

香港律師會的信頭

Letterhead of THE LAW SOCIETY OF HONG KONG

Our Ref : SG/FA/1077
Your Ref : CB2/BC/28/98
Direct Line :

26th January, 2000

Mrs. Percy Ma,
Clerk to Bills Committee,
Legislative Council,
Legislative Council Building,
8 Jackson Road, Central,
Hong Kong.

Dear Mrs. Ma,

Re : Legal Practitioners (Amendment) Bill 1999

Thank you for your letter dated 25th January addressed to the President which has been passed to me for attention. I note the list of amendments that the Administration proposes to make to the above Bill. With the exception of the amendment to Clause 6 of the CSAs the Law Society considers that these are matters concerning the Bar Association and the admission of barristers and holds no specific views on them.

On the proposed amendments to Clause 6, this is a matter that has been discussed between the Administration and the Law Society and we are happy with the proposed CSA.

Referring also to your letter dated 25th January and the meeting of the Bills Committee on 17th February, I am very concerned at the proposal from the Bar Association that the Legal Practitioners (Amendment) Bill should not commence earlier than 1st November 2001. It may be that the Bar Association's counter proposal relates solely to those matters dealing with admission of barristers but the Law Society wishes to

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have the clauses relating to solicitors implemented at the earliest opportunity. Many of the amendments relate to loopholes in the current legislation or to improvements to disciplinary procedures. We would be very dismayed were these to be delayed until 1st November 2001.

I note from your letter that the Bar Association has been asked to provide the relevant particulars of the code of conduct relating to “direct access”. This is an issue in which the Law Society has an interest and would like to comment once it has seen the extract from the code of conduct and had clarified the process by which the Bar Association intend to enforce such rules. Our understanding was that direct access would only be permitted in the categories to which it is currently restricted and no further.

Yours sincerely,

Patrick Moss
Secretary General

PM/ff