

PRACTICE DIRECTION – 14.1

RIGHTS OF AUDIENCE BEFORE A MASTER

1. Apart from those persons who are specified in paragraphs 2, 3 and 4, only barristers and solicitors admitted in Hong Kong may appear before a master or taxing master.
2. The following persons employed by or under the supervision of a person having the rights, by virtue of any ordinance, of a solicitor may appear before a master in chambers on an uncontested application or on an application listed for a three-minute hearing:
 - (a) a trainee solicitor; including a trainee solicitor on secondment to a solicitor in Hong Kong from a firm of solicitors in England and Wales;
 - (b) a legal executive, who has successfully completed the Hong Kong Polytechnic University Legal Executive Course;
 - (c) a holder of Associate Degree of Legal Studies or the Higher Diploma in Legal Studies from the City University of Hong Kong provided that a holder of the Associate Degree must have at least three years' legal work experience;
 - (d) a holder of Diploma in Legal Studies from the School of Professional and Continuing Education of the University of Hong Kong provided that he must have at least three years' legal work experience;
 - (e) a member of the English Institute of Legal Executives;
 - (f) a legal executive, who is a holder of the Higher Diploma in Legal and Administrative Studies from the Hong Kong Institute of Vocational Education (Tuen Mun), provided that the holder must have at least three years' legal work experience;
 - (g) a legal executive, who is a holder of the Higher Diploma for Legal Executives from the University of Hong Kong School of Professional and Continuing Education, provided that the holder must have at least three years' legal work experience; and
 - (h) a legal executive, who is a holder of the Professional Diploma for Legal Executives from the Hong Kong Institute of Vocational Education (Tuen Mun), provided that the holder must have at least three years' legal work experience; and
 - (i) a legal executive, who is a holder of the Higher Diploma in Law and Administration from the Hong Kong Institute of Vocational Education, provided that the holder must have at least three years' legal work experience.
3. In addition to those persons mentioned in paragraph 2 above, the following may appear before a taxing master on the taxation of a bill of costs:

- (a) a costs clerk employed by or under the supervision of a person having the rights, by virtue of any ordinance, of a solicitor;
- (b) a law costs draftsman, approved as such by the Law Society, who may appear on behalf of a solicitor; and
- (c) subject to paragraph 4 below, a trainee solicitor.

4. A trainee solicitor in the last 12 months of his trainee solicitor contract may appear before a taxing master on the taxation of a bill of costs listed for not more than 3.5 hours provided that:

- (a) he has had not less than 6 months' training in litigation; and
- (b) he has been trained in taxation through drafting bills, drafting lists of objections and sitting in on taxation hearings; and
- (c) the principal or the handling solicitor has ensured that the trainee solicitor is fit to handle that taxation.

5. A trainee solicitor, during the last 12 months of his / her trainee solicitor contract, may appear for a plaintiff or a defendant before a master in chambers on:

- (a) applications for judgment pursuant to Order 14, Rules of the High Court, where the hearing is listed for not longer than 15 minutes;
- (b) applications pursuant to Order 88, Rules of the High Court, where the hearing is listed for not longer than 15 minutes; and
- (c) applications pursuant to Order 83A, rule 4, Rules of the High Court, where the hearing is listed for not longer than 15 minutes.

6. This Practice Direction supersedes the previous Practice Direction 14.1 on Rights of Audience Before a Master dated 10 July 2012.

7. This Practice Direction shall come into effect on 14 July 2014.

Dated this 9th day of July 2014

(Geoffrey Ma)
Chief Justice