

**立法會**  
**Legislative Council**

LC Paper No. CB(2)2364/99-00

(These minutes have been  
seen by the Administration)

Ref : CB2/PL/AJLS

**Legislative Council**  
**Panel on Administration of Justice and Legal Services**

**Minutes of meeting**  
**held on Tuesday, 21 March 2000 at 4:30 pm**  
**in Conference Room A of the Legislative Council Building**

**Members Present** : Hon Margaret NG (Chairman)  
Hon Jasper TSANG Yok-sing, JP (Deputy Chairman)  
Hon Martin LEE Chu-ming, SC, JP  
Hon Mrs Miriam LAU Kin-ye, JP  
Hon Mr Ambrose LAU Hon-chuen, JP  
Hon Emily LAU Wai-hing, JP

**Members Absent** : Hon Albert HO Chun-yan  
Hon James TO Kun-sun

**Public Officers Attending** : Item IV

Mr I Grenville CROSS, SC, JP  
Director of Public Prosecutions

Mr D G SAW, SC  
Deputy Director of Public Prosecutions

Mr CHEUNG Wai-sun  
Senior Assistant Director of Public Prosecutions

Item V

Mr Robert C ALLCOCK, BBS  
Solicitor General (Acting)

Mr Stephen Kai-yi WONG  
Deputy Solicitor General (Advisory)

Ms Kitty FUNG  
Government Counsel, Legal Policy Division

Item VI

Mr Stephen Kai-yi WONG  
Deputy Solicitor General (Advisory)

Mr Paul TSANG  
Government Counsel, Legal Policy Division

**Attendance by :  
Invitation**

Item IV

Hong Kong Bar Association

Mr Clive GROSSMAN, SC

Mr WONG Man-kit

Mr Osmond LAM

Item V

University of Hong Kong

Professor Albert CHEN

Professor Johannes CHAN  
Head, Department of Law  
(also represents the Bar Association)

Professor Michael WILKINSON  
Head, Department of Professional Legal Education

City University of Hong Kong

Mr David SMITH  
Acting Dean

Mrs Myrett FOK  
Associate Professor

Mr Bryan BACHNER  
Associate Professor

Mr Dennie HIE  
Assistant Professor

Hong Kong Bar Association

Mr Clive GROSSMAN, SC

Mr WONG Man-kit

Law Society of Hong Kong

Mr Anthony CHOW, President

Mr Lester HUANG

Mrs Margaret HILL

Mr Patrick MOSS

Item VI

Hong Kong Bar Association

Mr Clive GROSSMAN, SC

**Clerk in Attendance** : Mrs Percy MA  
Chief Assistant Secretary (2)3

**Staff in Attendance** : Mr Jimmy MA, JP  
Legal Adviser

Mr Paul WOO  
Senior Assistant Secretary (2)3

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Action  
Column

**I. Confirmation of minutes of meeting**  
(LC Papers Nos. CB(2)1418 and 1419/99-00)

The minutes of meetings held on 21 December 1999 and 18 January 2000 were confirmed.

## **II. Information papers issued since the last meeting**

2. Members noted that the following papers had been issued since the last meeting -

- (a) LC Paper No. CB(2)1154/99-00(01) : a press article entitled "Arbitration concerns remain"; and
- (b) LC Paper No. CB(2)1318/99-00(01) : a paper from the Hong Kong Bar Association on the Bar Council's views on the Pilot Scheme for financial dispute resolution in matrimonial cases.

## **III. Items for discussion at the next meeting**

(LC Paper No. CB(2)1416/99-00(01))

3. Members agreed that the following items should be discussed at the next regular meeting to be held on 18 April 2000 -

- (a) Rule of law and related matters; and
- (b) "Leapfrog" appeals to the Court of Final Appeal.

