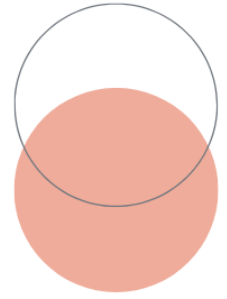




THE
LAW SOCIETY
OF HONG KONG
香港律師會



2022

Committees
and Working
Parties
Reporting
Directly to
the Council



HONOURS COMMITTEE

The Committee met on one occasion. In accordance with the Nomination Guidelines, the Committee considered candidates for admission to The Law Society's Roll of Honour and for admission as an Honorary Member of The Law Society and made recommendations to the Council.

Upon recommendation of the Honours Committee, the Council admitted Mr Huen Wong and Professor Albert Chen to the Roll of Honour and The Honourable Mr Justice Patrick Chan as Honorary Member for life at the Annual General Meeting on 23 August 2022.

HONG KONG SOLICITORS INDEMNITY FUND LIMITED

Hong Kong Solicitors Indemnity Fund Limited ("HKSIFL") was established by The Law Society and empowered by the *Solicitors (Professional Indemnity) Rules* (Cap.159M) ("*SPI Rules*") to manage and administer the Professional Indemnity Scheme ("PIS") and the Solicitors Indemnity Fund ("HKSIF") subject to direction from the Council.

The HKSIFL held a total of nine Board meetings during the year and an Annual General Meeting.

The HKSIFL considered a number of matters including:

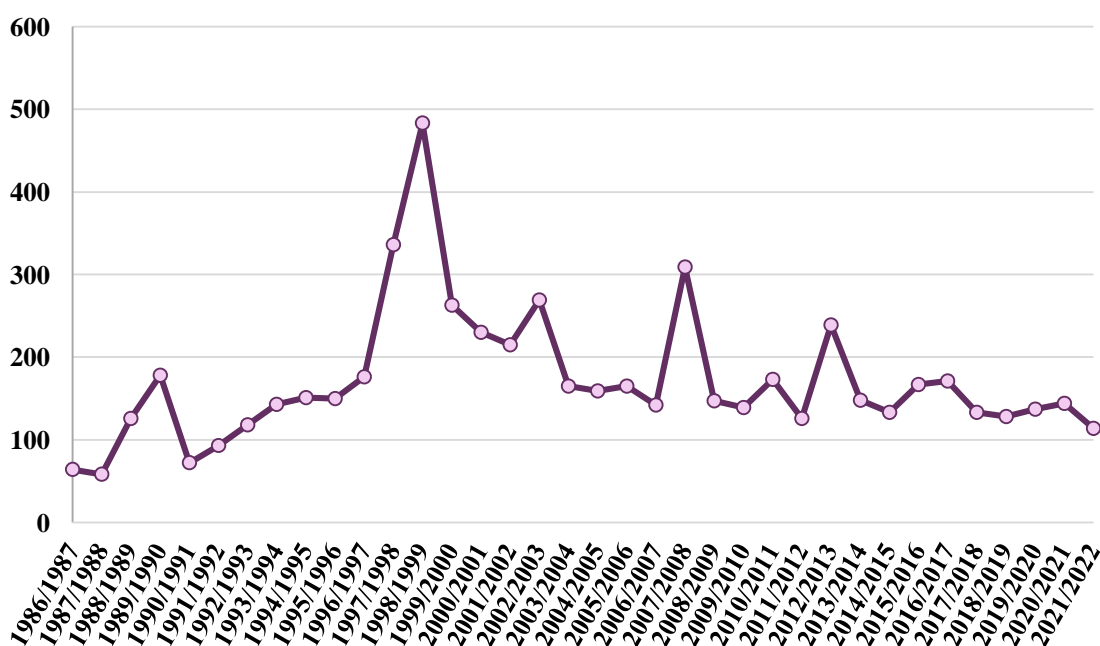
- PIS claims and related matters
- PIS seminars and quarterly bulletins
- Contribution reduction
- The performance of the PIS Broker, Manager and Panel Solicitors
- Appointment of Broker and Manager of the PIS
- Investments of HKSIF
- Amendments to the *SPI Rules*
- Outstanding PIS documents and contributions from ceased firms
- The monthly management accounts and the audited accounts of HKSIF and HKSIFL
- Firms which failed to file the renewal documents by the statutory deadline of 15 August 2022
- Renewal of Directors' and Officers' liability and Professional Indemnity insurance for HKSIFL and the Directors
- Matters arising from the liquidation of HIH Casualty and General Insurance Ltd. and FAI General Insurance Company Ltd. and the provisional liquidation of FAI First Pacific Insurance Co. Ltd.
- PIS enquiries
- The updated wording of the gross fee income report following the implementation of HKSRS 4400 (Revised)
- Review of the Memorandum and Articles of Association of HKSIFL
- Review of Practice Direction
- E-Platform for the PIS
- Review of implications (if any) of the *Land Titles Ordinance* (Cap.585) to the PIS

