

**THE LAW SOCIETY'S COMMENTS ON LEAPFROGGING PROVISIONS TO
THE COURT OF FINAL APPEAL**

The Law Society does not object to the introduction of *leapfrogging provisions* from the High Court to the Court of Final Appeal provided the following principles are applied before a Judge can grant a certificate:-

1. A point of law of general public importance is involved in the decision which relates to the construction of an enactment or of a statutory instrument or is one in respect of which he was bound by a previous decision of the Court of Appeal or the House of Lords.
2. A sufficient case has been made out to justify an application for leave to bring such an appeal.
3. All parties to the proceedings consent to the grant of the certificate.

The Law Society does not support any provision which would simply permit parties the right to apply for *leapfrogging* without the safeguards cited above.

**The Law Society of Hong Kong
7 May 1999**