

## **PART VIII**

### **GENERAL**

#### **74A. Standing Committee on Legal Education and Training**

- (1) There is established by this section a Standing Committee on Legal Education and Training.
- (2) The functions of the committee are-
  - (a) to keep under review, evaluate and assess-
    - (i) the system and provision of legal education and training in Hong Kong;
    - (ii) without prejudice to the generality of subparagraph (i), the academic requirements and standards for admission to the Postgraduate Certificate in Laws programme;
  - (b) to monitor the provision of vocational training of prospective legal practitioners in Hong Kong by organizations other than the Society or the Hong Kong Bar Association;
  - (c) to make recommendations on matters referred to in paragraphs (a) and (b); and
  - (d) to collect and disseminate information concerning the system of legal education and training in Hong Kong.
- (3) The committee shall consist of-
  - (a) 17 members appointed by the Chief Executive of whom-
    - (i) 2 shall be persons nominated by the Chief Justice;
    - (ii) 1 shall be a person nominated by the Secretary for Justice;
    - (iii) 1 shall be a person nominated by the Secretary for Education and Manpower;
    - (iv) 2 shall be persons nominated by the Society;
    - (v) 2 shall be persons nominated by the Hong Kong Bar Association;
    - (vi) 2 shall be persons nominated by the Vice-Chancellor of the University of Hong Kong;
    - (vii) 2 shall be persons nominated by the President of the City University of Hong Kong;
    - (viiia) 2 shall be persons nominated by the Vice-Chancellor of The Chinese University of Hong Kong;
    - (viii) 2 shall be members of the public; and
    - (ix) 1 shall be a person nominated by The Federation for Continuing Education in Tertiary Institutions, a non-profit-making educational organization, from among its members which provide continuing legal education courses in Hong Kong; and
  - (b) a chairman appointed by the Chief Executive after consultation with the persons and organizations making nominations pursuant to paragraph (a)(i) to (viiia) and (ix).

- (4) A member of the committee who is unable to attend a meeting of the committee, except for a member appointed pursuant to subsection (3)(a)(viii), may, subject to the consent of the chairman, send a substitute to attend the meeting in his place and the substitute shall be deemed to be a member of the committee for the purpose of that meeting.
- (5) A member of the committee including the chairman shall hold office for a term not exceeding 2 years.
- (6) A member of the committee including the chairman may at any time resign from the committee by giving notice in writing of his resignation to the Chief Executive.
- (7) The Secretary for Justice may publish notice of the appointment or termination of membership of a member (including the chairman) appointed pursuant to this section in the Gazette.
- (8) The committee shall report annually to the Chief Executive and its annual report shall be tabled in the Legislative Council.
- (9) The committee may determine its own procedure.

#### **74C. Students already enrolled in legal studies in the United Kingdom**

Notwithstanding the repeal and replacement of section 27 by section 7 of the Legal Practitioners (Amendment) Ordinance 2000 (42 of 2000) ("the amending Ordinance"), where a person, on the day the amending Ordinance is published in the Gazette, is enrolled or registered in, or has been offered a place —

- (a) in a course of studies in the United Kingdom that, on completion, will qualify him for a vocational course leading to admission as a barrister in the United Kingdom;
- (b) in the Bar Vocational Course in the United Kingdom; or
- (c) in an external course of studies in Hong Kong offered by an institution in the United Kingdom that, on completion, will qualify him for a vocational course leading to admission as a barrister in the United Kingdom,

the person may, instead of complying with the requirements established under section 27 for admission as a barrister, elect to be admitted under section 27 as that section existed before its repeal by the amending Ordinance, provided he —

- (i) has been called to the Bar in England or Northern Ireland or admitted as an advocate in Scotland;
- (ii) qualifies for admission under the other criteria established under the repealed section 27(1)(b), (c) and (e) and (1A); and
- (iii) applies for admission not later than 31 December 2004.

#### **74D. Lawyers employed in Department of Justice**

- (1) Notwithstanding the repeal of section 27A by section 8 of the Legal Practitioners (Amendment) Ordinance 2000 (42 of 2000) ("the amending Ordinance"), where a person, on or before the date appointed by the Secretary for Justice by notice in the Gazette for the coming into operation of section 8(2) of the amending Ordinance, meets the requirements in section 27A (1)(a) to (d), as that section existed before its repeal, the Court may at any time admit such person as a barrister of the High Court of Hong Kong in accordance with the said section 27A(1).
- (2) The Court shall not admit as a barrister, under subsection (1), more than 4 persons in any period of 12 months.
- (3) For the avoidance of doubt, section 27A (1)(e) and (3) does not apply to admission as a barrister under this section.