- Review of the PIS Implications of Hong Kong solicitors obtaining Mainland practice qualifications to practise in the nine Pearl River Delta municipalities in the Guangdong-Hong Kong-Macau Greater Bay Area (“Greater Bay Area”), if any
- Appointment of auditor and actuary
- Resources and management issues
- Invitation to tender as Panel Solicitors to the PIS.

A total of 114 notifications of claims were received by the Manager of the PIS, ESSAR Insurance Services Ltd. (“ESSAR”) during the 2021/2022 indemnity year, i.e. from 1 October 2021 to 30 September 2022 and the grace period from 1 October 2022 to 29 November 2022. As at 30 September 2022, 8 of the notifications resulted in proceedings, 1 was settled with payment, 2 were closed without payment and 105 (including those closed without payment) remained as notifications.

The number of claims for the last 36 indemnity years and the number of members holding Practising Certificates as at 31 December of each of those years are as follows:

Figure 1: Number of Claims (1986/1987 – 2021/2022)



Indemnity Year	Number of Claims	Percentage Increase/Decrease from previous year	No. of members with Practising Certificates (as at 31 December)
1986/1987	64	-	1,807
1987/1988	58	-9%	1,998
1988/1989	126	117%	2,152
1989/1990	178	41%	2,326
1990/1991	72	-60%	2,479

Indemnity Year	Number of Claims	Percentage Increase/Decrease from previous year	No. of members with Practising Certificates (as at 31 December)
1991/1992	93	29%	2,721
1992/1993	118	27%	2,981
1993/1994	143	21%	3,307
1994/1995	151	6%	3,596
1995/1996	150	-1%	3,896
1996/1997	176	17%	4,309
1997/1998	336	91%	4,619
1998/1999	483	44%	4,720
1999/2000	263	-46%	4,890
2000/2001	230	-13%	5,070
2001/2002	215	-7%	5,173
2002/2003	269	25%	5,301
2003/2004	165	-39%	5,422
2004/2005	159	-4%	5,593
2005/2006	165	4%	5,757
2006/2007	142	-14%	5,925
2007/2008	309	118%	6,205
2008/2009	147	-52%	6,465
2009/2010	139	-5%	6,782
2010/2011	173	24%	7,149
2011/2012	126	-27%	7,483
2012/2013	239	90%	7,864
2013/2014	148	-38%	8,279
2014/2015	133	-10%	8,647
2015/2016	167	26%	9,076
2016/2017	171	2%	9,463
2017/2018	133	-22%	9,903
2018/2019	128	-4%	10,344
2019/2020	137	7%	10,790
2020/2021	144	5%	11,235
2021/2022	114	-21%	11,457

* Number of Claims includes claims notified within the grace period.

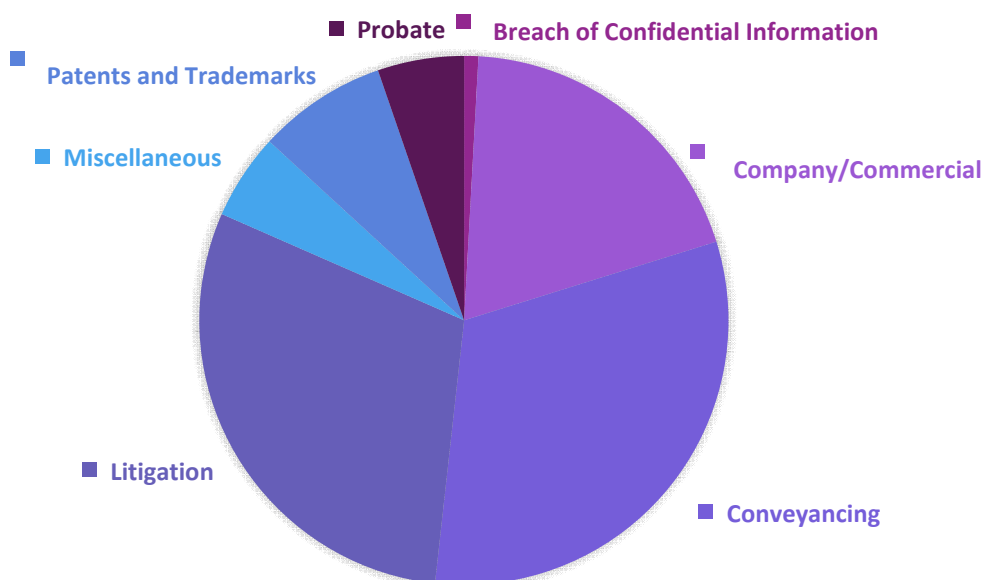
+ Percentage of increase or decrease has been calculated to the nearest decimal point.

