

Management and Staff

The Law Society celebrated its 100th Anniversary in 2007. The first event that marked the Centenary was a public lecture on "A Union with Several Legal Systems – the European Experience", delivered by the Right Hon. Sir Konrad Schiemann, Judge of the Court of Justice of the European Communities, in April. The Law Society Centenary Cup Race at the Happy Valley was held on 6 June. It was combined with a dinner hosted for the overseas delegates who attended the 20th Biennial LawAsia Conference in Hong Kong. The highlight of the celebrations was the 110-table Law Society Centenary Dinner on 7 June at the Grand Hall of the Hong Kong Convention and Exhibition Centre ("HKCEC"). The Chief Justice, the Secretary for Justice and other distinguished guests from Hong Kong, the Mainland and overseas attended. In July, the Law Society of Hong Kong Centenary Sports Meet was held at the Chinese University of Hong Kong in which Hong Kong solicitors and lawyers from Beijing, Guangzhou, Shanghai, Shenzhen, Taipei and Macau competed against each other. The Members' Night on 15 December at HKCEC was a night of fun for the profession. The Law Society commemorated the 100th Anniversary with the publication of "Celebrating a Centenary" before the close of the year. The Law Society Secretariat was pleased to have contributed to the preparation for the celebrations.

Lester Huang was elected President by the Council in May after the Annual General Meeting succeeding Peter Lo in steering The Law Society in the Centenary year. In his first President's message, he said "Ours is a Society run by solicitors for solicitors and we can better enhance our mutual interests if we stand united." He appealed particularly to young members to volunteer their time for the committee work of The Law Society. The President and the two newly elected Vice-Presidents, Huen Wong and Junius Ho, together with the Chairman of the Standing Committee on External Affairs, Billy Ma, the Chairman of the Standing Committee on Practitioners Affairs, Alex Lai, the Chairman of the Standing Committee on Standards and Development, Dieter Yih and the Chairperson of the Young Solicitors' Group, Cecilia Wong, shared their vision on the work of The Law Society in a special supplement by The Standard titled "The Law Society of Hong Kong Centenary Supplement" in June.

The legal scene in Hong Kong has evolved with changes in the demands in the legal market; Hong Kong is no longer a predominately domestic legal market. Local firms employed more than half of the 1,041 registered foreign lawyers who came from 26 jurisdictions. Out of the total of 5,925 solicitors who held practising certificates in 2007, about 80% were practising in law firms. In 2007, more that half of The Am Law Global 100 Law Firms (The American Lawyer, October 2007) had practices in Hong Kong and some 30 of these firms have localized their practices as Hong Kong firms of solicitors. More than 10% of local firms have set up 75 representative offices in the Mainland, mainly in Beijing, Shanghai and Guangzhou. Nine Mainland law firms registered in Hong Kong offering Mainland legal services, and six of them were practising in association with solicitors' firms. 151 candidates, more than twice the number in 2006, applied to sit the 13th Overseas Lawyers Qualification Examination in 2007. The other route to qualify as a solicitor is to undergo a period of 24-month traineeship; there were 743 trainee solicitors in 2007.

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The Law Society monitored the development of emerging issues affecting the legal profession and the practice of law in Hong Kong. Submissions were made on the public consultation documents "Promoting Competition – Maintaining our Economic Drive" and "Copyright Protection in the Digital Environment", the Green Paper on Constitutional Development, on the Law Reform Commission's Consultation Papers on "Enduring Powers of Attorney", and "Conditional Fees". The Practitioners Affairs Department liaised regularly with the Legco Panel on Administration of Justice and Legal Services on the views of the profession on draft legislation, including the Civil Justice (Miscellaneous Amendments) Bill, the Proposed Amendments to Subsidiary Legislation under the Civil Justice Reform, and the Statute Law (Miscellaneous Provisions) Bill.

The Land Titles Ordinance was enacted in 2004 subject to the Administration's undertaking to, inter alia, conduct a review of it and to work with The Law Society to address points of concern. This is a significant piece of legislation bringing important changes to the solicitors' practice and the land registration system in Hong Kong. Much effort by The Secretariat was devoted in to assisting the relevant Committee and Working Party to carefully consider and make submissions on the second Working Draft of the Land Titles (Amendment) Bill, under which the Administration seeks to introduce extensive revisions with almost all parts of the Ordinance being rewritten and/or reorganised.

The Criminal Legal Aid Fee System was under review. The Law Society was delighted to note that in the *Final Report of the Working Party on Solicitors' Rights of Audience* published in November, the Chief Justice supported the extension of higher rights of audience to solicitors. The Law Society is working with the Department of Justice on implementation of the recommendations in the Final Report.

The Department of Standards and Development regularly reviews proposed amendments to the *Legal Practitioners Ordinance* and its subsidiary legislation, The Law Society's *Practice Directions* and other relevant rules and regulations. Two *Practice Directions* were issued during the year, one on the regulation of the practice of in-house solicitors and the other giving practical guidance on client identification and verification, client due diligence exercises and record keeping with respect to antimoney laundering and counter the financing of terrorism.

On legal education and training, under a close review during the year was the proposed alternative training model known as the Integrated Training Programme ("ITP") offered by the Chinese University of Hong Kong, and the legislative amendments necessitated by its implementation. The RME Programme was implemented in phases as planned. In November, it was extended to apply to the second tranche of non-principals admitted on or after 1 January 2001.

Two projects to promote the legal services of solicitors in Mainland-related matters were launched during the year. With the support of the Government's Professional Services Development Assistance Scheme, The Law Society organised a series of solicitors' services promotion roadshows in the major cities in the Pearl River Delta. Participating solicitors were updated on cross-boundary legal skills in a range of commonly encountered areas. On the second project, the Mainland Legal Affairs Committee worked in conjunction with the Fair Trade Bureau of the Ministry of Commerce to



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promote solicitors' services to Chinese manufacturers and exporters in responding to anti-dumping investigations by authorities in the EU, US, India and Turkey.

The Conduct Section of the Compliance Department undertook an on-going review of its complaints handling procedure. In appropriate cases such as inadequate services with no issue of professional misconduct or dishonesty, early settlements with the complainants were encouraged. In 2007, close to 1,000 new complaints were received; about half did not reveal any issues of professional misconduct and were closed without reference to an Investigation Committee or the Solicitor concerned. Seven cases were referred to the Convenor of the Solicitors Disciplinary Tribunal Panel.

My predecessor Patrick Moss retired on 31 December after 15 years' service at The Law Society. I was pleased to take over the appointment as the Secretary General on 1 January 2008.

Raymond C K Ho Secretary General

