



HONG KONG BAR ASSOCIATION

Secretariat: LG2 Floor, High Court, 38 Queensway, Hong Kong
DX-180053 Queensway I E-mail: info@hkba.org Website: www.hkba.org
Telephone: 2869 0210 Fax: 2869 0189

By fax 2509-9055 and by post
Your Ref: CB2/BC/7/06

26 June 2007

Mrs. Percy Ma
Clerk to Bills Committee on Civil Justice
(Miscellaneous Amendments) Bill 2007
Legislative Council
Legislative Council Bldg., 8 Jackson Road
Central, Hong Kong.

Dear *Percy,*

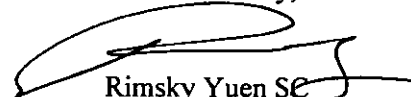
Re: Bills Committee on Civil Justice (Miscellaneous Amendments) Bill 2007

Thank you for your letter dated 18 June 2007.

We consider that the Bills Committee would, in the examination of Part 7 of the Bill, benefit from studying the relevant draft subsidiary legislation.

Part 7 of the Bill is concerned with the wasted costs jurisdiction. The Bills Committee would fully appreciate how the proposed jurisdiction may be exercised by studying the draft subsidiary legislation for the mechanisms by which the jurisdiction may be triggered and the counsel or solicitor concerned may show cause. In particular, the Bills Committee will see that the draft rules provide that the Court can of its own motion direct a legal representative to show cause but without imposing any costs sanction in the event the barrister in question demonstrates that a wasted costs order should not be made.

Yours sincerely,


Rimsky Yuen SC
Chairman

JF/PYL/al

cc: Mr. Joseph Fok SC / Mr. PY Lo

香港大律師公會

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