

**香港大學法律學院的信頭**

**Letterhead of THE UNIVERSITY OF HONG KONG FACULTY OF LAW**

March 9, 2000

By Fax & Post  
(Fax No. 2509-9055)

Mrs Percy Ma  
Clerk to Bills Committee  
Legislative Council  
Central  
Hong Kong

Dear Mrs Ma

Legal Practitioners (Amendment) Bill 1999

Thank you for your letter dated February 29, 2000 on the above matter.

2. I have pleasure in replying to the list of questions raised in your letter above in the order in which they are set out. Please note that the following reply applies both to students admitted into the Faculty of Law PCLL and into the PCLL of SPACE of the University of Hong Kong. The Faculty course is UGC funded whereas the SPACE course is non-UGC funded.

(a) (i) The admission quota for PCLL in the past 5 years is:

	Faculty of Law	SPACE Full-time	SPACE Part-time
95-96	200	80	-
96-97	200	100	30
97-98	200	110	-
98-99	185	120	50
99-2000	170	120	-

These figures exclude repeating students.

- (ii) Please refer to the column "Offers Accepted" in the three tables enclosed (Annex 1 Faculty of Law, Annex 2 SPACE (full-time) and Annex 3 SPACE (part-time)).
- (iii) The only "guaranteed" places for entry to the Faculty of Law are those for HKU LLB graduates who obtain a first or second class law degree (usually about 135-140). Those obtaining third class degrees are not admitted. No guaranteed places are given for any other class of applicants.

.../The only

The only "guaranteed" places for entry into the SPACE PCLL are those reserved for students passing the CPE (Manchester Metropolitan University/SPACE) course at their first attempt and those passing the London (External) LLB degree offered by SPACE with a first or second class degree. No other guarantees are given.

- (iv) Please refer to the column "Applications Received" in the tables enclosed (Annexes 1, 2 and 3). In respect of admissions into the Law Faculty, we unfortunately have no records on the application statistics in regard to the year 1995-96.
- (b) Please note that the eligibility requirements for admission into the PCLL programme are indicated in LL35 of the regulations for PCLL (enclosed as Annex 4) which apply to admission both into the Faculty and SPACE PCLL courses. No entrance examination is required.
- (c) These requirements apply to all applicants.
- (d) For 2000-2001 the Faculty expects to admit 170 students; the Faculty's admission quota for the following years has not yet been decided by the central administration of the University. Subject to what is stated in (e) below, we hope to keep the number steady at 170.

For 2000-2001 SPACE expects to admit 120 full-time and 50 part-time students. Subject to what is stated in (e) below, SPACE expects to keep the number steady at 120 full-time students for 2001-2 and 120 full-time and 50 part-time students for 2002-3.

- (e) As regards future admission policy into the Faculty PCLL you may wish to refer to my letter dated February 23, 2000 to the Department of Justice (Annex 5), which is enclosed herewith.

As regards future admission policy into the SPACE PCLL please refer to the letter from Mr M Fisher to the Department of Justice, enclosed herewith (Annex 6).

Yours sincerely

Professor A H Y Chen  
Dean  
Faculty of Law

Encls.  
AC/VW/dt/a4092

THE UNIVERSITY OF HONG KONG  
FACULTY OF LAW

P.C.LL. ADMISSIONS TO FACULTY OF LAW

Category of applicants	Applications Received					Offers Accepted				
	1995/96	1996/97	1997/98	1998/99	1999/2000	1995/96	1996/97	1997/98	1998/99	1999/2000
<u>LLB Graduates</u>										
HKU (N1)		148	146	140	148	119	139	134	125	140
City U		12	10	8	14	3	5	2	4	6
London U External		60	50	24	46	17	2	8	2	1
Other Overseas Universities		60	63	94	114	24	20	24	26	27
<i>Sub-total</i>		<i>280</i>	<i>269</i>	<i>266</i>	<i>322</i>	<i>163</i>	<i>166</i>	<i>168</i>	<i>157</i>	<i>174</i>
<u>NON-LLB Graduates</u>										
CPEC		51	41	47	0	29	29	28	32	0
SPACE CPE		48	42	35	45	8	8	10	3	3
UK CPE		4	13	11	16	0	2	2	0	0
ILBX		3	1	2	0	0	0	0	0	0
<i>Sub-total</i>		<i>106</i>	<i>97</i>	<i>95</i>	<i>61</i>	<i>37</i>	<i>39</i>	<i>40</i>	<i>35</i>	<i>3</i>
<u>Others</u>										
Deferment			1	5	3			1	5	3
Total (N2)	(N3)	386	367	366	386	200	205	209	197	180 (N4)

Remarks: N1 - Including students who were required to take the supplementary exam held in Aug/Sept and had satisfied the examiners at last.