Claims notified in the 2021/2022 indemnity year, categorised by area of practice:-

Breach of Confidential Information	1
Company/Commercial	22
Conveyancing	36
Litigation	34
Miscellaneous	6
Patents and Trademarks	9
Probate	6

114

Figure 2: Types of Claims notified in 2021/2022



8 fraud claims were notified to the PIS in the 2021/2022 indemnity year.

As at 30 September 2022, the total liability of the PIS for the 2021/2022 indemnity year, calculated on the basis of claims paid and claims reserved, was HK\$22,639,158 of which HK\$3,510,703 consisted of claims paid (including costs) and HK\$19,128,455 consisted of claims reserved.

The total amount of claims paid (including costs) since the inception of the self-insured PIS in 1986 amounts to HK\$2,269,824,519 and the amount reserved is HK\$179,400,318. The total claims paid and reserved is HK\$2,449,224,837.

A detailed account of the operation of the PIS and claims data as well as the audited accounts of the HKSIF as at 30 September 2022 will be published in the PIS Annual Report for the 2021/2022 indemnity year.

PIS CLAIMS COMMITTEE

Claims made under the *SPI Rules* are handled by the Claims Committee with the assistance of the Manager of the PIS, ESSAR. During the year, the Claims Committee held six meetings to consider and discuss ongoing claims. It also considered a number of urgent claims-related matters by email circulation.

PIS INVESTMENT SUB-COMMITTEE

The PIS Investment Sub-Committee held four meetings during the year. At each meeting, the Sub-Committee and HKSIFL's investment consultant, Mercer Investment Consulting Limited met two of HKSIFL's investment managers in person to discuss their performance and to provide their outlook on market trends. The Sub-Committee also assists the Board of HKSIFL to review the cash flow position of the HKSIF.

In between meetings matters arising are considered by emails. These include the consideration of monthly performance and custodian reports, exchanging and discussing information and views and making decisions on relatively minor investment issues.

As of 31 December 2022, the investment managers of the HKSIF are as follows:

- AllianceBernstein Hong Kong Ltd. ("AllianceBernstein")
- MFS Investment Management ("MFS")
- Grantham Mayo van Otterloo ("GMO")
- Ruffer LLP ("Ruffer")
- PIMCO Asia Limited ("PIMCO")
- Mercer Global Investments Europe Limited ("MGIE")

HKSIF adopts a conservative investment strategy where the investments are predominantly placed in fixed income securities. The investment objectives are:

- to preserve capital and to maximize total return on the portfolio; and
- regarding the bond portfolio, to outperform the Barclays Capital Global Aggregate Index.

The net returns on the portfolios managed by the investment managers for the 12-month period ended 31 December 2021 and 2022 were as follows:

Investment Manager	Type of portfolio	Net Return		Portfolio Size (In USD)	
		2021	2022	As of 31 Dec 2021	As of 31 Dec 2022
AllianceBernstein	Bonds	-1.3%	-12.7%	97,758,577	85,854,097
MFS	Equities	19.3%	-17.7%	120,351,225	99,019,048
GMO	Equities	13.6%	-18.0%	78,411,586	64,276,816
Ruffer	Multi-Asset (mainly equities and bonds)	10.0%	6.8%	94,179,519	105,804,052

Investment Manager	Type of portfolio	Net Return		Portfolio Size (In USD)	
		2021	2022	As of 31 Dec 2021	As of 31 Dec 2022
PIMCO	Bonds	-1.4%	-11.4%	97,301,305	86,220,826
MGIE	Bonds	0.1%	-4.7%	125,059,171	119,195,269
Overall portfolio return		6.5%	-9.1%	613,061,383	560,370,108

*New fund was injected into the Ruffer's Portfolio and put in bank deposit during the year.