*(Post-meeting note : At the request of the Administration, another item on "Proposed creation of a consultancy position and re-deployment of a Principal Government Counsel post in Department of Justice" has been added to the agenda for the meeting in April.)*

## **IV. Prosecutions conducted by staff of law enforcement departments**

(LC Papers Nos. CB(2)1181/99-00(01) to (03); 1193/99-00(01); 1416/99-00(02) and (03))

4. Director of Public Prosecutions (DPP) gave an overview of the Administration's paper on prosecutions conducted by law enforcement departments (LC Paper No. CB(2)1416/99-00(02)) as follows -

- (a) It had been a long practice in Hong Kong for the Secretary for Justice (SJ), through the DPP, to delegate, pursuant to sections 12 and 13 of the Magistrate Ordinance (the Ordinance), the authority to prosecute in the Magistrates Court for a broad range of regulatory and criminal offences to officers of certain ranks of other government departments. In 1999, there were 291 914 cases dealt with in the Magistrates Court, of which

104 032 cases were prosecuted by the departmental prosecutors. The balance of the cases were prosecuted by Court Prosecutors, Government Counsel and Counsel on Fiat. At present, there were 21 such delegations (a list of the 21 departments authorized to prosecute before a Magistrate in respect of specific Ordinances was provided in Appendix A of the Administration's paper);

*(Post-meeting note - The Administration has subsequently advised that due to inadvertence, "Director of Health" was mistakenly included in Appendix A of the Administration's paper. Hence, the number of departments authorized to prosecute cases in the Magistrates Court should be 20 instead of 21. Members have been notified of the error vide LC Paper No. CB(2)2021/99-00 issued on 17 May 2000.)*

- (b) The Department of Justice (D of J) retained overall responsibility for all such prosecutions, and the SJ could at any time step in and assume control of any such prosecution which might be initiated by an officer authorized by the aforementioned delegation. This included the power to terminate, or to continue, or amend the prosecution, or to amend the charges;
- (c) All departmental staff with authorization to prosecute specified offences had access to qualified practitioners in D of J for legal advice on a case by case need basis. In appropriate cases where complicated issues were involved, requests for Government Counsel to take over the prosecution were made and acceded to. The D of J might itself decide that a particular case should be prosecuted by a Government Counsel or by Counsel on Fiat; and
- (d) Specific guidelines were formulated by D of J in consultation with law enforcement agencies. In addition, D of J provided training for departmental prosecutors which was tailor-made to suit the departments concerned. In 1999, 112 training days were provided with 1 249 departmental officers attending the courses.

The views of the Hong Kong Bar Association  
(LC Paper No. CB(2)1416/99-00(03))

5. At the invitation of the Chairman, Mr Clive GROSSMAN elaborated on the Bar Council's submission on the issue as follows -

- (a) The Bar Council was opposed to staff of law enforcement departments conducting prosecutions. It was because departmental officers were non-legally qualified persons who lacked both the knowledge and independence required of a prosecutor. In the case of disciplinary

forces, for instance, it was unlikely that the person who was responsible for prosecution could exercise an independent judgment as he was in no position to override instructions or directions given by his superiors. Moreover, very often cases prosecuted by departmental officers involved complex legal issues. Anecdotal evidence had shown that departmental prosecutors had difficulties in dealing with such cases satisfactorily because of lack of professional training and experience. This resulted in huge waste of resources in terms of litigation costs and court time; and

- (b) To increase efficiency and the standard of prosecution, the Bar Council took the view that prosecution should be put in the hands of properly qualified practitioners under a system akin to the duty lawyer scheme, particularly for cases involving the possibility of imprisonment sentence.

6. Mr Clive GROSSMAN also referred to a recent controversial case of the wrongful jailing of a female teenager for alleged possession of a counterfeit passport. He said that cases of perversion of justice in fact arose from time to time, hence justifying the need for prosecutions to be conducted by competent and independent legal practitioners. Mr WONG Man-kit added that he had seen many prosecutions failed because of the inability and inexperience of departmental prosecutors.

#### Points raised by members

7. Mr Martin LEE enquired about the rationale for not delegating the same power to prosecute to the Police and the Independent Commission Against Corruption (ICAC), as with the 21 departments specified in the list.

8. In response, DPP advised that the Police used to prosecute simple and less complicated cases themselves until the 1970s when their prosecutors were gradually replaced by the Court Prosecutors. The ICAC had always had their cases prosecuted by Government Counsel, fiat counsel, or, more recently, Court Prosecutors. He added that at the moment, Court Prosecutors were able to cope with their workload.

9. Mrs Miriam LAU asked what other jurisdictions had adopted a similar system of entrusting law enforcement departments to prosecute cases under delegated authority and the extent of that delegation.

