association to put in any views at this stage. Hence, the Bar Association could only wait until the Law Society and the three law schools had at least come up with a model which they tentatively agreed. If there were opportunities then for the Bar

Action

Association to provide any input/ideas on the subject matter, the Bar Association would do so.

15. Responding to Mr Dennis KWOK's enquiry about the impact of the CEE for qualifying entries into the solicitors' profession on the barrister stream of the PCLL programme, Mr Edward CHAN said that what the Bar Association was most concerned about the implementation of the CEE was that if the examination papers of all core PCLL subjects that were required to be taken by all PCLL students were set and marked by the Law Society, prima facie, it would be very unsatisfactory for students intending to become barristers to sit for examinations which were set and marked by the Law Society.

16. Mr Dennis KWOK further asked the Law Society the following questions:

- (a) whether consideration would be given to the setting up of a committee for the coordination amongst the Law Society and the three law schools on the implementation of the CEE;
- (b) whether, and if so, what action(s) would be taken to address the concern raised by Law Association, HKUSU that current year one students of five-year double-degree with law studies would be required to take the CEE if they gained admission to the PCLL programme, as these students would graduate in 2022 and the CEE would start from 2021; and
- (c) whether it would release for the public its consultancy report on the implementation of a CEE.

17. Mr Stephen HUNG responded as follows:

- (a) the Law Society would consult the three universities as well as the Bar Association after it had come up with the details on implementing the CEE. In the course of considering all matters relating to the CEE, the Law Society would consider the format proposed by the three universities on the implementation of a CEE and the findings and recommendations of the consultants commissioned by SCLET to conduct a comprehensive review on legal education and training in Hong Kong. The Law Society was confident that it could reach a consensus with the three universities on how to implement the CEE in the format of a centralized assessment;

Action

- (b) as PCLL students would only need to take one set of examinations even if the CEE was implemented from 2021, the Law Society did not see how the implementation of CEE would impose additional burden on current year one students of five-year double-degree with law studies; and
- (c) the Council of the Law Society had decided not to release the consultancy report on the implementation of a CEE for solicitors to its members, as the information contained therein was advice for the Council to consider and that some of the aforesaid advice had already been incorporated in the CEE as presented.

18. Mr Dennis KWOK urged the Council of the Law Society to at least re-consider releasing the consultancy report to its members who had financed the consultancy report.

19. Dr CHIANG Lai-wan asked the following questions:

- (a) whether the reason for the Law Society to implement a CEE for entry into the solicitors' profession was to address the different standards amongst the three law schools;
- (b) whether lawyers practising overseas, such as in the United Kingdom ("UK"), could practise as solicitors in Hong Kong; and
- (c) whether solicitors practising in Hong Kong were required to undergo continuing professional training in order to continue to practise as solicitors in Hong Kong.

20. Mr Stephen HUNG responded as follows:

- (a) the reasons for implementing a CEE for entry into the solicitors' profession were to ensure consistency in professional standards and fairness amongst all PCLL students, as under a CEE, all PCLL students of the three law schools would be required to take the same examinations on the core subjects of the PCLL programme and the examination questions would be set at a level which could adequately assess the capability required of a trainee solicitor;
- (b) foreign lawyers could practise as Hong Kong solicitors if they met the relevant provisions of Cap. 159 and passed the Overseas

Action

Lawyers Qualification Examination ("OLQE") administered by the Law Society; and

- (c) apart from attending risk management course, all solicitors were required to accumulate 15 continuing professional development points through law courses of their choice that were relevant to the needs and professional standards of solicitors in a practice year.

21. Dr Priscilla LEUNG declared that she taught JD programme in CityU and her PCLL was from HKU. Dr LEUNG further said that due to limited PCLL places, many LLB and JD graduates who were awarded Upper Second Class Honours degrees failed to gain admission into the PCLL programmes run by HKU, CUHK and CityU. To enable more law graduates with good academic results to become solicitors, Dr LEUNG asked the Law Society whether, apart from implementing a CEE through a format of a centralized assessment, it would also consider administering an open qualifying examination for admitting a certain number of law graduates to enter into the solicitors' profession.

