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8 November 2003

Clerk to Bills Committee
(Attn.: Ms. Rosalind Ma)
Legislative Council Secretariat
Legislative Council Building
8 Jackson Road
Central
Hong Kong

Dear Ms Ma,

I attach for your information a copy of the judgment handed down by the Court of First Instance (CFI) yesterday on the remaining application for judicial review of the Public Officers Pay Adjustment Ordinance (Cap. 574) (the POPA Ordinance).

There were five applications for judicial review of the constitutionality of the POPA Ordinance. On 10 June 2003, the CFI dismissed two lead applications for judicial review and ruled that the Ordinance has not breached any individual articles of the Basic Law that were argued before it. The gist of that judgment was set out in the paper entitled "Judicial Reviews on the Public Officers Pay Adjustment Ordinance (Cap. 574)" (LC Paper No. CB(1)2552/02-03(2)) to the Bills Committee. The applicants of two of the other three judicial review cases subsequently withdrew their applications. The remaining case was heard on 7 – 9 October 2003 and dismissed by the CFI yesterday.

Yours sincerely,

(Eddie Mak)
for Secretary for the Civil Service