PROFESSIONAL INDEMNITY ADVISORY COMMITTEE

The Committee is responsible for reviewing and advising on any issue referred to it by the Council, HKSIFL or the Claims Committee relating to professional indemnity cover under the PIS.

The Committee held one meeting during the year and conducted the rest of its business by email circulation.

The Committee received inquiries from Land Registry regarding on implications of the *Land Titles Ordinance* to the PIS portfolio and assisted the Board to consider the matter.

A Working Party of this Committee considered the bilingual amendments to the *SPI Rules* consequential to the introduction of *Solicitor Corporation Rules* during the year.

PIS PANEL SOLICITORS SELECTION BOARD

The Selection Board was established by the Council to resolve all matters relating to the tender for appointment as PIS Panel Solicitors, to consider the tender applications and to make recommendations to the Council on the appropriate firms to be appointed to the Panel. It also considers and approves any change to the Supervising Partner of an appointed Panel firm.

The retainer of the current Panel runs from 1 April 2018 to 31 March 2023.

The firms which served as Panel Solicitors in 2022 were:

- Deacons
- Dentons Hong Kong LLP
- Fred Kan & Co.
- Howse Williams
- Mayer Brown
- Norton Rose Fulbright
- P.C. Woo & Co.
- Reynolds Porter Chamberlain

The Selection Board held two meetings during the year and conducted the rest of its business by email circulation.

WORKING PARTY ON PIS GROSS FEE INCOME REPORTS AND CONTRIBUTIONS

The Working Party is responsible for considering and making recommendations to the Council on the appropriate action to be taken against those firms which failed, in breach of the *SPI Rules*, to submit the application for indemnity and/or the gross fee income report on or before 15 August, or pay their annual contributions on or before 30 September in each year. The Working Party is also responsible for approving the applications for an extension of time to submit the application for indemnity and/or the gross fee income report.

During the year, the Working Party considered a number of defaults and applications for time extensions by email circulation.

BELT AND ROAD COMMITTEE (“BRC”)

The Belt and Road Initiative (“the Initiative”) was launched by the Chinese government in 2013. It aims to promote economic cooperation among more than 65 countries and regions along the Belt and Road routes. Now the Initiative embraces all countries anywhere that subscribe to the five principles of connectivity espoused under the Initiative.

The BRC was convened at the end of 2015 to explore opportunities for members arising from the Initiative. The BRC set up four Subgroups in March 2016 to take charge of different areas of its work, namely: (1) to update the Committee on government policy on the Initiative; (2) to reach out to overseas lawyers’ associations covered by the Initiative; (3) to consider possible initiatives to harmonise trade and business law; and (4) to organise joint conferences or events with overseas lawyers’ associations.

5th Belt and Road Conference

The Law Society held an international Belt and Road Conference in Hong Kong in 2017, which is the first and foremost conference of its kind, dedicated to exploring opportunities and discussing solutions for challenges brought about by the Initiative for the legal profession. The Law Society has held five such conferences since then.

In celebration of the 25th Anniversary of the establishment of the Hong Kong Special Administration Region and the 115th Anniversary of The Law Society, the 5th Belt and Road Conference (“the Conference”) entitled “Metaverse and Money on the Belt and Road” was successfully held at the Hong Kong Convention and Exhibition Centre in a hybrid format on 10 November. As part of the Department of Justice’s “Hong Kong Legal Week 2022”, the Conference received a record-high registration of over 1,400 participants from 37 jurisdictions.

The Law Society was very honoured to have the Honourable Paul Lam, SC, Secretary for Justice; and Mr Fang Jianming, Deputy Commissioner of the Office of the Commissioner of the Ministry

of Foreign Affairs of the People’s Republic of China in the Hong Kong Special Administrative Region, officiating and delivering opening addresses at the Conference. The Conference featured government leaders as well as experts and scholars from the legal, technology and financial sector from around the world, exploring the vast opportunities brought to the legal industry by the rise of metaverse and the increasing use of digital currency. Active discussions were held on how to identify and overcome the legal, regulatory and geopolitical barriers hindering growth.