10. DPP advised that in England and Wales, many cases were prosecuted by police officers until the passage of the Prosecution of Offences Act in 1980s which resulted in lawyers replacing police officers in prosecuting routine cases before a Magistrate. However, it was later realized that the system led to massive waste of resources as qualified lawyers were tied up with such mundane cases. Hence, in recent years, the practice in England and Wales had been switched to one which was akin to the Hong

Kong system, with the introduction of a new category of trained lay officers called "designated case workers" employed by the Crown Prosecution Service to do the less complicated prosecutorial matters. He further advised that the UK Prosecution of Offences Act did not affect bodies other than the Police. Other government departments, local authorities and television licensing authorities etc. continued to conduct their own prosecutions, sometimes by non-legally qualified officers. In Northern Ireland, most proceedings in the Magistrates Court were conducted by Police Inspectors who were not legally qualified but had received training to carry out the duties of prosecuting officers. In Scotland, all prosecutions were conducted by legal practitioners. Deputy Director of Public Prosecutions (DDPP) added that in Australia and Canada, the system was comparable to the one in Hong Kong in that regulatory and minor criminal offences were prosecuted either by non-legally qualified people or departmental prosecutors.

11. The Chairman pointed out that the practice adopted in the jurisdictions mentioned by DPP differed from that in Hong Kong in that they did not use staff of law enforcement departments to prosecute their own cases. In response, DPP said that the similarity lay in the recognition that non-legally qualified people were competent to carry out prosecution work in less complicated cases, provided that they had access to quality legal advice when such assistance was required.

12. Mr TSANG Yok-sing noted that as explained in the Administration's paper, there was for the most part no need for departmental prosecutors to seek assistance from the D of J in simple and straight-forward cases. He asked what was the mechanism for ensuring that the quality of the prosecutions was up to standard. Mr Martin LEE pointed out that a departmental officer entrusted with prosecution of a minor case might be reluctant to seek legal advice from the D of J even if he saw a problem, because of the simple nature of the case. The Chairman considered that a more pro-active role should be assumed by the D of J to supervise prosecutions initiated by the departments.

13. DPP responded that the various law enforcement departments usually had their own prosecution sections to handle prosecution matters. Two departments, i.e. the Official Receiver and the Companies Registry had their own in-house solicitors to be responsible for prosecution work. He said that the law enforcement departments had a certain amount of discretion as to how the charge should be initiated in a given case and they invariably erred on the side of caution. If complicated evidential or legal issues arose in the course of the preparation of a case, or where there were other genuine difficulties, the departments concerned would seek assistance from the D of J. In practice, the head of the prosecution section of a department would decide whether a particular case would need to be referred to the D of J for advice, or in appropriate circumstances, request that the prosecution be taken over by Government Counsel.

14. DDPP added that law enforcement departments had units distinct from their prosecution sections which were responsible for conducting investigation and

gathering evidence for the purpose of prosecution. He said that the separation of the investigation and prosecution roles achieved a degree of independence in the process of prosecuting offences.

15. Ms Emily LAU said that there were obvious reasons for engaging legally qualified practitioners to conduct prosecutions, such as to enhance the standard of prosecution. She asked for a comparison of the costs of using legal practitioners to take charge of all prosecutions vis-à-vis that under the existing system of departmental prosecutors.

16. In response, DPP said that departmental prosecutors conducted prosecutions on 3 510 court days in 1999. The rate required to be paid for briefing lawyers to appear in the Magistrates Court ranged from \$ 5,670 to \$8,530 a day. As the bulk of the cases handled by departmental prosecutors were of a routine or trivial nature which could be disposed of within a day, it would not be worthwhile to incur large sums of public money to engage lawyers to deal with such cases. Referring to cases initiated by the Immigration Department in 1999, he said that out of a total of 22 021 cases, 21 502 were guilty pleas and only about 500 cases finally ended up in trial. He added that although problems arose in individual cases occasionally, there was no large scale concern about the quality of departmental prosecutions in general.

17. Mrs Miriam LAU said that in practice, cases could be briefed out on fiat such that the private counsel could take on one trial case and a few other simple and minor ones at the same time in the same court. She opined that it was possible to economize on the costs incurred through better administrative and case management arrangements.

18. Mr Clive GROSSMAN said that when one considered the matter of costs, one should include not only the salaries/benefits of the departmental prosecutors but also the cost of employing supporting staff as well as other on-costs such as the cost of office accommodation etc. It was also necessary to take into account the enormous costs and the waste of time incurred to the parties concerned because some cases had been unnecessarily prolonged due to the inexperience of the departmental prosecutors.

