

立法會
Legislative Council

LC Paper No. CB(2)71/04-05

Ref : CB2/PL/AJLS

Panel on Administration of Justice and Legal Services

**Minutes of meeting
held on Tuesday, 12 October 2004 at 9:00 am
in the Chamber of the Legislative Council Building**

- Members present** : Hon Margaret NG (Chairman)
Hon LI Kwok-ying, MH (Deputy Chairman)
Hon Albert HO Chun-yan
Hon Martin LEE Chu-ming, SC, JP
Hon Miriam LAU Kin-ye, GBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon MA Lik, JP
Hon KWONG Chi-kin
- Member absent** : Hon Emily LAU Wai-hing, JP
- Clerk in attendance** : Mrs Percy MA
Chief Council Secretary (2)3
- Staff in attendance** : Mrs Justina LAM
Assistant Secretary General 2
- Mr Paul WOO
Senior Council Secretary (2)3
- Mrs Eleanor CHOW
Senior Council Secretary (2)4

I. Election of Chairman and Deputy Chairman

Election of Chairman

Mr Martin LEE, member of the highest precedence among members present, presided over the election of the Chairman of the Panel. Mr LEE called for

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nominations for the chairmanship of the Panel. Ms Margaret NG was nominated by Ms Miriam LAU and the nomination was seconded by Ms Audrey EU. Ms Margaret NG accepted the nomination.

2. As there was no other nomination, Mr Martin LEE declared Ms Margaret NG elected as the Chairman of the Panel for the 2004-2005 session. Ms Margaret NG then took the chair.

Election of Deputy Chairman

3. The Chairman called for nominations for the deputy chairmanship of the Panel. Mr LI Kwok-ying was nominated by Mr MA Lik and the nomination was seconded by Mr KWONG Chi-kin. Mr LI Kwok-ying accepted the nomination.

4. As there was no other nomination, the Chairman declared Mr LI Kwok-ying elected as the Deputy Chairman of the Panel for the 2004-2005 session.

II. Schedule of meetings for the 2004-2005 session

5. Members noted the meeting schedule for the 2004-2005 which was tabled at the meeting.

6. Members agreed that regular meetings of the Panel would be held on the fourth Monday of each month at 4:30 pm. As the fourth Monday of December 2004 and March 2005 were public holidays, members agreed that the regular meetings of the Panel in December 2004 and March 2005 would be held on 14 December 2004 and 22 March 2005 respectively.

III. Discussion items for next meeting

7. Members noted the "List of issues suggested to be considered" which was tabled at the meeting.

Regular Panel meeting on 25 October 2004

8. The Chairman proposed to discuss the following items at the next Panel meeting on 25 October 2004 –

- (a) Professional Indemnity Scheme of the Law Society of Hong Kong (Item 13 on the "List of issues suggested to be considered"); and
- (b) work plan of the Panel.

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9. The Chairman requested the Clerk to write to the Law Society for advice on whether it would be in a position to report progress on the review of the Professional Indemnity Scheme since the issue was last discussed by the Panel on 14 June 2004.

10. At the request of the Chairman, members agreed that the Panel meeting on 25 October 2004 should start at 5:00 pm.

(Post-meeting note : As the Law Society was not able to send representatives to attend the meeting on 25 October 2004, the meeting was rescheduled for 9 November 2004 from 4:30 pm to 5:00 pm to discuss the work plan of the Panel.)

Operation of the Labour Tribunal

(Item 10 on the “List of issues suggested to be considered”)

11. The Chairman said that the Working Party appointed by the Chief Justice had published its Report on the Review of the Labour Tribunal in June 2004. The Report had been issued to members of this Panel and the Panel on Manpower. The Chairman suggested that the two Panels held, possibly on 25 October 2004, another joint meeting to discuss the Report and the recommendations contained therein.

(Post-meeting note : Having consulted the Chairman of the Manpower Panel, a joint meeting was scheduled for 9 November 2004 from 5:00 pm to 6:30 pm.)

Limited liability partnership of solicitors

12. Ms Miriam LAU suggested that the above issue should be followed up by the Panel. The Chairman said that the matter would be further considered at the next meeting.

Guide to Judicial Conduct

13. Ms Audrey EU said that the Chief Justice had stated in his address at the Opening of the Legal Year 2004 the importance of the judges observing the highest standards of conduct and integrity in order to maintain public confidence in the Judiciary and the administration of justice. In this regard, the Chief Justice had accepted the recommendation of a Working Party appointed by him that a Guide to Judicial Conduct should be prepared to provide the judges with useful and practical guidelines on judicial conduct. Ms EU suggested that the Panel should follow up the matter.

14. The Chairman said that the matter should be included in the “List of outstanding items for discussion”. She requested the Clerk to write to the Judiciary Administration to enquire about the progress of preparation of the Guide.

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(*Post-meeting note* : A letter to the Judiciary Administrator to enquire about the present position of the matter was issued on 14 October 2004. The Judiciary Administrator's reply was issued to the Panel vide LC Paper No. CB(2)53/04-05(01) on 18 October 2004)

Item proposed by the Administration

(Item 18 on the “List of issues suggested to be considered”)

Statute Law (Miscellaneous Provisions) Bill 2005

15. The Chairman informed members that the Department of Justice (DoJ) intended to introduce the above Bill into the Legislative Council in March 2005. The object of the Bill was to make minor and non-controversial amendments to various ordinances. DoJ would brief the Panel on the Bill in due course.

16. There being no other business, the meeting ended at 9:20 am.

Council Business Division 2
Legislative Council Secretariat
21 October 2004