The Organising Committee would like to express their sincere gratitude to the Department of Justice, LAWASIA and Commonwealth Lawyers Association for their support; eminent speakers and moderators for their inspiring sharing; and attendees from all over the world for their participation to make the event a great success.

Participation in Belt and Road activities

Despite the pandemic, The Law Society grasped the golden opportunities in reaching out and promoting the Hong Kong legal system and legal profession to other legal professional bodies in jurisdictions covered by the Initiative through participating in the Initiative-related events. Below is a summary:

Date	Event Name	Location
31 August – 1 September	HKTDC 7 th Belt and Road Summit	Hong Kong
2 September	HKTDC 5 th Belt and Road Global Forum Annual Roundtable	Hong Kong
10 November	5 th Belt and Road Conference by The Law Society	Hong Kong
30 November	Seminar on promoting collaboration in overseas Economic and Trade Co-operation Zones	Hong Kong

Looking ahead, The Law Society will continue our efforts in exploring ways to foster collaboration with lawyers’ associations across the globe to capture the opportunities brought by the Initiative for our members.

GREATER CHINA LEGAL AFFAIRS COMMITTEE

The Greater China Legal Affairs Committee (“GCLAC”) is dedicated to facilitating the exchange and co-operation among members of the industry in the Greater China region, promoting Hong Kong’s legal services and exploring business opportunities for members through coordinating activities in the Mainland, Taiwan and Macau.

It is undeniable that the pandemic continued to bring about disruption in 2022. Nevertheless, the innovation it drove had, at the same time, strengthened The Law Society’s ties with counterparts in the Greater China region through virtual means. During the year, The Law Society actively organised and participated in different conferences and seminars to reach out to lawyers’ associations and other legal professional bodies in the region.

Online Lectures for Peking University Law Students

In April 2019, The Law Society and the Peking University Law School (“Law School”) signed a Memorandum of Understanding (“MOU”) to strengthen cooperation, under which the two parties agreed to join hands in providing structured legal training to students of the Law School. Against this background, a 32-hour course, titled “An Introduction to Legal Services and Risk Management for Cross-border Transactions”, was conducted from a Common Law perspective by The Law Society on weekends in Beijing in 2019, and virtually in 2020 and 2021 during the pandemic.

To enrich the contents, the 2022 credit-bearing course comprised 16 two-hour lectures. New topics for this year included Initial Public Offerings, Fintech, Special Purpose Acquisition Company and Commercial Crimes.

Council members Ms Careen Wong, Mr Justin Yuen and Ms Hin Hang Shum, Past President Mr Stephen Hung, Vice-Chairman of Belt and Road Committee Mr Nick Chan, GCLAC Vice-Chairman Mr Henry Wai, GCLAC members Ms Heidi Chui, Mr Daniel Leung, Mr William Ling, Mr Patrick Mak, Pro Bono Committee member Mr Arthur Chan, as well as Mr Hui Sui Hang, Ms Eviana Leung, Ms Natalie Li, Mr Li Lianjun, Ms Doris Lo, Ms Amelia Lo and Mr Wong Tak Shing in the capacity as lecturers of the course shared their knowledge and experience through e-learning platform from April to June.

Lecture Series for Law Schools in the Greater Bay Area

Following the formation of the Working Party on the Promotion of Law Society Courses and Initiatives in Greater China Region (“Working Party”) in April 2021, considering the development of the Greater Bay Area, The Law Society actively explored collaboration opportunities with Law Schools in the region to introduce Hong Kong’s legal systems.

In December 2022, The Law Society collaborated with the Guangdong-Hong Kong-Macao GBA Legal Education and Talent Training Alliance in providing a series of lectures for law schools in the Greater Bay Area. Under the title of “Hong Kong Common Law & Experience Sharing on Legal Practice”, the first round of lectures was tailored for the Law School of the Shenzhen University (“SZU”) and the “Center for Basic Laws of Hong Kong and Macau Special Administrative Regions” of SZU.

Topics included legal education in Hong Kong, the city’s legal system and Basic Law, the interplay between arbitration and winding-up, as well as financial compliance. Volunteer lecturers included Mr Stephen Hung, Past President and Chairman of the Working Party; Mr Daniel Leung and Mr William Ling, members of the GCLAC; as well as Mr David Luk, member of The Law Society’s International Legal Affairs Committee.

