

立法會
Legislative Council

Ref : CB2/PL/AJLS

LC Paper No. CB(2)312/10-11

(These minutes have been
cleared with the Chairman)

Panel on Administration of Justice and Legal Services

Minutes of meeting
held on Thursday, 14 October 2010, at 11:50 am
in the Chamber of the Legislative Council Building

- Members present** : Dr Hon Margaret NG (Chairman)
Dr Hon Priscilla LEUNG Mei-fun (Deputy Chairman)
Hon Albert HO Chun-yan
Hon LAU Kong-wah, JP
Hon Emily LAU Wai-hing, JP
Hon TAM Yiu-chung, GBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon Paul TSE Wai-chun
Hon LEUNG Kwok-hung
- Members attending** : Hon LEE Wing-tat
Hon Ronny TONG Ka-wah, SC
- Members absent** : Hon James TO Kun-sun
Dr Hon Philip WONG Yu-hong, GBS
Hon Miriam LAU Kin-yea, GBS, JP
Hon Timothy FOK Tsun-ting, GBS, JP
- Clerk in attendance** : Miss Flora TAI
Chief Council Secretary (2)3
- Staff in attendance** : Ms Amy YU
Senior Council Secretary (2)3
- Mrs Eleanor CHOW
Senior Council Secretary (2)4
- Ms Wendy LO
Council Secretary (2)3

Mrs Fanny TSANG
Legislative Assistant (2)3

Action

I. Election of Chairman and Deputy Chairman

[Appendices V and VI to LC Paper No. CB(2)7/10-11]

Election of Chairman

Dr Margaret NG, the incumbent Chairman, called for nominations for the chairmanship of the Panel. Dr Margaret NG was nominated by Mr Albert HO and the nomination was seconded by Mr LAU Kong-wah. Dr Margaret NG accepted the nomination.

2. As there was no other nomination, Dr Margaret NG was elected as the Chairman of the Panel for the 2010-2011 session.

Election of Deputy Chairman

3. The Chairman called for nominations for the deputy chairmanship of the Panel. Dr Priscilla LEUNG was nominated by Mr LAU Kong-wah and the nomination was seconded by Mr TAM Yiu-chung and Mr Albert HO. Dr Priscilla LEUNG accepted the nomination.

4. As there was no other nomination, the Chairman declared Dr Priscilla LEUNG elected as the Deputy Chairman of the Panel for the 2010-2011 session.

II. Schedule of meetings for the 2010-2011 session

5. Members agreed that the regular meetings of the Panel would be held on the fourth Monday of each month at 4:30 pm, except the meetings in December 2010 and April 2011 which were re-scheduled as follows -

(a) as 27 December 2010 was Christmas holiday, the meeting was re-scheduled for Tuesday, 21 December 2010, at 4:30 pm; and

(b) as 25 April 2011 was Easter holiday, the meeting was re-scheduled for Thursday, 14 April 2011, at 4:30 pm.

6. Members also agreed that the next regular Panel meeting would be held on 22 November 2010.

(*Post-meeting note*: The meeting schedule for the 2010-2011 session was issued vide LC Paper No. CB(2)59/10-11 on 15 October 2010.)

III. Items for discussion at the next meeting

[Appendices II and III to LC Paper No. CB(2)7/10-11]

Discussion items for the next regular meeting

7. Members agreed to discuss the item of "Proposed creation of a new rank of Assistant Principal Government Counsel (Directorate (Legal) 1) and creation of posts in the Department of Justice" proposed by the Administration at the next regular meeting to be held on 22 November 2010.

8. The Chairman said that at the special Panel meeting held on 30 September 2010, members had urged the Administration to revert to the Panel as soon as possible on its consideration of the proposals put forward by the Hong Kong Bar Association for expanding the scope of the Supplementary Legal Aid Scheme ("SLAS"). Noting that the Chief Executive had announced in his 2010-2011 Policy Address that the Government had earmarked \$100 million for injection into the SLAS Fund when necessary to expand the scope of the scheme, the Chairman proposed to discuss with the Administration the progress of its review on SLAS at the meeting on 22 November 2010. Members agreed.

Proposed construction of the West Kowloon Law Courts Building ("WKLCB")

9. The Deputy Chairman said that when the Panel was consulted on the proposed construction of WKLCB in April 2010, she had expressed the view that the selected site was inappropriate as the new court building would be surrounded by high-rise buildings. In her view, the new court building should be located at a place with spacious surroundings. She considered that Site 6 nearby which was located near the waterfront was a more appropriate site for WKLCB. As the location of WKLCB involved planning issues, she had proposed that the matter be discussed by the Panel on Development in the context of the overall planning of the North West Kowloon Reclamation Site 6, and the Panel on Development had agreed to her proposal. She considered that the WKLCB project should be further discussed jointly by this Panel and the Panel on Development.

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10. The Chairman said that the Deputy Chairman had written to her in end of June 2010 concerning the selected site for WKLCB and her letter had been circulated to members. The Judiciary Administration ("JA") had responded that the Judiciary considered the present selected site more suitable and hoped to commence the WKLCB project as soon as possible to meet the pressing need for improvements to the provision of court facilities. The Chairman informed members that according to the Panel's list of outstanding items for discussion, JA would further consult the Panel on the WKLCB project in June 2011. Noting that the Panel on Development would discuss the relevant planning issues, the Chairman proposed that members of this Panel be invited to join the discussion when the matter was discussed by the Panel on Development. Members agreed.

Clerk

Applicability of Hong Kong Special Administrative Region ("HKSAR") laws to offices set up by the Central People's Government ("CPG") in HKSAR

11. Ms Emily LAU expressed grave dissatisfaction with the slow progress achieved by the Administration over the past 10 years in the extension of the applicability of HKSAR laws to CPG offices set up in HKSAR. The Chairman also expressed discontent that the Administration was unable to tell unequivocally whether the Personal Data (Privacy) Ordinance (Cap. 486) applied to CPG offices in Hong Kong. Members agreed that the Administration should be requested to report to the Panel on the progress of its work on the matter as soon as practicable and revert to members on the timing for discussion.

Clerk

IV. Any other business

Joint Subcommittee on Amendments to Land Titles Ordinance
[LC Paper No. CB(1)3002/09-10]

12. The Chairman invited members' views on the proposal for the Joint Subcommittee to continue its work in the 2010-2011 session as set out in LC Paper No. CB(1)3002/09-10. Mr Paul TSE indicated support for the proposal, saying that the Administration's work on the preparation of amendments to the Land Titles Ordinance (Cap. 585) which had significant implications for the legal profession had dragged on for many years.

13. Members agreed that the Joint Subcommittee would continue its work in the 2010-2011 session.

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14. There being no other business, the meeting ended at 12:03 pm.

Council Business Division 2
Legislative Council Secretariat
16 November 2010