



Submissions on the Prevention and Control of Diseases Bill

The Law Society refers to the Administration's comments in relation to "Arbitration" dated March 2008.

Section 12(2) states: *"Any dispute as to whether compensation is payable or the amount of compensation may, in default of agreement, be resolved or determined by arbitration in accordance with the Arbitration Ordinance (Cap.341)."*

As drafted, this clause can be interpreted to indicate that, in default of an agreement, the dispute will be resolved by arbitration. As arbitration is subject to agreement by both parties it is unclear why a voluntary process should have statutory force.

We re-iterate our comments and recommend the deletion of sub clause 12(2).

**The Law Society of Hong Kong
Constitutional Affairs Committee**

7 April 2008