Joint Meetings for Lawyers Associations in the Greater Bay Area

In December 2018, The Law Society and lawyers’ associations in the Greater Bay Area established a joint meeting system to foster closer ties within the legal services industry and tap the potential of distinctive cluster advantages in the Greater Bay Area, to be chaired by Guangdong Lawyers Association, The Law Society and Macau Lawyers Association on a rotational basis. During the year, the ninth and tenth meetings were held on 17 January and 9

July respectively.

Apart from practical issues faced by qualified Greater Bay Area lawyers from Hong Kong and Macau, items discussed at the two meetings included setting up a joint working group in civil and commercial law of the three regions, supporting the career development of young lawyers, ensuring smooth transition after election of new councils and/or supervisory boards of lawyers' associations, as well as the grooming of young lawyers and promotion of female lawyers' well-being.

The Law Society's representatives who attended the meetings included Mr C. M. Chan, President of The Law Society; Mr Roden Tong, Vice-President and GCLAC Chairman; Mr Thomas So, Past President and Chairman of the Greater Bay Area Sub-Committee; Mr James Wong and Mr Neville Cheng, GCLAC Vice-Chairmen; and Ms Heidi Chu, Secretary General of The Law Society.

Online Seminars for Lawyers in the Greater Bay Area

To promote constructive exchanges on hot topics and key issues for legal practitioners from Mainland, Hong Kong and Macau, Guangdong Lawyers Association, The Law Society and Macau Lawyers Association co-organised a series of events under the "Laws in the Greater Bay Area" Seminar Series and "Seminar Series on Civil Code". The two initiatives were organised under the Joint Meeting Systems for Lawyers Associations in the Greater Bay Area. Details are as follows:

Date	Event
7 May	<u>"Laws in the Greater Bay Area" Seminar Series (III) – Arbitration</u> Hosted by Dongguan Lawyers Association, the seminar focused on judicial interpretations of arbitration agreements in the Mainland, Hong Kong and Macau. The hybrid event was attended by close to 250 participants.
23 September	<u>"Laws in the Greater Bay Area" Seminar Series (IV) – Trust & Wealth Inheritance</u> Hosted by Shenzhen Lawyers Association, the event was attended by close to 1,000 participants. Topics discussed at the webinar included limited partnership funds and wealth inheritance.
22 April	<u>"Seminar Series on Civil Code" (II) – Restructuring and Updates of Guarantee Rules under the Civil Code</u> Hosted by Zhuhai Lawyers Association, the hybrid event featured a thematic sharing session, a case-study session, as well as a question-and-answer session, attracting 315 participants from Mainland, Hong Kong and Macau.

Events on the Greater Bay Area Legal Professional Examination

In October 2020, the General Office of the State Council issued the pilot measures for Hong

Kong and Macao legal practitioners to obtain Mainland practice qualifications and to practise as lawyers in the nine Pearl River Delta municipalities in the Guangdong-Hong Kong-Macao Greater Bay Area”.

To assist members in preparing for the 2022 Greater Bay Area Legal Professional Examination, The Law Society held an online sharing session on 1 June. Mr Thomas So, Past President and Chairman of the Greater Bay Area Sub-Committee, Mr James Wong, GCLAC Vice-Chairman and Mr. Ronald Kan GCLAC member, shared practical tips on how to prepare for the examination. Council member and GCLAC member Ms Careen Wong moderated the sharing session, and President Mr C. M. Chan and Vice-President and GCLAC Chairman Mr Roden Tong delivered welcome speeches for the event. The sharing session was well-received by over 100 members.

Formalisation of the Greater China Legal Affairs Young Solicitors Sub-Committee

The GCLAC attaches great importance to the development of young lawyers and youth legal education. To encourage young members’ involvement in legal affairs in relation to Greater China, as well as to assist them in exploring and developing business opportunities within the region, the Greater China Legal Affairs Young Solicitors Interest Group (“Interest Group”) was established in 2020.

In July 2022, the Interest Group was formalised and renamed as the Greater China Legal Affairs Young Solicitors Sub-Committee.

GCLAC Brainstorming Session 2022

The GCLAC held a brainstorming session on 14 August to review activities held and gather ideas on formulating a plan for the coming year. Among many other important topics, the committee discussed opportunities and challenges arising from the Greater Bay Area Legal Professional Examination, as well as ways to assist members to capitalise on opportunities within the region.

