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# HIGHER RIGHTS OF AUDIENCE ASSESSMENT

## THE WRITTEN EXAMINATION

### **Instructions to candidates for the written examination**

#### **Introduction**

The written examination forms one part of the Higher Rights of Audience Assessment administered by the Higher Rights Assessment Board ("the Board"). The other part is a practical assessment. Each part comprises 50 marks. Candidates must obtain a minimum of 50% in both the written examination and the practical assessment. Both parts of the assessment, that is, the written examination and the practical assessment, will constitute one "advocacy assessment". There will be one assessment mark arrived at and conveyed to candidates namely "pass" or "fail".

#### **Duration of examination**

Two and a half hours

#### **Permitted materials**

For the Civil examination:

- Hong Kong Civil Procedure (the Hong Kong White Book);
- The Hong Kong Solicitors' Guide to Professional Conduct (Vol. 1) published by the Law Society; and
- The Law Society's Code of Advocacy for Solicitor Advocates

For the Criminal examination:

- Archbold Hong Kong – Criminal Law, Pleading, Evidence and Practice;
- The Hong Kong Solicitors' Guide to Professional Conduct (Vol. 1) published by the Law Society; and
- The Law Society's Code of Advocacy for Solicitor Advocates

Candidates may use their own copies of permitted materials. This is so even though they may contain annotations or highlighting provided this has been done in the ordinary course of use and reference. However, extra materials, for example, notes prepared specifically for this examination are not to be included. In the event of a dispute between the invigilator and a candidate, the decision of the invigilator shall be final.

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If it appears to the invigilator that you are using such extra materials, he/she will:

- remove them from you
- arrange the materials to be copied (if necessary)
- report the incident to the Board
- return them to you at the end of the examination

You can, in this circumstance, continue to sit the examination. But the use of non-permitted materials may be considered by the Board as unfair practice.

### **During the examination**

You must ensure that your answers provided in the examination script are legible to the examiners. If your handwriting is considered illegible, your written examination script will be assessed on the basis of the legible parts only and the marks awarded accordingly.

If, in answering any question in this examination, a significant ignorance of the code of ethics governing solicitors and/or solicitor advocates is revealed, the Board may determine that it should result in a failure of the overall assessment irrespective of the candidate's marks otherwise.

Any instance of unfair practice will result in a failure of the overall assessment irrespective of the candidate's marks otherwise.

### **Higher Rights Assessment Board**