

HONG KONG JUDICIARY

Application for Appointment as Permanent Magistrate Hong Kong Special Administrative Region of the People's Republic of China

NOTES:

- (a) Please complete this form in type, and where necessary attach extra sheets.
- (b) You should familiarize yourself with the Guide to Judicial Conduct (https://www.judiciary.hk/doc/en/publications/gjc_e.pdf).
- (c) Completed applications should reach the Secretary, Judicial Officers Recommendation Commission at 3/F, High Block, Queensway Government Offices, 66 Queensway, Hong Kong. Please mark on the envelope "Confidential: Re Application for Judicial Appointment".
- (d) The data provided in connection with this application are collected and will be used for appointment and employment-related purposes. Such data may be provided to government departments and other organizations or agencies authorized to process the data for purposes relating to or arising from the possible appointment with the Judiciary, e.g. qualifications assessment, medical examination and integrity checking, etc., as necessary. In addition, such data may be used for compiling statistics which may be provided to bodies outside the Judiciary and may be published. Data on unsuccessful candidates is normally destroyed 12 months after rejection of application.
- (e) You should fill in all parts of the form (where applicable). Failure to provide all the information requested or provision of inadequate information may result in your application not being considered.
- (f) Requests for references may be sought from or inquiries may be made of employers named by you, including your present employer. If you object to such requests or inquiries being made, you should make this clear under section 3.1.1(ii).
- (g) The Hong Kong Judiciary has no obligation to inform unsuccessful candidates of the reason for their not being successful.
- (h) Please notify the Secretary, Judicial Officers Recommendation Commission if there are any subsequent changes to the information provided.
- (i) For correction of or access to the data after submission of this application, please write to the Senior Judiciary Executive (Judges and Judicial Officers)¹ at 3/F, High Block, Queensway Government Offices, 66 Queensway, Hong Kong.
- (j) For enquiries, please telephone 2867 2248.

Section 1 : PERSONAL DETAILS

Title (Mr, Mrs, Ms, Miss etc.) _____

Surname (as in HK Identity Card or Passport) _____

Forenames in full (as in HK Identity Card or Passport) _____

Chinese name (if any) (as in HK Identity Card or Passport) _____

Chinese name in code (if any) (as in HK Identity Card) _____

Decorations/Honours _____

| | | | |
|---------------|-----|-------|------|
| Date of birth | Day | Month | Year |
| | | | |

Age last birthday _____

Place of birth _____

Nationality _____

HK Identity Card No. (if applicable) _____

Passport No. (if without a HK Identity Card) _____

Please tick one or more as appropriate to Senior Counsel Barrister Solicitor Advocate Solicitor indicate whether you are a:

Govt lawyer Holder of full-time Other. If other, state it
judicial office _____

Are you a permanent resident of the Hong Kong Special Administrative Region?

Yes

No

Professional/Office Address _____

Telephone No. _____

Residential Address _____

Telephone No. _____

(Please tick to indicate which of the above addresses is to be used for correspondence relating to this application.)

Mobile No _____

E-mail Address _____

| |
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| Section 2 : EDUCATION AND PROFESSIONAL QUALIFICATIONS |
|--|

2.1 Secondary, Higher and Further Education

2.1.1 Please list (i) each secondary school attended with date(s) and (ii) each tertiary institution attended with date(s) and the degree awarded with the grade/class and date(s).

| Date(s) | Secondary School(s) |
|---------|---------------------|
| | |

| Date(s) | Tertiary Institution(s) (Degree(s) with Grade/Class and date(s) of award) |
|---------|---|
| | |

2.1.2 Please list any other academic achievements, including full- or part-time courses, etc.

| Date(s) | Institution(s) |
|---------|----------------|
| | |

2.2 Legal Qualifications

2.2.1 For Barristers

Date of Admission to the Hong Kong Bar

| | | |
|-----|-------|------|
| Day | Month | Year |
| | | |
| | | |

Year appointed Senior Counsel or
Queen's/King's Counsel (if applicable)

If you are admitted to practise in another jurisdiction, please give details of the date(s) and the jurisdiction(s).

| Date(s) | Jurisdiction(s) |
|---------|-----------------|
| | |

2.2.2 For Solicitors

Date of Admission to the Hong Kong Solicitors' Roll

| | | |
|-----|-------|------|
| Day | Month | Year |
| | | |
| | | |

If you are admitted to practise in another jurisdiction, please give details of the date(s) and the jurisdiction(s).

