

PCLL CONVERSION EXAMINATION JUNE 2018

Title of Paper : Hong Kong Legal System
Date : 22 June 2018
Time : 3:00 p.m. – 4:30 p.m.

Instructions

1. Write your **candidate number** on the cover of each answer book. Do **NOT** write your name in the answer book.
2. Start each answer on a separate page of the answer book.
3. Write your answers only in the answer books provided.
4. This is a one and a half-hours examination.
5. **NO** reading time is designated for this paper.
6. This is a closed book examination.
7. This paper consists of 2 pages, including three questions. Candidates are only required to answer **TWO** questions out of three. A total of 100 marks may be awarded.
8. Each question is worth 50 marks.
9. The passing mark for this paper is 50 marks.

**DO NOT OPEN THIS QUESTION BOOK
UNTIL YOU ARE TOLD TO DO SO**

PCLL Conversion Examination June 2018

Hong Kong Legal System

Question 1 (50 marks)

In March 2018, the Government announced the appointment of Baroness Hale, current President of the Supreme Court of the United Kingdom, and Beverley McLachlin, former Chief Justice of the Supreme Court of Canada, as non-permanent members of the Hong Kong Court of Final Appeal.

- a) Identify the legal authority and appointment process for these appointments. **(15 marks)**
- b) Explain the role of non-permanent judges on the Court of Final Appeal and the distinction between them and the permanent judges. **(15 marks)**
- c) Offer a critical analysis of having foreign judges sit on cases of great and general importance to Hong Kong. **(20 marks)**

Question 2 (50 marks)

- a) Identify and describe the primary sources of law in Hong Kong. **(30 marks)**
- b) Which of these primary sources, in your view, has the greatest impact upon the average resident? Why? **(20 marks)**

Question 3 (50 marks)

The Hong Kong legal profession is split between barristers and solicitors.

- a) Explain the differences between these two branches of the legal profession. **(30 marks)**
- b) Many jurisdictions have adopted a ‘fused’ legal profession, abandoning the distinction between the two branches. Should Hong Kong do likewise? Critically discuss. **(20 marks)**

~ End of Examination Paper ~