

劉 汝 琛 律 師 行
Y. S. LAU & PARTNERS

SOLICITORS, AGENT FOR TRADEMARKS & PATENTS
香港中環雪廠街十六號西洋會所大廈十樓
10/F, Club Lusitano, 16 Ice House Street, Central, Hong Kong
Tel: 2110 1899 Fax: 2110 9081 DX009258 Central 1

附錄 1.8

Our Ref.: 08050/2010/SW/L

Your Ref.:

Date: 21 January 2010

**Investigations Committee established
Under Rule 49B(2A) of the Rules of Procedure
in respect of the Motion to censure
the Honourable Kam Nai-wai ("the Committee")**

Legislative Council
Legislative Council Building,
8 Jackson Road,
Central,
Hong Kong.

By hand

Attn: the Honourable Mrs. Sophie Leung Lau Yau-fun, GBS, JP - Chairlady

Dear Sirs,

Re: The Honourable Kam Nai-wai

We act for the Honourable Mr. Kam Nai-wai.

We are given to understand that the Committee held a meeting on 18th January 2010 for the purpose of establishing the rules and procedures in respect of the Motion to censure the Honourable Kam Nai-wai for his alleged misconduct ("the Motion").

Our client has instructed us that he would like us to be legally represented at the hearing of the Motion which will be held on a date to be determined by the Committee. In order to ensure that the investigation be held in a fair manner and compatible with the rule of natural justice, we respectfully request the Committee to recognize our client's following rights :-

1. right to be represented by solicitor and/or counsel at the hearing and to address the Committee whenever appropriate and permitted to do so;
2. right to have access to all materials related to the alleged misconduct whether used or unused and, in whatever form, which are in the possession of the Committee;
3. right to subpoena any witnesses which our client or we are of the view will assist the Committee in ascertaining the relevant facts of the case;
4. right to cross-examine all witnesses who shall give evidence at the hearing or whose evidence will be considered by the Committee; and

PRINCIPALS

Lau Yue Sum LL.B (Hons) 劉汝琛律師
Lung Man On LL.B (Hons) 龍文安律師

CONSULTANTS

Yau Man Fai LL.B (Hons)
Chan Suk Kam Ida CPAACIS

ASSISTANT SOLICITOR

游文輝律師 Sum Kwan Ming Patrick LL.B (Hons) 岑君銘律師
陳淑琴律師

劉 汝 琛 律 師 行
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5. to be promptly and fully informed about the procedures, rules and the dates of the hearing as soon as the Committee has reached a decision on these matter.

We shall be obliged if you could revert your decision regarding the afore-mentioned points as to us at your earliest convenience.

Thank you for your attention. If you have any queries, please contact our handling solicitor Mr. Y. S. Lau or Mr. Stephen Wong at 2110 1899.

Yours faithfully,



Y. S. Lau & Partners

SW/cc