| Date(s) | Jurisdiction(s) |
|---------|-----------------|
| | |

2.2.3 For All Applicants

Please give dates of pupillage and name(s) and address(es) of pupil master(s) and/or date(s) of articles/traineeship and name(s) and address(es) of principal(s) and firm(s) or other organization(s) with whom articles/traineeship were undertaken, **starting with the earliest.**

| Date(s) | Name of pupil-master(s) or principal(s) and firm(s) or other organization(s) | Address(es) |
|---------|---|-------------|
| | | |

Section 3 : PROFESSIONAL EXPERIENCE

Candidates not already serving full-time in the Hong Kong Judiciary should fill in Sections 3.1 and 3.3. Judicial Officers already serving full-time in the Hong Kong Judiciary should fill in Sections 3.2 and 3.3.

3.1 For candidates not already serving full-time in the Hong Kong Judiciary

3.1.1 Professional experience since completion of pupillage or articles/traineeship

- (i) Please give details of your professional experience since completing pupillage or articles/traineeship, **starting with the earliest.** Please include date(s) and address(es) (including where appropriate, the name(s) of the Head of Chambers).

| Date(s) | Chambers, firm(s) or other organization(s) and address(es) | Type of work done |
|---------|--|-------------------|
| | | |

(ii) Give name(s) of employer(s) to whom you do NOT wish any requests for reference or any inquiries to be addressed; and state the reason why you do not so wish.

| Name(s) of Employer(s) | Reason(s) |
|------------------------|-----------|
| | |

3.1.2 Nature of Practice

Please describe the general nature of your present practice, and enter against each of the categories below the approximate percentage of your working time spent in each field.

| <u>Type</u> | % |
|--|-------------|
| (1) <u>Criminal</u> | |
| Trial (jury) | _____ |
| Trial (District Court) | _____ |
| Trial (Magistrates' Court) | _____ |
| Appeal (other than Magisterial Appeal) | _____ |
| Appeal (Magisterial) | _____ |
| (2) <u>Civil</u> | |
| Admiralty | _____ |
| Bankruptcy | _____ |
| Commercial | _____ |
| Company | _____ |
| Constitutional and Administrative Law | _____ |
| Construction and Arbitration | _____ |
| Defamation | _____ |
| General Civil (such as breach of contract, tort) | _____ |
| Intellectual Property | _____ |
| Matrimonial | _____ |
| Personal Injuries | _____ |
| Probate | _____ |
| Property (Land) | _____ |
| Revenue | _____ |
| Trusts | _____ |
| (3) <u>Others</u> (please specify) | |
| _____ | _____ |
| _____ | _____ |
| | <u>100%</u> |

3.1.3 Fees/Income

3.1.3.1 For Barristers

Please provide the following information as to your professional income or fees received during each of the last three completed accounting years (all amounts should be provided to the nearest HKD10,000):

(i) Your accounting year: From.....(day/month) to.....(day/month)

| Accounting year ¹ (e.g. 2022-23) | Gross receipts (HKD) | Net income ² (HKD) |
|--|----------------------|-------------------------------|
| | | |
| | | |
| | | |

(ii) If in any of the aforesaid accounting years, any part of your aforesaid gross receipts consisted of emoluments from sitting as a Recorder or Deputy Judge or Judicial Officer, please state the amounts of the emoluments so received

| Accounting year ¹ (e.g. 2022-23) | Emoluments received (HKD) |
|--|---------------------------|
| | |
| | |
| | |

(iii) If any special circumstances have affected the level of your aforesaid gross receipts, please indicate the nature of those circumstances here:

¹ Beginning with the most recent.

² The NET income before tax from your practice for each of the three accounting years after deducting from the gross receipts all relevant professional expenses incurred in the production of such income. The relevant professional expenses should be those which have been allowed by the Inland Revenue Department.