19. Having regard to the views expressed above, the Chairman requested the Administration to provide the following for further consideration of the Panel -

- (a) an analysis of the cost implications of prosecutions conducted by law-enforcement departments; and
- (b) the number of departmental prosecutors in the law enforcement departments mentioned in the Administration's paper.

**V. Legal education and training - Funding for the PCLL course**  
(LC Papers Nos. CB(2)1416/99-00(04); 1431/99-00(01) to (03))

20. The Chairman informed members that there had been recent media reports suggesting that the University Grants Committee (UGC) was planning to withdraw public funding for certain taught postgraduate programmes including the Postgraduate Certificate in Laws (PCLL) course. That gave rise to widespread concern of the legal profession, law students and the law teaching institutions about the possible impact on the provision of adequate legal professional training and the level of legal services in Hong Kong. She invited the representatives from the law schools of the University of Hong Kong and the City University of Hong Kong, the Hong Kong Bar Association, the Law Society of Hong Kong and the Administration to present their views on the issue.

Faculty of Law of the University of Hong Kong  
(LC Paper No. CB(2)1416/99-00(04))

21. Prof Albert CHEN said that the Board of the Faculty of Law was strongly opposed to any proposal to withdraw funding support for the PCLL. He summarized the views expressed in the Faculty's submission as follows –

- (a) The PCLL differed from other taught postgraduate programmes because it was not an advanced academic or professional qualification that enhanced one's career development within one's profession. Instead, PCLL was an integral part of a four-year basic programme of university legal education for the purpose of training lawyers in Hong Kong, i.e. the completion of PCLL was a pre-requisite for seeking employment as a trainee solicitor and for commencing pupillage as a barrister in Hong Kong. It was therefore entirely distinguishable from purely academic or stand-alone postgraduate courses, and rather more on a par with the fourth and fifth years of the five-year course for the training of doctors, dentists and architects;
- (b) A withdrawal of UGC funding for the PCLL would have the undesirable effect of deterring talented young people from lower-income families from joining the legal profession. It would also put at risk both the quality of the legal profession and legal services in Hong Kong, and ultimately jeopardize the maintenance of the rule of law in Hong Kong;
- (c) A withdraw of funding for the PCLL at this point in time would preempt the objective and outcome of the comprehensive review of legal education and training which was being conducted under the auspices of the Advisory Committee on Legal Education; and

- (d) The PCLL had experienced a considerable increase in demand for its places during the past two years from Hong Kong students who had graduated from overseas universities. Furthermore, the Legal Practitioners (Amendment) Bill 1999 had proposed that the right of UK barristers to be automatically admitted in Hong Kong should be removed. This was expected to further increase the demand for PCLL places in Hong Kong because, upon the enactment of the Bill, local students completing their Bachelor of Laws degree (LLB) in the UK might choose to return to Hong Kong to do the PCLL. A cut in UGC funding would affect the viability of running the PCLL courses at a level sufficient to provide the suitable number of PCLL places.

School of Law of the City University of Hong Kong  
(LC Paper No. CB(2)1431/99-00(02))

22. Mr David Smith explained the position of the School of Law of the City University as follows -

- (a) The PCLL was part and parcel of a four-year legal professional training programme. The splitting of the training into LLB and PCLL was more artificial than real. If the PCLL were to become wholly self-funded, Hong Kong was likely to lose a lot of outstanding law students simply because they could not afford to pay for the PCLL;
- (b) Reduced public funding for the PCLL would mean increased fees for the students and reduced demand, resulting in further increases in fees. At some point, a cycle of increasing fees and falling student numbers might render the PCLL unsustainable in its current form; and
- (c) The present comprehensive review of legal education aimed at improving the quality of legal education and training in Hong Kong. It would certainly make recommendations concerning the relationship between the LLB and PCLL programmes. It would be extremely undesirable if any decision to withdraw public funding for the PCLL were to be taken without reference to the final outcome and recommendations arising from this general review.

The Hong Kong Bar Association

23. Prof Johannes CHAN said that the Bar Association shared the views expressed by the two universities. The Bar Association was of the opinion that the Government had an important role to play to ensure that there was a sufficient supply of competent legal professionals to serve Hong Kong and that the chance to receive legal education was available to those who wished to pursue a career in the legal profession at affordable costs. He added that the current review of legal education was an

important milestone in the process of improving legal education in Hong Kong, whose eventual recommendations should be given due consideration before any changes to the policy regarding the funding for the PCLL were to be implemented.

