

**Letterhead of GOVERNMENT SECRETARIAT**

**LC Paper No. CB(2)2387/99-00(03)**

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Our Ref. :

16 June 2000

Your Ref.:

Mrs Percy Ma  
Clerk to LegCo Panel on Administration  
Legislative Council Building  
8 Jackson Road  
Hong Kong

Dear Mrs Ma,

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

**Special meeting on 17 June 2000**

**Appointment of judges of the Court of Final Appeal**

Thank you for your letter of 13 June. I confirm that Ms Miranda Chiu and the undersigned will attend the Special meeting on 17 June 2000 to continue discussion on "Appointment of Judges of the CFA".

2. To facilitate discussion, I forward herewith at Annex I a LegCo brief as requested. The additional information requested by the Panel has been incorporated in the brief.
3. To date, the following materials have already been provided to the Panel:
  - (i) the Administration's Paper on "Legal and Administrative Matters Relating to the Appointment of Judges of the CFA";
  - (ii) the Curriculum Vitae of the Seven Judges;
  - (iii) the Judiciary Administrator's Paper on "Constitutional Arrangements and Workings of JORC relating to Appointment of CFA Judges Generally";

- (iv) the Administration's Paper on the "Current Appointment Exercise of the Seven CFA Judges"; and
- (v) the attached LegCo brief.

Copies of the foregoing materials are annexed for your ease of reference.

4. The Chief Executive has also given permission for the Administration to explain to Members that he also noted that the main reason for dealing with the seven appointments now rather than to leave the matter to sometime later, is that it would be most detrimental to the CFA's functioning and its standing if the making of the new appointments had to wait for the new LegCo session to deal with the endorsement. We have outlined the detailed dates of appointments of these judges in the LegCo brief and they will also be repeated in the speech to be made by the Chief Secretary for Administration when moving the motion.

5. I hope Members would appreciate that the Administration has a limit in providing information with regard to how the statutory requirements of Sections 3(5B) and 3(5C) of the JORC were complied with, the list of eligible persons and the deliberations of JORC leading to its recommendation of the seven appointments, since it involves the names of and discussions concerning individual eligible persons involved in this exercise.

Yours sincerely,

(Mrs Carrie Yau)  
Director of Administration

c.c. Judiciary Administrator