3.1.3.2 For Solicitors

Please provide the following information as to your professional remuneration received during each of the last three completed accounting years (all amounts should be provided to the nearest HKD10,000):

(i) Your accounting year: From(day/month) to(day/month)

| Accounting year ³ (e.g. 2022-23) | Gross annual professional remuneration ⁴ (HKD) | Estimated annual monetary value of all fringe benefits and allowances ⁵ (HKD) | Total ⁶ (HKD) |
|--|---|--|--------------------------|
| | | | |
| | | | |
| | | | |

(ii) If in any of the aforesaid accounting years, any part of your aforesaid remuneration consisted of emoluments from sitting as a Recorder or Deputy Judge or Judicial Officer, please state the amounts of the emoluments so received

| Accounting year ³ (e.g. 2022-23) | Emoluments received (HKD) |
|--|---------------------------|
| | |
| | |
| | |

(iii) If any special circumstances have affected the level of your aforesaid remuneration, please indicate the nature of those circumstances here:

³ Beginning with the most recent.

⁴ Gross annual professional remuneration before tax such as drawings and profit sharing from partnership, salary, commission, bonus and contract gratuity.

⁵ Estimated annual monetary value of all fringe benefits and allowances derived from your professional practice such as housing, education, travelling and passage, provident fund or pension. There is no need to give an estimated value for each heading. It is sufficient to give an overall estimate and list the various headings covered.

⁶ The total package should include the gross annual professional remuneration before tax (Note 4) and the estimated annual monetary value of all fringe benefits and allowances derived from your professional practice (Note 5).

3.1.3.3 For Employed Lawyers

Please provide the following information as to your remuneration received during each of the last three completed accounting years (all amounts should be provided to the nearest HKD10,000):

- (i) Your accounting year: From(day/month) to(day/month)

| Accounting year ⁷ (e.g. 2022-23) | Gross annual remuneration ⁸ (HKD) | Estimated annual monetary value of all fringe benefits and allowances ⁹ (HKD) | Total ¹⁰ (HKD) |
|--|---|--|---------------------------|
| | | | |
| | | | |
| | | | |

- (ii) If in any of the aforesaid accounting years, any part of your aforesaid remuneration consisted of emoluments from sitting as a Recorder or Deputy Judge or Judicial Officer, please state the amounts of the emoluments so received

| Accounting year ⁷ (e.g. 2022-23) | Emoluments received (HKD) |
|--|---------------------------|
| | |
| | |
| | |

- (iii) If any special circumstances have affected the level of your aforesaid remuneration, please indicate the nature of those circumstances here:

⁷ Beginning with the most recent.

⁸ Gross annual remuneration before tax such as salary, commission, bonus and contract gratuity.

⁹ Estimated annual monetary value of all fringe benefits and allowances derived from your employment such as housing, education, travelling and passage, provident fund or pension. There is no need to give an estimated value for each heading. It is sufficient to give an overall estimate and list the various headings covered. For lawyers employed by the Government who may not be able to provide estimated monetary value of fringe benefits, please provide a list of those benefits.

¹⁰ The total package should include the gross annual remuneration before tax (Note 8) and the estimated annual monetary value of all fringe benefits and allowances derived from your employment (Note 9).

3.1.4 Temporary Judicial Experience

Please list below all temporary judicial appointments/experience you have held in Hong Kong (e.g. as Deputy Magistrate) and enclose up to 3 items of your judicial work (e.g. judgment, reasons for verdict, statement of findings).

| Date(s) | Position(s) held |
|---------|------------------|
| | |

3.1.5 Please give any additional information about your professional experience that you would like to include.

3.1.6 References

You may supply the name(s) and full address(es) of up to two referees whom you consider will be able to comment on your personal character from whom the Judiciary can seek a reference.

| Name(s) | Full address(es) | Occupation | Period known |
|---------|------------------|------------|--------------|
| | | | |

3.1.7 State briefly your reasons for wishing to become a Permanent Magistrate.

3.1.8 If offered an appointment, how soon after notification of selection could you take up duties?

3.2 For Full-time Judicial Officers already serving in the Hong Kong Judiciary

3.2.1 Please give details of your professional experience since completing pupillage or articles/traineeship, starting with the earliest. Please include date(s) and address(es) (including where appropriate, the name(s) of the Head of Chambers).

| Date(s) | Chambers, firm(s) or other organization(s) and address(es) | Type of work done |
|---------|--|-------------------|
| | | |

3.2.2 Please give details of career in date order since joining the Judiciary, and enclose up to 3 items of your judicial work (e.g. judgment, reasons for verdict, statement of findings).

| Date(s) | Position(s) held | Type of work |
|---------|------------------|--------------|
| | | |

3.2.3 Please give any additional information about your professional experience (whether before or after joining the Judiciary) that you would like to include.