The Law Society of Hong Kong

24. Mr Anthony CHOW expressed similar views. He pointed out that part of the review of legal education would include, inter alia, a survey to identify the manpower needs of the legal profession in Hong Kong. To implement any change to the funding for the PCLL before the conclusion of the review would undermine the objective of the review. He stressed that allocation of funding for the PCLL should be a matter of detailed consultation between the UGC and the legal professional bodies.

Department of Justice

(LC Paper No. CB(2)1431/99-00(03))

25. Solicitor General (Acting) (SG(Ag)) elaborated the views of the D of J set out in its paper.

26. Referring to paragraph 3 of the paper concerning the advice given by the Secretary General of the UGC, SG(Ag) said that it would appear that there had yet to be any specific recommendation to be made by the UGC in respect of the funding for the PCLL. However, the view of the D of J was that there existed a real risk that the advice given by the UGC to urge the institutions to offer more taught postgraduate programmes/courses on a wholly or largely self-financing basis, except where there was a clear element of public as distinct from private investment, would lead to the withdrawal of public funding for the PCLL. This was because one or both universities might apply the UGC guideline in a way that had this effect.

27. SG(Ag) said that in essence, the D of J endorsed the views expressed by the law schools of the two universities and the legal professional bodies on the issue. The D of J's position was that it strongly opposed any withdrawal of public funding for the PCLL. In particular, it emphasized that -

- (a) the department's commitment to the rule of law and to a strong and independent legal profession would be undermined by such a development; and
- (b) it was undesirable to make any substantial changes to legal education pending the completion of the comprehensive review of legal education that was being conducted.

SG(Ag) said that the latter point had been unanimously endorsed by members of the Steering Committee for the Review of Legal Education.

28. SG(Ag) added that subject to the decision of the Panel, the D of J suggested that the Panel should make representations to the UGC to the effect that the PCLL should be excluded from its guidelines concerning taught postgraduate courses.

Points raised by members

29. In response to a question raised by Mr TSANG Yok-sing, Prof Albert CHEN advised that in 1999, of the 144 students graduated from the LLB programme, 137 were admitted to the PCLL. Prof Michael WILKINSON supplemented that the pass rate of students at the University's PCLL courses, including the PCLL administered by the School of Professional and Continuing Education, was remarkably consistent, i.e. in the range of 64 to 69 % at first attempt. Of those who failed in the first attempt, about 25% were allowed to retake up to 2.5 subjects in a supplementary examination. The final pass rate came out also consistently at about 80% of all the students taking the PCLL.

30. Prof Albert CHEN said that the reason for the four-year package of university legal education to be split into a three-year LLB programme and a one-year PCLL was that the existing system modelled closely on the UK system. However, unlike the situation in UK and other countries such as Canada and Australia, where many LLB graduates did not actually join the legal profession, more than 90% of the LLB graduates in Hong Kong eventually entered the profession and become legal practitioners. This was probably due to the relative shortage of lawyers in Hong Kong as compared with other countries. He added that for the overwhelming majority of LLB graduates who intended to join the legal profession, the PCLL was an essential part of their professional training and qualification.

31. The Chairman agreed that the vast majority of law students in Hong Kong treated legal education more as a professional subject than an academic subject.

32. Ms Emily LAU said that she supported that UGC funding for the PCLL should continue. However, she noted that the recent media reports on the UGC proposals might not entirely and accurately reflect the position of the UGC on the matter. She suggested to seek clarification from the UGC. Mr TSANG Yok-sing shared her view.

33. The Chairman sought the view of the Legal Adviser (LA) on the D of J's proposal for the Panel to make representations to the UGC on the issue. LA responded that it might not be appropriate for the Panel to do so as the UGC was an independent and non-statutory committee appointed by the Chief Executive to advise on the development and funding needs of higher education institutions. However, it was within the terms of reference of the Panel to seek information from the UGC to facilitate the Panel's consideration of the subject matter where it saw fit. He pointed out that, for example, the Legal Aid Services Council had previously been invited to attend meetings of the Panel to discuss issues relating to the establishment of an independent legal aid authority. Ms Emily LAU recalled that a former Chairman of

the UGC had come before committees of the Legislative Council (LegCo) to discuss relevant issues.

34. In response to Mrs Miriam LAU, SG(Ag) said that he, as Chairman of the Steering Committee for the Review of Legal Education, had written to the UGC to express the Steering Committee's objection to any proposal to withdraw funding for the PCLL. He added that the Chairman of the Advisory Committee on Legal Education and the Secretary for Justice had also made representations to the UGC on the same issue.