22. Mr Stephen HUNG responded that the Law Society had studied different routes to admission as solicitors, including a CEE in the form of an open qualifying examination. Balancing the interests of all relevant stakeholders, the Law Society considered that the format of the CEE as set out in the Law Society's paper to the Panel was the best option for the time being to ensure professional standards and provide fair access to those PCLL students who had the ability to qualify as a solicitor.

23. Dr Priscilla LEUNG hoped that implementing a common open qualifying examination for entering into the legal profession in Hong Kong should not be ruled out to ensure professional standards and fairness to all people aspiring to become lawyers.

24. Mr Stephen HUNG responded that he did not oppose to the implementing a stand alone CEE for qualifying entries into the solicitors' profession.

25. Mr Edward CHAN said that the Bar Association kept an open mind on the question of commonality in qualifying examination for entering into the legal profession. However, the Bar Association was not convinced that there must be a common examination for entrance into the legal profession for the reason being that even if there was one law school, because students were required to take electives, the examinations they were required to sit were not

Action

entirely the same. Hence, the Bar Association considered that if the lowest standard of the PCLL programme was of an acceptable standard for entering into the legal profession, which was presently the situation, the Bar Association did not see the need to introduce changes to the present format of the PCLL as a common qualification for barristers. Mr CHAN pointed out that although the syllabi of the two medical schools in Hong Kong were not entirely identical, their students were not required to sit for an open common qualifying examination administered by the Medical Council of Hong Kong in order to practise medicine in Hong Kong.

26. The Chairman welcomed that the Law Society was engaging in a dialogue with the three law schools on working out a set of commonly recognized assessments on the core subjects of the PCLL programme. As Hong Kong now had three PCLL providers, the Chairman considered that the implementation of a CEE to ensure consistency in the standards of entrance to the solicitors' branch of the profession was moving in the right direction in that law graduates in many overseas jurisdictions, such as the UK, Australia and the States of California and New York, had to sit and pass one common set of qualifying examinations on core subjects for entry into the legal profession. The Chairman also considered that the implementation of the CEE could more aptly realize the right of the Law Society to determine who should be qualified for entering into a trainee solicitor contract and perform its responsibility to uphold the professional standards of solicitors practising in Hong Kong.

27. As the Law Society had decided not to implement CEE as an alternative route for law graduates to enter into the solicitors' profession, Mr Albert HO enquired whether the three law schools would consider admitting those law graduates who had failed to gain admission into the PCLL programme in the past but who had subsequently attained certain number of years of legal work experience, say, through working at reputable law firms and had good recommendations from their employers.

28. Professor Michael HOR responded that the Faculty of Law of HKU had launched a pilot scheme to interview borderline PCLL applicants and admit them after taking into account, amongst other things, their interview performance and legal working experience. The Faculty was closely monitoring the progress of these students admitted to the PCLL programme with a view to further enhancing and expanding the pilot scheme where appropriate.

29. Professor Christopher GANE responded that the Faculty of Law of CUHK had a task force looking at providing an alternative route for admission into its PCLL programme. For those PCLL applicants who did not succeed on

Action

the basis of academic performance, alternative arrangements, including interviews to evaluate their suitability for admission to the PCLL programme, were being considered. Apart from changing the admission strategies, the Faculty also planned to increase its PCLL places from 150 to 200 for the next intake and would continue to maintain the increased number of places after the double cohorts. Professor GANE further said that extending the idea of OLQE to provide an alternative route for people who had been working in legal firms, such as legal executives, might be useful to explore to provide another route for people to enter into the legal profession in Hong Kong.

30. Professor LIN Feng responded that the School of Law of CityU had all along been taking into account all relevant factors, such as LLM degrees and recommendation letters, in its consideration of PCLL applications. Following his meeting with the Panel last year, the School of Law had reviewed and revised the admission policy for its PCLL programme last year by setting aside a few quota for those applicants who had failed in their first-time application to the PCLL programme by taking into account, in particular, their working experience. The School of Law was monitoring the progress of these students' situation to see whether, and if so, how the admission policy to the PCLL programme should be further revised.