N2 - Average age of students is 21, except small no. of students who have been admitted on the strength of CPE or equivalent qualifications may be at the mature age (over 25).

N3 - Application data were not available for 1995/96.

N4 - This admission figure excludes 5 deferments from last year which are also counted in the present student enrolment numbers.

**March 7, 2000**

THE UNVIERSITY OF HONG KONG  
SPACE

Full-Time P.C.LL. ADMISSIONS TO SPACE

Category of applicants	Application received					Offers Accepted				
	1995/96	1996/97	1997/98	1998/99	1999/2000	1995/96	1996/97	1997/98	1998/99	1999/2000
<u>LLB Graduates</u>										
HKU	30	13	13	22	45	3	2		1	1
City U	7	5	5	30	21	2		1	3	1
London U External	71	52	58	44	66	20	25	28	31	42
Other Overseas Universities	72	73	79	90	114	12	24	10	25	27
<i>Sub-total</i>	180	143	155	186	246	37	51	39	60	71
<u>NON-LLB Graduates</u>										
CPEC	52	52	43	56	5	17	13	15	21	1
SPACE CPE	55	63	87	49	77	21	32	57	33	41
UK CPE	5	4	14	14	22	1	1	1	5	9
ILEX	15	13	10	4	6	2	2		1	1
<i>Sub-total</i>	127	132	154	123	110	41	48	73	60	52
Total	307	275	309	309	356	78	99	112	120	123
<u>Others</u>										
Deferment						3	11	11	12	
Repeaters						18	13	12	20	18

Date: March 9, 2000

THE UNIVERSITY OF HONG KONG  
SPACE

Part-Time P.C.LL. ADMISSIONS TO SPACE

Category of applicants	Application received					Offers Accepted				
	1995/96	1996/97	1997/98	1998/99	1999/2000	1995/96	1996/97	1997/98	1998/99	1999/2000
<u>LLB Graduates</u>		1st Year		1st Year			1st Year		1st Year	
HKU		1								
City U		1								
London U External		22		17			13		13	
Other Overseas Universities		15		25			2		19	
<i>Sub-total</i>		39		42			15		32	
<u>NON-LLB Graduates</u>										
CPEC		3		1			2		1	
SPACE CPE		19		13			8		9	
UK CPE				3					1	
ILEX		7		7			5		6	
<i>Sub-total</i>		29		24			15		17	
Total		68		66			30		49	
<u>Others</u>										
Deferment							1	1	7	
Repeaters						8	4	5	5	8

Date: March 9, 2000

**REGULATIONS FOR THE POSTGRADUATE  
CERTIFICATE IN LAWS (P.C.LL.)**

*(See also General Regulations, pp. 1 to 19)*

LL35. To be eligible for admission to the courses leading to the Postgraduate Certificate in Laws a candidate

- (a) shall comply with the General Regulations and shall either
  - (i) hold a degree in law<sup>1</sup> from a university or comparable institution subject in each case to Senate approval; or
  - (ii) hold a professional qualification which entitles the candidate to practise law in a territory or country other than Hong Kong subject in each case to Senate approval; or
  - (iii) pass the Common Professional Examination of Hong Kong or of England and Wales and satisfy this University as to the candidate's competence in Business Associations and Evidence; and
- (b) if applying on the basis of a degree in law of a university or comparable institution other than this University and the City University of Hong Kong (formerly known as City Polytechnic of Hong Kong) under (i) above, shall produce evidence of sufficient academic attainment and may be required to pass a qualifying examination.

---

<sup>1</sup>

A candidate's degree must be in common law, should normally be from a Hong Kong or Commonwealth institution, and should include passes in six law subjects or subject areas including the following (or subjects recognised as their equivalent): constitutional law, contract, criminal law, property law; tort and trusts (or equity or remedies) in addition to satisfying the University as to the candidate's competence in Business Associations and Evidence.

香港大學法律學院的信頭  
**Letterhead of THE UNIVERSITY OF HONG KONG  
FACULTY OF LAW**

FAXED

23 February 2000

BY FAX: 2869 0720

Your Ref. LP272/00C V

Ms Kitty Fung  
Government Counsel  
Legal Policy Division  
Department of Justice

Dear Ms Fung

Legal Practitioners (Amendment) Bill 1999

Thank you for your letters dated 14 and 21 February.

