

**LETTERHEAD OF THE LAW SOCIETY OF HONG KONG**

Our Ref :  
Your Ref : FL0204/98/20917  
Direct Line :

**BY FAX/POST**

12 October, 1998

Mrs. Eleanor Chow  
Bills Committee  
3/F Citibank Tower  
3 Garden Road  
Central, Hong Kong

Dear Mrs. Chow,

**RE: HUMAN REPRODUCTIVE TECHNOLOGY COMMITTEE ("THE BILL")**

Members of the Law Society's Family Law Committee have reviewed the Bill and have the following comments:-

**Section 36**

This section deals with offences and the Committee notes that the Administration has maintained the level of fines at levels 4 and 6. The Committee had made recommendations during the consultation period on this topic and had stated that the level of fines being \$25,000 and \$100,000 respectively are far too low. Members of the Committee felt that as drafted, section 36(2) was almost an invitation to the unscrupulous practitioner to commit a second offence, as the provisions of Section 36(2)(b) contemplates, quite clearly, the possibility of a licensee committing subsequent offences. The level of the fines could almost be regarded as a "disbursement" by an unscrupulous practitioner and as such will not act as a deterrent.

The Committee submits its view that the fines should be substantially increased in order to deter breaches of the provisions.

Yours sincerely,

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