Conclusion

31. In closing, the Chairman said that the Panel would continue to closely monitor the implementation of CEE of the Law Society.

**IV. Renovation works for the West Wing of the former Central Government Offices for office use by the Department of Justice and law-related organizations**

LC Paper No. CB(4)884/15-16(06) -- DoJ's paper on  
"Renovation works for the  
West Wing of the former  
Central Government Offices  
for office use by the  
Department of Justice and  
law-related organisations"

LC Paper No. CB(4)884/15-16(07) -- Submission from the Hong  
(*English version only*) Kong International  
Arbitration Centre

Action

Briefing by DoJ

32. Director of Administration and Development ("D of AD") briefed members on the proposed renovation works for the West Wing of the former Central Government Offices ("former CGO") for use by DoJ and law-related organizations ("LROs"), details of which were set out in DoJ's paper (LC Paper No. CB(4)884/15-16(06)). The estimated cost of the project was about \$1,078.9 million in money-of-the-day prices. Subject to members' views, DoJ planned to submit the funding application to the Public Works Subcommittee for consideration and the Finance Committee ("FC") for funding approval within this legislative session. Subject to funding approval by the Legislative Council within this legislative session, DoJ anticipated that the renovation works would commence in the fourth quarter of 2016 for completion by the fourth quarter of 2018.

Discussion

33. Mr Dennis KWOK urged the Administration to allocate more resources to promote Hong Kong as a legal and arbitration services centre in the Asia-Pacific region. For instance, more space in the former CGO West Wing should be set aside for use by LROs providing arbitration services, as arbitration often required large unobstructed hearing rooms as well as associated break out rooms.

34. D of AD responded that adequate resources had been and would continue to be provided by the Administration to promote Hong Kong as a legal and dispute resolution centre in the Asia-Pacific region. In terms of hardware support, part of the former CGO West Wing and the former French Mission Building ("FMB") would be provided for use by LROs after preservation and renovation works. This arrangement, together with housing all DoJ's divisions under the former CGO, including part of the West Wing, would take forward the implementation of the concept of the "Legal Hub". In terms of software support, subject to LegCo's approval, one permanent post of Deputy Principal Government Counsel (DL2) would be created in the Legal Policy Division ("LPD") of DoJ with effect from 30 May 2016 or upon approval by FC, whichever was the later, to head a dedicated unit in LPD to take up the arbitration portfolio, including taking forward measures for promoting and developing Hong Kong's arbitration services in the increasingly competitive regional environment.

35. Mr Dennis KWOK noted from the submission from the Hong Kong International Arbitration Centre ("HKIAC") (LC Paper No. CB(4)884/15-16(07)) that the availability of professional and state-of-the-art



Action

hearing facilities was essential to attract arbitration users and that its financial sustainability depended on the rental of its professional and state-of-the-art hearing facilities. To better enable HKIAC to re-locate to the former CGO West Wing and to prevent arbitration users from choosing, say, Singapore, to settle their disputes, Mr KWOK said that the Administration should foot the bill for fitting out professional and state-of-the-state hearing facilities for the HKIAC in the West Wing. Mr LEUNG Kwok-hung expressed similar views.

36. D of AD responded that due to the varied operational requirements of LROs because of the differences in the services they provided, only basic provisions would be provided for the space for use by LROs in the former CGO West Wing so as to enable LROs to carry out their own fitting-out works to suit their specific operational needs. As the aforesaid arrangement would involve financial commitment from LROs which could be considerable, the Administration would discuss with individual LROs, if necessary, to work out ways so as to ensure that the quality of their services to be provided in the former CGO West Wing and/or the former FMB would not be inferior to the quality of their services provided at their present offices.

37. Responding to Mr LEUNG Kwok-hung's enquiry about the provision of space for use by LROs in the former CGO and the former FMB, D of AD said that an area of around 4 000 m<sup>2</sup> would be provided for accommodating LROs.

38. Mr LEUNG Kwok-hung noted from the DoJ's paper that a "Committee on Provision of Space in the Legal Hub", chaired by SJ with non-official members from relevant sectors, had been set up to consider matters relating to the provision of space to LROs in the former CGO West Wing and the former FMB. A total of 25 applications had been received and the applications were under processing. In the light of this, Mr LEUNG asked whether LROs only referred to organizations providing arbitration services and whether the Administration could disclose the identities of these 25 applicants.