Having considered the numbers of UK-qualified barristers admitted in Hong Kong in recent years as provided in your letter of 21 February, we believe that our Faculty should be able to absorb the anticipated increase of UK law graduates returning to Hong Kong to do the PCLL, *provided that* the present number of student places and present level of funding provided by the University Grants Committee (UGC) is not reduced in the next few years. We should be grateful if the Legislative Council could apprise the UGC of this situation.

We note that the figure of admission of UK-qualified barristers in Hong Kong has fluctuated from year to year, ranging from 18 in 1999 to 41 in 1997. We expect a relatively small number applying to us for PCLL admission as a result of the passage of the abovementioned Bill, and our belief in paragraph 2 above is formed on this basis. However, if we are expected to take up a substantial number in our current PCLL programme, additional resources will be required if the increased number is to be accommodated. It should also be stressed that the University cannot offer “guaranteed” PCLL places for all returning UK law graduates, and admission is always according to merits on a competitive basis.

There is some flexibility in our intake since our Faculty cooperates with the School of Professional and Continuing Education in our University in operating a

self-funded PCLL programme in addition to that funded by the UGC. However, the financial viability of the Faculty depends largely on UGC funding, and that is why the condition mentioned in the second paragraph above is of crucial importance.

Yours sincerely

Professor Albert H Y Chen

Dean

Faculty of Law

AC/nm/2837



Annex 6

INFORMATION PROVIDED BY MICHAEL FISHER  
HEAD OF LAW DIVISION  
HKU/SPACE

1. What is the current number of students in the SPACE PCLL Course?

SPACE accepted 125 applicants onto its current full time course in September 1999.

SPACE accepted 35 part time students onto the part time PCLL course in 1998. This course commenced in September 1998 and runs over two years.

2. What is the standard required of overseas graduates for admission to the SPACE PCLL course?

All offers to both local and "overseas" applicants are made on the basis of relative academic merit.

Normally SPACE receives approximately 300 applications from "overseas" graduates and 50 from local graduates for admission to the full time course. As the number of full time places SPACE may offer have been limited by the University to approximately 120-125 each year SPACE must reject more than 200 applicants each year.

It should be explained that within the category of "overseas" applicants are many whose award is from an overseas institution but who have studied entirely in Hong Kong on programmes offered by SPACE.

Essentially SPACE bases admission on criteria adopted via the study of 2 statistical research studies prepared for the Law Faculty showing relative performances of various groups. All students accepted would normally have either at least a second class law degree or equivalent or have passed the MMU/SPACE CPE (the only CPE programme to offer Hong Kong law) at the first attempt. The only exception to this relates to 3rd class LLB degrees from the University of London where standards are extremely high and whose graduates have done very well on PCLL.

3. How many places are reserved or catered for overseas graduates in the past?

Of the full time course intake in 1999 123 of the 125 places were filled by "overseas" graduates. The majority of these were from the SPACE/MMU CPE (the Post-graduate Diploma in English and Hong Kong law which is semi-localised) and from the SPACE-prepared University of London LLB students. SPACE guarantees PCLL places to 2(2) University of London LLB graduates (80% of whom have passed PCLL at the first attempt since 1991) and CPE (Post-graduate Diploma in English and Hong Kong Law "first time passes" (76% of whom have passed PCLL at the first attempt since 1991). There is no fixed quota.

4. **What is the current number of students who are overseas graduates now studying at the SPACE PCLL Course?**

As stated above 123 of the 125 current intake of full time students gained their qualification from an overseas institution. However, more than half had studied in Hong Kong for their qualification via courses provided by SPACE. On the part time course 34 of the 35 second year students were qualified via an overseas qualification though most had studied in Hong Kong with SPACE.

5. **What is the capacity of SPACE in accommodating the envisaged increased numbers of overseas law graduates in the PCLL course?**

The SPACE and DOPLÉ students attend the same lectures. The DOPLÉ view is that total student numbers should not be significantly increased. Moreover, DOPLÉ has an understanding with the Law Society that total PCLL numbers at HKU (including SPACE full and part-time students) should not exceed 350. SPACE admits, at present, 115-125 full-time students and cannot increase these numbers without DOPLÉ approval.

The most important point to stress, however, is that SPACE already rejects approximately 200 applicants annually, many of them from overseas. Even if capacity were increased we could make no guarantee that additional places would go to returning prospective barristers rather than potential solicitors given that all, under the present arrangements, study via the same PCLL programme.

- MJF