3.3 For all applicants

3.3.1 Services and activities related to the legal field

3.3.1.1 Please list below any other law-related activities, e.g. membership of boards or associations, teaching activities, etc., with date(s).

3.3.1.2 Please give details of any legal publications you have written or edited or contributed to.

3.3.2 Services and activities not related to the legal field

Please list below any other activities not related to the legal sector, e.g. appointments to governing/legislative/advisory bodies or public offices, membership of boards and committees, or participation in political parties or community organizations of various types including charitable organizations, university and school councils, church councils, hospital boards, social clubs, sporting organizations, organizations promoting political, cultural or artistic interests, etc., with date(s).

3.3.3 Full-time work experience outside the legal field

If you had full-time work experience outside the legal field after the completion of tertiary education, please list below the employer(s) and nature of work with date(s).

Section 4 : CHARACTER

Please answer all the questions and where an answer is YES give details:

| | | |
|---|---|-----------------|
| <p>1. Have you ever been convicted of a criminal offence (other than a minor road traffic offence such as a parking or speeding offence)?</p> | <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> | <p>Details:</p> |
| <p>2. Have you ever been adjudged bankrupt, made a composition with creditors or been sued to judgment on any debt?</p> | <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> | <p>Details:</p> |
| <p>3. Have you ever been subject to any disciplinary hearings of a professional body?</p> | <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> | <p>Details:</p> |
| <p>4. Have you ever received notification of any claim against you or your employees for civil liability incurred during the past 6 years in connection with your practice?</p> | <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> | <p>Details:</p> |
| <p>5. Have you ever had proceedings brought against you for failure to pay taxes or made a composition with the Inland Revenue Department?</p> | <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> | <p>Details:</p> |
| <p>6. Are any proceedings relating to the matters in 1 to 5 above pending?</p> | <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> | <p>Details:</p> |
| <p>7. Are you aware of anything in your private life (including participation in organizations or activities and use of social media) or professional life which would cause controversy or be a source of embarrassment to yourself or the Judiciary if it became known in the event of your appointment as a Permanent Magistrate? If yes, please give details.</p> | <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> | <p>Details:</p> |

Section 5 : OTHER INFORMATION

5.1 Have you ever previously applied to the Hong Kong Judiciary for employment? If yes, please give the title(s) of the post(s) and date(s) of the application(s).

| Date(s) | Title(s) of post(s) applied |
|---------|-----------------------------|
| | |

5.2 **(Optional)**

Are you a candidate with disability? Yes No

If yes, please indicate nature and degree of disability _____

Please specify whether you need any special arrangements for taking the written test/attending an interview -

Yes No

If yes, please specify the arrangements required _____

(Note : Candidates with disabilities are considered on equal terms with other applicants. The Hong Kong Judiciary may require medical proof of their disability if candidates wish to make use of the appointment arrangements applicable to candidates with disabilities.)

5.3 Please tick one or more as appropriate to indicate your proficiency in the Chinese language.

- Cannot speak Cantonese
- Can speak and understand Cantonese
- Can speak and understand Cantonese and read Chinese
- Can speak and understand Cantonese and write Chinese
- Can speak and understand Putonghua

5.4 Please give any other information which you consider relevant to this application.

Section 6 : DECLARATION TO BE SIGNED BY THE APPLICANT

I hereby declare that the information given by me in this application is to the best of my knowledge correct.

I understand and accept that my application is subject to the conditions described in this form (including the NOTES herein) and agree that the Hong Kong Judiciary may approach the referees and employers named herein (except for those named under section 3.1.1(ii)) and may make any necessary enquiries relating to or arising from the possible employment with the Judiciary.

I understand and accept that the data given in connection with this application may be used for the purposes and provided to the parties referred to in paragraph (d) of the NOTES.

As an applicant for judicial office, I accept “the Guiding Principles” and the guidance contained in the Guide to Judicial Conduct.

Signature _____

Date _____

| |
|---|
| <p><u>FOR OFFICIAL USE ONLY</u></p> <p>Acknowledge receipt by _____</p> <p>Name _____</p> <p>Rank _____</p> <p>on _____ at _____</p> <p>Ref.: _____</p> |
|---|