

SAMPLE

Department of Justice Recruitment of Government Counsel Law Drafting Division Written Test

Instructions to Candidates

1. This written test is divided into **4 Parts**.

Part 1	Seeking Instructions and Making Suggestions	60 minutes	30 marks
Part 2	Bilingual Drafting	50 minutes	30 marks
Part 3	Preparation of Chinese Provisions	40 minutes	25 marks
Part 4	Chinese Composition	30 minutes	15 marks

Total: 3 hours 100 marks

2. For Parts 1 and 2(b), please answer in English. For Parts 2(a), 3 and 4, please answer in Chinese.
3. Please write your **seat number** on the upper right corner of the first page of your question paper and answer sheets. You **MUST NOT** write your name.
4. During the test, you **MUST NOT** discuss with other candidates or refer to any books, documents or other materials.
5. If you have any queries, please raise them with our staff.

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Part 1

Seeking Instructions and Making Suggestions

The following fictitious situation is made up for this written test.

You worked in the Law Drafting Division. You received the following e-mail from the Law Draftsman, the head of the Division.

Please prepare an e-mail according to the Law Draftsman's instruction.

Law Draftsman's e-mail:

From : LD@doj.gov.hk
To : GC3-3@doj.gov.hk
30/2/2023 00:32

Dear GC3-3,

Please see the forwarded e-mail from the Environment and Ecology Bureau. Please handle this matter and reply direct to Chan Tai Man. You should seek instructions on details of the scheme by asking them questions on whatever matter you can think of and suggest for their consideration solutions to problems identified by you. Feel free to discuss at any time. Thank you very much.

Regards,
LD

SAMPLE

----- Forwarded by LD -----

From : chantaiman@eeb.gov.hk

To : LD@doj.gov.hk

29/2/2023 23:45

Dear LD,

The current acute regional shortage in petrol and diesel caused by the recent geopolitical disturbances in the Persian Gulf region will unlikely be abated in the near future. We are directed that a ration system is to be put in place in Hong Kong as soon as possible and that a bill is to be submitted for consideration by the Executive Council as soon as possible. Grateful if a drafting counsel can be assigned to handle this extremely urgent and important task.

Due to time constraint we are not able to issue Drafting Instructions in the conventional format. At this stage we are only able to set out below the main features of the proposed ration system.

1. Sale of petrol to private car drivers is to be subject to rationing. Goods vehicles are exempted.
2. A vehicle driver can only purchase petrol at a petrol station if the last numeral of the vehicle's registration number matches the day of purchase. For example, a car with registration number "XX 3095" can only receive petrol supply on the 5th, 15th and 25th of the month.
3. Staff of petrol stations who sell petrol in contravention of 2 above are liable to prosecution.

To expedite the drafting process, please ask the responsible drafter to start drafting the bill on the basis of the above. He or she is welcome to ask questions on operational details. If he or she spots any inadequacies in the scheme that may affect its effectiveness, it would be most helpful if he or she could suggest a solution as well. The basic principle is the scheme must be transparent, fair and easy to understand and implement.

We are terribly sorry for the rush. Please feel free to discuss if you have any query.

Regards and thank you

Chan Tai Man

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Part 2

Bilingual Drafting

以下是虛構場境，僅作試題使用。

新冠病毒疫情又起，一項流行病學研究指出，坐在俗稱「卡位」(booth seat)的食肆顧客因為正面對坐，相互傳播新冠病毒的風險較高。

政府打算制訂適用於食肆「卡位」的新規定，以阻遏疫情。

請你 —

- (a) 以中文草擬「卡位」的定義，以清晰劃定新規定的適用範圍；及
- (b) 以英文草擬條文，訂明以下規定：坐同一張「卡位」枱的顧客若非先前認識而結伴用餐（即俗稱「搭枱」），則在每個或每組搭枱顧客的枱面佔用範圍，與另一個或另一組搭枱顧客的枱面佔用範圍之間，須設有分隔裝置，以達致防飛沫傳染目的。

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Part 3

Preparation of Chinese Provisions

Please prepare the **Chinese version** of the following English provisions –

A. Members not entitled to remuneration and allowance during suspension

- (1) This section applies to a member who is suspended under the Rules of Procedure from the service of the Legislative Council for engaging in grossly disorderly conduct.
- (2) The member is not entitled to receive any remuneration or allowance to which the member is, apart from this section, entitled in respect of the period of suspension, but the member is entitled to be reimbursed the operating expenses incurred by the member in respect of that period.

B. President may designate venue for remote sitting

The President of the Legislative Council may designate a place or places for a sitting conducted remotely pursuant to an authorization under section X, including any virtual, digital or electronic location at which members or other persons attending the sitting may attend or participate by remote access.

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Part 4

Chinese Composition

怎樣的法例才稱得上是優良法例？請抒陳你的見解。