Symposium on Foreign-related Legal Affairs Commemorating the 25th Anniversary of Hong Kong’s Return to the Motherland

Under the theme “Foreign-related Rule of Law in the One Country, Two Systems Context: Opportunity and Outlook”, The Ministry of Foreign Affairs of the People’s Republic of China and SZU jointly organised the “Symposium on Foreign-related Legal Affairs Commemorating the 25th Anniversary of Hong Kong’s Return to the Motherland” on 9 June.

President Mr C. M. Chan was invited to speak at the session entitled “The Role and Function of HKSAR in Rule of Law Cooperation under the ‘Belt and Road’”, which was moderated by Past President and Chairman of The Law Society’s Belt and Road Committee (“BRC”) Thomas So. Mr Nick Chan, Vice-Chairman of the BRC, Vice-Chairman of the eBRAM International Online Dispute Resolution Centre, Director of the AALCO Hong Kong Regional Arbitration Centre, as well as Chairman of the Hong Kong and Mainland Legal Professional Association, shared his views on the opportunities and challenges for HKSAR to develop as an international legal and dispute resolution centre in the Asia-Pacific region. Vice-President and GCLAC Chairman Mr

Roden Tong and Vice-President Mr Christopher Yu also attended the symposium. The event attracted over 100 senior officials, legal experts and academics from the Mainland, Hong Kong and Macau to participate.

Straits Law Forum

Since 2003, the Law Society has jointly organised the Straits Law Forum with a number of academic and professional bodies to promote legal exchanges among the Mainland, Taiwan, Macau and Hong Kong. In 2022, the Straits Law Forum was held in Fuzhou on 18 August under the theme of “Research on Legal Protection for Elderly Care Services”. President C. M. Chan gave a congratulatory message in the form of a pre-recorded video.

Organisation and Participation of Events in the Greater China Region

Below are a list of events organised or co-organised by the GCLAC in 2022, in addition to the list of events attended by The Law Society’s representatives:

Virtual:

Date	Event
12 January	Sichuan, Hong Kong and Macau Roundtable Meeting
17 January	9 th Joint Meeting for Lawyers Associations in the Greater Bay Area
21 March	Briefing Session for Volunteer Lecturers of the Law Course jointly Organised by The Law Society and Peking University Law School
4 April	Opening Ceremony for the 2022 Course for Peking University Law School
4, 9, 23, 30 April 7, 14, 21, 28 May 4 June	Law Course for Peking University Law School
7 May	“Laws in the Greater Bay Area” Seminar Series (III) – Arbitration
21-22 May 2022	2022 Macau Lawyers’ Day Conference
1 June	Sharing Session on the 2022 Greater Bay Area Legal Professional Examination
9 June	Symposium on Foreign-related Legal Affairs Commemorating the 25 th Anniversary of Hong Kong’s Return to the Motherland
30 June	Qianhai Shenzhen Hong Kong International Legal Services District Policy Introduction Session
9 July	10 th Joint Meeting for Lawyers Associations in the Greater Bay Area
16 July	“Seminar Series on Civil Code” (II) – Restructuring and Updates of Guarantee Requirements under the Civil Code
14 August	GCLAC Brainstorming Session 2022
18 August	Straits Law Forum 2022
1 September	The 4 th Union of Beijing Business Services Business Festival & The 9 th Nine Ring Summit
23 September	“Laws in the Greater Bay Area” Seminar Series (IV) – Trust & Wealth Inheritance
24 September	Webinar on Legal Practice and Cross-border Legal Services in the Greater Bay Area

11 October	Legal Education Fund Limited’s Webinar on “The Development Trend of Next Generation Internet and Its Corresponding Legal Impact”
11 November	2022 GBA (Shenzhen) Rule of Law Forum
19 November	Inaugural Shenzhen University GBA Forum
3 December	Young Professionals Development Forum
11,18, 19 December	Lecture Series for Law Schools in the Greater Bay Area

Physical:

Date	Event	Location
18 June	“Good Living in GBA” Talk Series: Legal procedures related to property transaction in the GBA	Hong Kong
14 August	GCLAC Brainstorming Session	Hong Kong
15 November	LUA GBA Day 2022	Hong Kong
15 November	HSBC x HKTDC GoGBA Seminar – “Operational Essentials for Getting Started in the GBA”	Hong Kong