39. Responding to Mr LEUNG's first question, Solicitor General (Ag) said that LROs referred to non-profit making or inter-governmental organizations operating in the law-related or dispute resolution field in or outside Hong Kong. As to Mr LEUNG's second question, D of AD said that the Administration would announce the successful LROs once ready to do so.

40. Mr LEUNG Kwok-hung further enquired whether the Administration would make public the identities of the unsuccessful applicants for using the space of the former CGO West Wing and the reasons why their applications

Action

were unsuccessful. D of AD replied that consent would be required from the LROs concerned before releasing the requested information to the public.

DoJ

41. In view of the significant amount of public resources involved in providing space for use by LROs in the former CGO West Wing and the former FMB, Mr LEUNG Kwok-hung requested the Administration to provide the terms of reference and membership of the Committee on Provision of Space in the Legal Hub. Dr Priscilla LEUNG also requested the Administration to provide the criteria adopted by the Committee.

42. D of AD agreed to provide the information requested by members in paragraph 41 above. He added that the Administration had previously informed the Panel on the criteria for selecting LROs to use the former CGO West Wing and the former FMB in the paper on the provision of accommodation support for LROs in the former CGO West Wing and the former FMB submitted to the Panel in July 2014 (LC Paper No. CB(4)939/13-14(04)).

43. Dr Priscilla LEUNG said that as both DoJ and LROs would be housed under the former CGO West Wing, she expressed concern about whether such an arrangement would compromise the security of DoJ as members of the public could gain access to the West Wing.

44. D of AD responded that under the current plan, the carpark area of 6/F and the space at 7/F to 13/F would be for use by DoJ whilst office area of 1/F to 6/F would be for use by LROs. The segregation of floors for DoJ and LROs, each with their respective access to their offices, would facilitate security and building management as well as enhance the independent image of LROs.

45. Dr Priscilla LEUNG further enquired whether the prospective tenants of the former CGO West Wing and the former FMB would include organizations providing mediation services and legal training.

46. Solicitor General (Ag) responded that as promulgated in the press release issued by DoJ on 19 December 2014, applicants for using the space in the former CGO West Wing and the former FMB should be LROs which met certain eligibility criteria. Organizations providing mediation services and legal training could be eligible if they could fulfil such criteria.

47. Dr Priscilla LEUNG declared that she had been a user of the facilities of HKIAC. Dr LEUNG agreed with the HKIAC's view that convenient and easy access was important to attract people to use its services. In this

Action

connection, Dr LEUNG hoped that the Administration would ensure easy public access to the former CGO West Wing and the former FMB.

48. Mr Alvin YEUNG asked whether DoJ would take back some space used by LROs in the former CGO West Wing and the former FMB, if DoJ should require more space to accommodate additional manpower in future.

49. D of AD responded that DoJ considered that the overall area available to DoJ in the Main Wing, East Wing and West Wing of the former CGO could provide sufficient space to address DoJ's accommodation need, including space that was underprovided previously. Should DoJ require more space to accommodate additional manpower in future, DoJ would explore all feasible options, including other government properties outside the former CGO.

50. The Chairman noted that the estimated cost of the renovation works for the former CGO West Wing was about \$1,078.9 million in money-of-the-day prices. The Chairman asked why the estimated cost of the project was so high.

51. Project Director explained that the cost of the renovation works for the former CGO West Wing was mainly attributable to conservation and restoration works as stated in the Heritage Impact Assessment Report approved by the Antiquities and Monuments Office (under the technical constraints of the existing structure), as well as conversion works to meet relevant prevailing requirements required to be carried out, in view of the fact that the West Wing together with the Main Wing and East Wing of the former CGO were accorded a Grade I status by the Antiquities Advisory Board.

Conclusion

52. The Chairman concluded that members were generally supportive of the funding application of the proposed renovation works.

**V. Any other business**

53. There being no other business, the meeting ended at 6:28 pm.