

主辦 ORGANIZER



律政司
Department of Justice

LAW Drafting COMPETITION 2023

法律草擬比賽

Write Laws for Good
提善策 擬良法

KEY ELEMENTS OF COMPETITION



- 1 Make your own legislative proposal on legal or social issues
- 2 Take part in a workshop on bilingual law drafting
- 3 Write your own Bill for implementing your proposal

KEY DATES

Submission Deadline **31.1.2023**
for Entry Form
(Early submission is encouraged)

Submission Deadline **31.1.2023**
for Legislative
Proposal Outline

Law Drafting
Workshop **Early Feb 2023**

Submission Deadline **31.3.2023**
for Proposed Bill



Law Drafting Competition

ENGLISH WEBSITE



ABOUT THIS COMPETITION

The rule of law requires that laws are accessible and clear. Good legislation should be drafted in plain language to accurately reflect the legislative objectives. In our notable bilingual legal system — of which legislation enacted in both English and Chinese forms an indispensable part — lawyers responsible for drafting bilingual legislation to implement policies have an important role to play in the legislative process.

The Law Drafting Competition 2023 is organized by the Department of Justice of the Hong Kong SAR Government (DoJ) to encourage university students to devise a legislative proposal, learn the basic skills of bilingual law drafting and get a taste of tackling the challenging but highly rewarding task of creating a bilingual Bill on their own.



WHO CAN ENTER?

Any team comprising the following university student(s) may enter the Competition:

- 2 law students; or
- 1 law student and 1 local non-law student; or
- 1 law student

Note:

Law student means —

- (a) a student of any undergraduate or postgraduate (taught or research) programme for the study of law provided by a university in Hong Kong, including LLB, Bachelor of Commerce (with Honours in Law and Business), PCLL, JD, LLM, Master of Common Law or double degrees involving the study of law (e.g., Law and Business, Law and Literature, Law and Politics, etc.); or
- (b) a student, who is a permanent resident of Hong Kong, of any undergraduate or postgraduate (taught or research) programme for the study of law provided by any university outside Hong Kong.

Local non-law student means a student of any undergraduate or postgraduate (taught or research) programme, other than for the study of law, provided by a university in Hong Kong.

PRIZES

Prizes will be awarded according to an assessment of the **Legislative Proposal Outline** (30%) and **Proposed Bill** (70%) submitted by a team.

THE PRIZES ARE:

- **Winning team:**
 - ✓ \$5,000 in cash / cash coupon; and
 - ✓ 1-month paid internship at DoJ
- **First runner-up team:**
 - ✓ \$3,000 in cash / cash coupon; and
 - ✓ 1-month paid internship at DoJ
- **Second runner-up team:**
 - ✓ \$2,000 in cash / cash coupon; and
 - ✓ 1-month paid internship at DoJ

Note:

A 1-month paid internship at DoJ will be offered to each member of the winning team, first runner-up team and second runner-up team who is a law student and permanent resident of Hong Kong.



TOPICS

- Each team must choose **one** of the following two topics, and formulate a legislative proposal on the topic.
- The legislative proposal may cover one or more issues within the chosen topic (whether or not those mentioned below), but need not exhaustively cover all issues within the topic.
- The team is required to elaborate the legislative proposal in a **Legislative Proposal Outline** and draft a **Proposed Bill** for implementing the legislative proposal.

TOPIC 1: PRIVATE INFORMATION ON INTERNET

With the rapid development of the Internet, our society faces numerous novel and difficult issues relating to the use of private information on the Internet. Existing statute law and common law may not be sufficient in dealing with those emerging issues. As of June 2022, the number of cyberbullying cases in Hong Kong schools has almost doubled over the past four years. Given the nature of the Internet, once information appears on it, it can stay forever. Whether someone should have the right to compel a service provider, such as a search engine, to erase information about him or her is an issue that is worth careful consideration. Also, the recognition or creation of a new tort to better protect privacy has long been a topic widely debated in various jurisdictions. The privacy implications posed by cookies which allow website operators and advertisers to track Internet users' online activities should not be overlooked.

Examples of issues (for reference only) —

- law dealing with cyberbullying
- new tort relating to misuse of private information on the Internet
- right to be forgotten / right to erasure
- cookies law



TOPIC 2: HOMICIDE OFFENCES

In Hong Kong, various homicide offences (including elements of the offences, defences, etc.) are largely governed by the common law developed by cases over a long period of time. In other jurisdictions, there have been proposals made and legislation enacted for codifying and changing the law governing homicide, for example, introducing a multiple-tier system of homicide offences and reforming certain defences. On the other hand, new offences relating to homicide, such as corporate manslaughter, have been introduced in some jurisdictions to address society's evolving needs.

Examples of issues (for reference only) —

- codifying common law offences (with appropriate modifications)
- introducing various degrees of homicide offences
- defences (e.g. duress, provocation, diminished responsibility)
- corporate manslaughter



COMPETITION TIMETABLE

Submission of Entry Form

- **Deadline: 31 January 2023**
- Please submit your entry form as early as possible. The first 10 teams will receive souvenirs (including bilingual published copies of *Drafting Legislation in Hong Kong – A Guide to Styles and Practices*).

Submission of Legislative Proposal Outline

- **Deadline: 31 January 2023**
- The Outline should be written in English (max. 2,000 words) **or** Chinese (max. 3,500 characters).
- The Outline should set out:
 - ✓ background and the problems to be solved
 - ✓ principal objectives and justifications
 - ✓ contents of the legislative proposal

Law Drafting Workshop

- A half-day workshop will be held in **early February 2023**.
- It will provide a brief overview of the principles and skills of bilingual law drafting and is highly recommended for all teams.
- Details will be provided to a team after its entry form is received.

Submission of Proposed Bill

- **Deadline: 31 March 2023**
- The Proposed Bill, to be written in both English and Chinese, should be prepared for implementing the proposal in the Legislative Proposal Outline (with any refinements and additional details).
- Details of the required format will be provided to all teams after 31 January 2023.

HOW TO ENTER?

- Please download the entry form from the website of the Competition: https://www.doj.gov.hk/en/ldd/law_drafting_competition.html
- Please send the completed entry form to **lawdraftingcompetition@doj.gov.hk** before 11:59 pm on 31 January 2023.



ENQUIRY

- For any enquiry relating to the Competition, please feel free to contact us at **lawdraftingcompetition@doj.gov.hk**.

The information in this document is for reference only and is subject to the rules of the Competition (available on the website of the Competition).