

L. N. 322 of 1998

RULES OF THE HIGH COURT (AMENDMENT) (NO. 3) RULES 1998

(Made by the Rules Committee of the High Court under section 54 of the High Court Ordinance (Cap. 4))

1. Application by Law Officer (International Law) in certain cases

Order 70, rule 3 of the Rules of the High Court (Cap. 4 sub. leg.) is amended by repealing "Law Officer (Civil Law)" in both places where it appears and substituting "Law Officer (International Law)".

2. Transitional

All proceedings and acts which are brought or done---

- (a) in the name of or against the Law Officer (Civil Law); and
- (b) in relation to Order 70, rule 3 as in force at any time before the commencement of these Rules,

shall, on and after that commencement, be deemed to have been brought or done in the name of or against the Law Officer (International Law), and the Law Officer (International Law) may, on or after that commencement, take or continue to take any necessary steps regarding such proceedings or acts.

Made this 15th day of September 1998.

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The Hon. Mr. Justice NAZARETH      The Hon. Chief Justice

The Hon. Mr. Justice FINDLAY      Robert G. KOTEWALL, S. C.

Michael BUNTING Esq.      Roderick B. WOO Esq.

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Explanatory Note

Order 70, rule 3 of the Rules of the High Court (Cap. 4 sub. leg.) empowers the Law Officer (Civil Law) to make applications for orders under the Evidence Ordinance (Cap. 8) and to take such other necessary steps to give effect to requests issued by courts of justice outside Hong Kong for the obtaining of evidence in Hong Kong. These Rules amend Order 70, rule 3, so that the Law Officer (International Law) is the officer designated to exercise the power under the rule in place of the Law Officer (Civil Law). (Section 1) A transitional provision is added to make it clear that the Law Officer (International Law) may, on or after the commencement of these Rules, take any necessary steps regarding proceedings or acts which are brought or done in the name of or against the Law Officer (Civil Law) in relation to Order 70, rule 3 as in force before that commencement. (Section 2)