

立法會
Legislative Council

LC Paper No. LS65/12-13

**Paper for the House Committee Meeting
on 28 June 2013**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 21 June 2013**

Date of tabling in LegCo : 26 June 2013

Amendment to be made by : 2nd meeting of LegCo in the next session
(or the 1st meeting after 21 days from the
2nd meeting of the next session if extended by
resolution)

Legal Practitioners Ordinance (Cap. 159)
Solicitors (General) Costs Rules (Cap. 159 sub. leg. G)
Solicitors (General) Costs (Amendment) Rules 2013 (L.N. 110)

L.N. 110 is stated as made "by the Costs Committee of The Law Society of Hong Kong under section 74 of the Legal Practitioners Ordinance (Cap. 159) subject to the prior approval of the Chief Justice".

2. L.N. 110 amends the Third Schedule to the Solicitors (General) Costs Rules (Cap. 159 sub. leg. G), which apply to all solicitors' non-contentious business except for any such business which is provided for or regulated by the Solicitors (Trade Marks and Patents) Costs Rules (Cap. 159 sub. leg. I) made under section 74 of LPO. Rule 3 of L.N. 110 repeals paragraph 1 of the Third Schedule, which provides for costs for copying documents, and substitutes it with a new paragraph 1 to –

- (a) remove obsolete types of copies (such as stencilled or carbon copy);
- (b) provide that copies may be provided in the form of "photographic copy, printed (including laser printed) copy or scanned printed copy"; and
- (c) specify the costs for providing copies printed in black ink or colour ink and in different quantities.

3. Rule 3 also introduces a new paragraph 6A to the Third Schedule, which provides that for the purpose of the new paragraph 1, if two or more pages of documents are reduced in size and printed on one page, the costs for copying is to be charged as one page.

4. L.N. 110 will come into operation on a day to be appointed by the President of The Law Society of Hong Kong (The Law Society) by notice published in the Gazette.

5. In the course of scrutinizing L.N. 110, it is noted that although it is stated as made by the Costs Committee, L.N. 110 is apparently made by the 20 members of the Council of The Law Society. Four of these 20 members are members of the Costs Committee which comprises only up to 11 members¹. The Legal Service Division is making enquiry with The Law Society as to whether L.N. 110 is made in accordance with section 74 of LPO.

6. It is also noted that although a LegCo Brief has been provided by The Law Society, it does not contain sufficient information for Members. The Legal Service Division has requested The Law Society to provide a supplementary LegCo Brief.

Concluding Remarks

7. The Legal Service Division will report further upon receipt of the reply of The Law Society in relation to the matters set out in paragraphs 5 and 6 above.

Prepared by

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¹ Section 74(1) of LPO provides for the composition of the Costs Committee.