

Standing Committee on Policy and Resources

2016



THE
LAW SOCIETY
OF HONG KONG
香港律師會

The Standing Committee on Policy and Resources is responsible for overseeing the finance and administration of The Law Society, as well as formulating policy strategies for consideration by the Council.

During the year, the Standing Committee convened on 12 occasions. It reviewed and monitored the annual budget, income and expenditure as well as the registration and compliance statistics of The Law Society. It also oversaw the human resources and personnel aspects of The Law Society including staff employment matters and salary review. The Standing Committee also considered matters relating to applications for funding of projects undertaken by The Law Society, nominations of representatives on external organisations, invitations to sponsor or support events and functions organised by external organisations and the selection of service providers for The Law Society. The Standing Committee also made recommendations on the composition and chairmanship of other Standing Committees for the Council's consideration.

HONG KONG LAWYER EDITORIAL BOARD

Members of the *Hong Kong Lawyer* Editorial Board (“the Editorial Board”) meet at least once a month to discuss and identify topics of interest to the profession. The Editorial Board has continued to work closely with the publisher of *Hong Kong Lawyer* (“the Journal”) to monitor the overall quality and standard of the publication and the official website.

The Journal's official website www.hk-lawyer.org has recently been revamped and re-launched since March. Members can now read the desktop and e-book versions of the monthly Journal online via computer, smart phone, tablet or other mobile devices.

With the joint efforts of the Editorial Board and the publisher, the e-Journal has also been introduced since March with an aim to engage more electronic readers and encourage members to opt out of receiving the printed version of the Journal. The e-Journal contains the same content as the print journal, with the additional benefit that members can quickly find articles using the search function. Current and previous issues can also be easily searched and retrieved. The e-Journal is also hyperlinked to internal and external references which members can access with just one easy click of the mouse.

A designated *Hong Kong Lawyer* mobile App (“the App”) has commenced soft launch by stages. Law Society members can stay abreast of the latest legal trends and developments while on-the-go. The App allows users to read each monthly issue on iOS and Android phones including exclusively online articles, video and/or links to references. Users can read articles by navigating through menus, or by accessing the “Journal” section to download the PDF or read in an e-book format online.

The main objective of revamping the Journal's website and developing the mobile App is to provide better experience for our lawyer-readers in accessing news and information regarding the legal market, legal trends and developments in a timely and more efficient manner.

Printed copies of the Journal are distributed to members of The Law Society, members of the Hong Kong Bar Association, judges, government departments, relevant public organisations as well as China/overseas law societies/barrister associations. It is also available at major airport lounges to reach out to international readers so that they may have better understanding of the legal environment in Hong Kong.

WORKING PARTY ON LAW SOCIETY PREMISES

The Working Party convened once and held discussions through emails in 2016.

At the direction of the Council, the Working Party explored the feasibility of different options to fulfil the office space requirements of the Law Society and considered the funding requirements for property acquisition. It reported its findings to the Standing Committee on Policy and Resources in September.

The Working Party will continue to keep the space requirements of The Law Society under review.

WORKING PARTY ON THE LAW SOCIETY IT SYSTEMS

One major task of the Working Party is to monitor the tender process for the selection of an appropriate vendor to assist in The Law Society's ongoing project to revamp the Membership Database System and Website System; and to make recommendations to the Standing Committee on Policy and Resources in this regard. The Working Party met this year to discuss the approach to adopt in relation to the tender process, including: whether a limited or open tender or a mixture of both should be conducted; membership composition of the selection panel, the roles and responsibilities of panel members, the criteria to be adopted in the marking scheme and the evaluation process, etc. Members also reviewed the draft Request for Proposal ("RFP") and the proposed User Requirements prepared by the Secretariat and suggested ways to improve on the contents of the documents, such as to incorporate a contract template into the RFP, etc.

The Working Party is also tasked to consider matters incidental to The Law Society's IT System. It reviewed the operation of some IT platforms and the progress of major IT initiatives of The Law Society this year and provided guidelines in relation to these initiatives and future endeavors. On the IT infrastructure of the Secretariat, members suggested that to keep abreast of the latest IT advancement, The Law Society should consider the use of thin client and Cloud computing technologies as part of its long-term IT strategy to better support its business operation and improve cost-efficiency.

WORKING PARTY ON REVIEW OF THE LAW SOCIETY'S MEMORANDUM AND ARTICLES OF ASSOCIATION

The Working Party was tasked by the Council to review and update the Memorandum and Articles of Association ("M&A") of The Law Society.

During the year, the Working Party considered the approach to adopt in the review and updating exercise and discussed the changes required to be made to The Law Society's M&A, including the need to modernise the M&A to align it with the requirements of the new *Companies Ordinance*, Cap. 622 and with up-to-date corporate governance standards. A Call for Expression of Interest was issued in August to identify a suitable external legal adviser to assist The Law Society in reviewing and redrafting its constitution. The Working Party reviewed the responses received and made recommendations to the Standing Committee on Policy and Resources and the Council respectively on the choice of the external legal adviser to be engaged. The Working Party has been working hard on the project with the assistance of the external legal advisor appointed by The Law Society and will continue its work in this regard in 2017.

WORKING PARTY ON UNCLAIMED MONEY IN CLIENT ACCOUNT

The *Solicitors' Accounts Rules* ("SAR") sets out the principles which must be observed by members in handling client's money, including that drawings from a client account must generally be in accordance with rule 7 of the SAR. In the event that there is unclaimed money in the client account that none of the provisions in rule 7 is applicable to permit its withdrawal, the Council is empowered under rule 8(2) to authorise the withdrawal of unclaimed monies from client accounts. The Working Party was convened by the Council in May 2015 with the task to review the Council's existing policy in handling rule 8(2) applications relating to unclaimed client money. Since its establishment in mid-2015, the Working Party has reviewed the historical background leading to the introduction of the existing Council policy regarding rule 8(2) applications as well as comparable law and practices in overseas jurisdictions. The Working Party has also obtained a Legal Opinion from a London Silk on the relevant issues involved to assist it in the deliberation process. The Working Party will continue its effort in the review exercise in 2017.