Meetings with Greater China and Local Counterparts

In 2022, meetings were conducted both virtually and physically to facilitate the exchange of ideas in relation to Greater China matters. Below is the list of delegations that the GCLAC met during the year:

Date	Organisation/Delegation
4 March	Shenzhen Lawyers Association
22 March	Consulate-General of Australia in Hong Kong
18 May	Shenzhen Futian Hetao International Commercial Mediation Center
23 May	Mainland Officials (via the Department of Justice) (Physical)
30 May	China Legal Service (H.K.) Limited (Physical)
10 August	Taiwan Bar Association
11 August	Center for Basic Laws of Hong Kong and Macau Special Administrative Region, SZU
29 September	Meeting with the Department of Justice

COMMITTEE ON REGIONAL COMPREHENSIVE ECONOMIC PARTNERSHIP (“RCEP”) AGREEMENT

The Regional Comprehensive Economic Partnership (“RCEP”) Agreement is the world’s largest free trade agreement which entered into force on 1 January 2022. It accounts for about 30% of the world’s GDP and over a quarter of global trade.

Although Hong Kong is yet to enter RCEP, it is poised to be in the first batch of states or customs territories to accede. The impact of RCEP will become more and more significant as many Mainland companies will seize the opportunity to set up trading subsidiaries in Hong Kong to

make use of Hong Kong’s low tax environment, common law system and lack of restriction on fund flows out of Hong Kong.

In light of the importance of RCEP to Hong Kong and to better prepare members of the legal profession for it, The Council of The Law Society on 19 January 2021 resolved to form a Committee on RCEP to study the initiative and monitor its latest development. Six Working Parties have also been formed to study and report on the more salient parts of the Agreement. They are the Working Party on Trade in Goods and Rules of Origin, the Working Party on Professional Services, the Working Party on Investment, the Working Party on Electronic Commerce, the Working Party on Small and Medium Enterprises, as well as the Working Party on Dispute Settlement.

The Committee on RCEP will be organising different activities for members, including a series of seminars to be rolled out in 2023.

WORKING PARTY ON THE LAW SOCIETY EXAMINATION (“LSE”) AND RELATED TOPICS

The main terms of reference of the Working Party are to formulate proposals on the examination required, set or approved, including but not limited to the Common Entrance Examination (“CEE”) and the LSE under rule 7(a) of the *Trainee Solicitors Rules* (Cap.159J) to qualify for admission as a Hong Kong solicitor, to formulate proposals on all matters relating to such examinations, such as the examination standards, the syllabus, the vocational training programme leading to the examinations, to oversee and supervise the implementation of the Protocol on the role of External Examiners, External Course Assessors and External Academic Advisors (together “External Examiners”) and other aspects of the Postgraduate Certificate in Laws Programmes (“*Protocol*”) and to report and make recommendations to the Council.

The Working Party convened five meetings. Matters considered by the Working Party in meetings and by paper circulation included:

- (a) Proposals of the University of Hong Kong (“HKU”) and the resolution of the City University of Hong Kong (“City U”) to change the requirements for retaking the *PCLL* Programme;
- (b) Proposal of City U not to follow the Senate’s policy to raise the cumulative grade point average (“CGPA”) for passing the *PCLL*;
- (c) Monitoring of the implementation of the *Protocol* by:
 - (i) Appointment of *PCLL* External Examiners and their alternates, and appointment of representatives of The Law Society to the different governing bodies of City U, the Chinese University of Hong Kong (“CUHK”) and HKU;
 - (ii) Updating the guidelines on the role of external examiners;
 - (iii) Nomination of representatives to attend the *PCLL* admissions panel;

- (d) Suggestions to City U and CUHK to disclose information about the supplementary examinations in the *PCLL* transcripts;
- (e) Consideration of the proposed amendments to clarify and adjust the *PCLL* admission requirements for the *PCLL* Benchmarks;
- (f) The 2021 Annual Report of the Standing Committee on Legal Education and Training (“SCLET”);
- (g) Proposal on the accreditation arrangement for the providers of the vocational training course leading to the *LSE*;
- (h) Consideration of the requirements on retaking the *LSE* if a candidate failed;
- (i) Common Professional Examination Certificate in Laws proposed by the HKU SPACE.