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15 June 2017

Ms Angel WONG
Clerk to Bills Committee
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

By Post & By E-mail

Dear Ms WONG,

Re: Apology Bill

We refer to the Apology Bill (“Bill”) and the meetings of the Bills Committee on the Bill on 9 and 13 June 2017.

The Government has considered Members’ views on the proposed Committee Stage Amendment (“CSA”) to clause 8(2) of the Bill explained in our letter dated 8 June 2017. After careful consideration, the Government agrees to remove the reference to “any other relevant circumstances” in the proposed CSA. The revised draft clause 8(2) provides that the discretion under clause 8(2) may be exercised by the decision maker when there is an exceptional case (for example, where there is no other evidence available for determining an issue), but only if the decision maker is satisfied that it is just and equitable to do so, having regard to the public interest or the interests of the administration of justice.

A copy of the revised draft CSA (in mark-up format at the Annex) reflecting the further proposed amendment to clause 8(2) is attached.

We would be most grateful if you could bring this letter and the enclosed revised draft CSA to clause 8(2) to the attention of the Chairman and Members of the Bills Committee.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'William LIU', with a stylized, flowing script.

(William LIU)

Senior Government Counsel

Encl.

(#1512546)

**Proposed Committee Stage Amendments to
Apology Bill**

(shown as mark-up revisions to the provision of the Bill)

8. Admissibility of evidence of apology

- (2) However, if in particular applicable proceedings there is an exceptional case (for example, where there is no other evidence available for determining an issue), the decision maker may exercise a discretion to admit a statement of fact contained in an apology as evidence in the proceedings, but only if the decision maker is satisfied that it is just and equitable to do so, having regard to ~~all the relevant circumstances.~~ the public interest or the interests of the administration of justice.
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