

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

### **List of issues to be considered**

#### **1. Study on an independent legal aid authority**

The consultants commissioned by the Legal Aid Services Council (the Council) to conduct an assessment of the feasibility and desirability of establishing an independent authority for the administration of legal aid services in Hong Kong has completed its study. The Director of Administration has advised that the Council is studying the Consultant's Report and will let the Government have its recommendations upon completion of its study.

The Council will brief the Panel on the Consultant's Report at the meeting on **15 September 1998**.

#### **2. Legal Aid Policy Review**

A Consultation Paper on Legal Aid Policy Review 1997 was issued on 16 December 1997 for public comments within a three-month consultation period ending on 16 March 1998. According to the Administration, the inter departmental Working Group which was formed in early 1997 to conduct the review has been reconvened to examine the public's responses and the various suggestions made. A final report will be released after a thorough consideration of the various submissions.

The Administration will seek the Panel's views on the public's responses to the Consultation Paper at the meeting on **15 September 1998**.

#### **3. Review of ordinances binding on the Government**

In response to Members' concern as to why certain ordinances should be binding on the SAR Government but not on relevant PRC subordinate organs, the Secretary for Justice has undertaken, in the speech delivered at the resumption of the Second Reading debate on the Adaptation of Laws (Interpretative Provisions) Bill on 7 April 1998, to conduct a review of the 17 relevant ordinances to decide whether this difference in treatment can be justified.

The Administration will brief the Panel on the progress of the review at the meeting on **15 September 1998**.

#### **4. Adaptation of laws**

The Administration has been asked in July 1998 to advise members of the latest position regarding the overall adaptation of law exercise. Reply is pending.

#### **5. Operation of the Court of Final Appeal**

- (a) When the Establishment Subcommittee considered a staffing proposal for the establishment of the Court of Final Appeal on 28 May 1997, it recommended that matters relating to the operation of the Court of Final Appeal should be monitored about 18 months after its operation (i.e. end of 1998); and
- (b) When the Subcommittee on Hong Kong Court of Final Appeal Rules and Hong Kong Court of Final Appeal Fees Rules discussed the subsidiary legislation gazetted on 1 July 1997, it recommended that the lack of provisions in both the Hong Kong Court of Final Appeal Ordinance and the Appeal Rules to govern the use of languages in the Court of Final Appeal should be followed up.

Legislative Council Secretariat

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