

# 1995 bill date for court of appeal

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The bill to set up a court of final appeal may be introduced into the Legislative Council early next year.

The Government said yesterday that it will seek comments on the draft bill from the Bar Association and Law Society this week.

The Law Society council will hold a meeting soon to decide if its 2,900 members will be consulted on the issue.

The Bar Association council

will also meet this week to discuss the issue. The two groups expect to detail their stance to the Director of Administration in mid-December.

Contrary to his known stance, the Bar Association chairman, Ronny Wong QC, is said to be preparing to accept the Sino-British Joint Liaison Group's agreement on the court, which stipulates that the ratio of local to foreign judges be fixed at four to one.

A former bar council member said no individual will have the final say in voting for or against the issue.

He said it will be a majority decision.

If the chairman or the council ignored the majority and imposed their own view, barristers had the discretion to convene an extraordinary meeting and demand that they be bound by the majority.

On Saturday, the Bar Association held a forum on the court issue. Speakers included the Attorney-General, Jeremy Mathews, who urged support for the bill so that the court can be set up by mid-1996.

A prominent opponent was Martin Lee, a QC and the leader of the Democratic Party. Lee has indicated that he wants the Legislative Council to amend the bill to allow more than one overseas judge to sit on the court.

Lee said the JLG agreement breached the Basic Law and the Joint Declaration.

The Liberal Party chairman, Allen Lee, declined to say if his party will support Lee.

A barrister, James Cheng, said the bill could be amended to give the chief justice wider discre-

tion in inviting judges to sit on the bench.

The Chief Secretary, Anson Chan, urged legislators to support the bill. She said an amendment would mean that the court could not be set up by mid-1996.

The Government stressed the importance of setting up the court by July 1996 at the latest.

This is to ensure its existence beyond 1997.

The court will replace Hong Kong's existing avenue for final appeal, the British Privy Council, after 1997.

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