

Submission  
of the  
Law Association, HKUSU  
on the  
Proposed Implementation of the Common Entrance Examination

**Introduction**

The Law Society of Hong Kong (“Law Society”) announced on 6<sup>th</sup> January 2016 that Common Entrance Examination (“CEE”) will be implemented. This is an additional requirement, besides the completion of PCLL, of entering into a trainee solicitor contract.

As representatives from The University of Hong Kong (“HKU”), the Law Association, HKUSU, would like to raise the following concerns to the Law Society as well as the Panel on Administration of Justice and Legal Services:

**1. Trainee Solicitors Rules**

According to the Trainee Solicitors Rules, Chapter 159J:

A person may only enter into a trainee solicitor contract if he-

(a) has passed or received a certificate of completion or certificate of satisfactory completion as the case

may be in-

(i) the Postgraduate Certificate in Laws and such other examination or course as the Society may

require and set or approve; or

(ii) such other examination or course as the Society may require and set or approve; or

(b) has been granted total exemption by the Society from the requirements in paragraph (a).

We would like to inquire into whether the Commonly Recognised Assessment will fall under subsection, (a)(i) or (a)(ii). We raise this question because if the relevant

provision is (a)(i), then a student who passes all questions set by the Law Society but not the PCLL test as a whole will not be able to enter a trainee solicitor contract on the basis that PCLL “and” other examinations by the Society is required for a trainee solicitor contract. However, if the relevant provision is (a)(ii), and the new test is considered an “examination... the Society may require and set or approve”, then merely passing the Law Society questions would be sufficient for entering into a trainee solicitor contract.

Ultimately, we hope to find out the role the questions set by the three Universities play in the new proposed exam.

## **2. Level of difficulty of questions drafted by the Law Society**

It was mentioned by the Law Society that the proposed Commonly Recognised Assessment should not actually make a difference to students, because we are still writing one final exam that will determine whether we may receive a trainee solicitor contract. However, this claim is dependent on the fact that the level of difficulty of questions written by the Law Society is similar to that of current PCLL questions.

We would like to clarify whether that is the case, and whether it is possible for the Law Society to issue sample questions for students’ reference. This way, the first cohort who will be taking the exam in 2021 can plan their studying strategies accordingly (in terms of how much emphasis should be placed on studying past papers, for example), and be more mentally prepared before entering the exam halls in 2021.

## **3. Timetable of the implementation**

Law Association, HKUSU attended a meeting with the Law Society on 11<sup>th</sup> April 2016. From the current situation, it appears as if the CEE will very likely be implemented. On that basis, we would like to raise our last concern, which is the release of a timetable. According to the Law Society, the year of implementation has not yet been confirmed. As 5 year double-degree programmes (BA&LLB, BBA(Law)&LLB and BSocSc(Govt&Laws)&LLB) are offered in HKU, all current Year One double-degree students will need to take the new examination if the year of

implementation is 2021. To give students more preparation time, it would be much appreciated if the Law Society can release a confirmed timetable as soon as possible, or at least specify an approximate time when this information can be released.

### **Conclusion**

The CEE is a completely new examination to law students, the three universities as well as the legal profession. Therefore, we would like the Law Society to address all the concerns before confirming the implementation of the examination, so to avoid ambiguity and confusion, and to maintain trust between all related parties.