35. After some further discussion, members agreed to take the following courses of action :

- (a) the Chairman of the Panel should write to the Chairman, UGC to -
  - i) express the Panel's opposition against any move to withdraw public funding for the PCLL;
  - ii) reflect the consensus views of the meeting that the PCLL should not be the target for consideration of withdrawal of UGC funding, and that to do so at this point in time would pre-empt the results of the review of legal education now in progress;
  - iii) invite representatives from the UGC to discuss the matter further at a Panel meeting should they wish to; and
- (b) a draft letter to the UGC should be circulated to members for comments before it was issued.

*(Post-meeting note : The letter to UGC was issued on 27 March 2000 and circulated vide LC Paper No. CB(2)1495/99-00(01). A reply from the Chairman of UGC dated 7 April 2000 was circulated vide LC Paper No. CB(2)1687/99-00(01))*

**VI. Section 2GG of the Arbitration Ordinance (Cap. 341)**  
(LC Papers Nos. CB(2)1416/99-00(05); 1431/99-00(04) to (06))

36. The Chairman briefed members on the background of this item. She said that prior to section 2GG of the Arbitration Ordinance (the Ordinance) coming into force in June 1997, its predecessor section 2H allowed, with the leave of the former High Court, summary enforcement of any award made either in or outside Hong Kong, as an alternative to the common law method of enforcement by action. It was generally thought that section 2GG had the same effect until Justice Findlay held in 1998 (in *Ng Fung Hong Limited v ABC (1998) 1 HKC 213*) that it applied only to awards made in

Hong Kong. Earlier this year, the Bills Committee formed to study the Arbitration (Amendment) Bill 1999 proposed that the opportunity should be taken to amend section 2GG to make clear that it was applicable to awards made either in or outside Hong Kong. The Administration considered that it would be better for it to follow up the proposal after it had the chance to study the judgment of the Court of Final Appeal (the CFA) on the enforcement in Hong Kong of a bankruptcy order made by a Taiwan court. The Bills Committee agreed to this approach and recommended that the issue be followed up by the Panel.

37. Deputy Solicitor General (Advisory) (DSG(A)) informed members of the progress of the Administration's review of the matter. He advised that the CFA's judgment of the above-mentioned case was delivered on 27 January 2000, which held that the bankruptcy order made by the Taiwan court was enforceable in Hong Kong on the ground that it related to private rights of the parties concerned and not for the benefit of the Taiwan government. In the light of the CFA's decision, the Administration proposed that section 2GG be amended by -

- (a) clarifying that it was applicable to awards whether made in or outside Hong Kong; and
- (b) setting out the relevant factors which the Court should take into account when considering whether to grant leave for summary enforcement of Taiwan awards (including those highlighted in the CFA's judgment such as the private nature of the interests to be protected, justice and common sense, the needs of law and order, and public policy).

DSG(A) further advised that the above proposed amendments could be implemented by either one of the following options -

- (a) by way of a Committee Stage amendment to the Statute Law (Miscellaneous Provisions) Bill 1999 which was being studied by a Bills Committee; or
- (b) by way of an amendment bill.

38. In response to the Chairman, Legal Adviser said that to proceed by way of an amendment bill would avoid complicated parliamentary rules. DSG(A) drew members' attention to the Administration's earlier undertaking not to introduce bills into the Council after 15 March 2000.

39. After some discussion, members agreed to take the following approach -

- (a) the proposed amendments to section 2GG should be passed as soon as possible and preferably within the current legislative session as an early implementation would obviously save the public time and money, avoid

wasting court time in unnecessary proceedings and enhance Hong Kong's prestige as an international arbitration centre; and

- (b) the Panel would submit a report to the House Committee on its deliberations on the issue. As the proposed amendments were straight-forward and involved no policy change, the Panel would recommend that there was no need for a Bills Committee to be set up to study the bill if paragraph 37(b) above was adopted.

*(Post-meeting note : The Panel made a report to the House Committee on 24 March 2000. The Administration subsequently decided to introduce the proposed amendments by way of a stand-alone Arbitration (Amendment) Bill. The Administration undertook to try to introduce the Bill into LegCo before the end of the current session.)*

- 40. There being no other business, the meeting ended at 6:30 pm.

Legislative Council Secretariat  
9 May 2000