

No. 16C
Admission (unliquidated amount)
(Order 13A rules 6(2), 7(2) & 13(2))

DCCJ/ DCMP _____ / 20 _____

**IN THE DISTRICT COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
CIVIL ACTION / MISCELLANEOUS PROCEEDINGS NO. _____ OF 20 _____**

Between

Plaintiff

AND

Defendant

Explanatory Note

1. The only claim the plaintiff has made against you is for an unliquidated amount of money. You may admit the plaintiff's claim in whole or in part by completing this form –
 - (a) within the period for service of your defence if you have been served with a Writ; *or*
 - (b) the period for filing of your affidavit evidence if you have been served with an Originating Summons; *or*
 - (c) within 14 days after service of the originating process in any other case.
2. If you have made an admission, you may only be allowed to amend or withdraw your admission if the Court considers it just to do so.
3. You may offer a specified amount to satisfy the claim. If the amount you offer is accepted by the plaintiff, the plaintiff may request the Court to enter judgment against you for that amount. Alternatively, the plaintiff may request the Court to enter judgment against you for an amount to be decided by the Court and costs.
4. You may also ask for time to pay. If the plaintiff does not accept your proposal for payment, the Court will decide how the payment should be made after considering –
 - (a) the information set out in this form;
 - (b) the reasons why the plaintiff does not accept your proposal for payment; and
 - (c) all other relevant matters.
5. The completed form should be filed in the Registry of the District Court.

How to fill in this form

- Tick the correct boxes and give as much information as you can. **Then sign and date the form.** If necessary provide details on a separate sheet, add the action number and attach it to this form.
- **If you do not ask for time to pay, you need not complete items 2 to 9 and 11 and 12.**
- **If you are not an individual, you need not complete items 1 to 9 but you should complete items 10 to 12 and ensure that you comply with the requirement specified in item 13 and provide sufficient details about the assets and liabilities of your firm, company or corporation to support any offer of payment made.**
- **If you are an individual, you need not complete items 10 to 12 and need not comply with the requirement specified in item 13.**
- You can get help to complete this form at the Registry of the District Court.

Part A Response to claim (*tick one box only*)

I admit liability for the whole claim but want the Court to decide the amount I should pay (if you tick this box, you need not complete Part B and items 2 to 9, 11 and 12 and need not comply with the requirement specified in item 13)

OR

I admit liability for the claim and offer to pay in satisfaction of the claim

Part B How are you going to pay the amount you have admitted? (*tick one box only*)

I offer to pay on (date)

OR

I cannot pay the amount immediately because (state reason)

AND

I offer to pay by instalments of \$ per(week)(month) starting (date)

1. Personal details

Surname

Forename

Mr Mrs Miss Ms

Address

2. Dependants (*people you look after financially*)

(*give details*)

3. Employment

I am employed as a

--

My employer is

--

Jobs other than main job
(give details)

--

I am self employed as a

--

Annual turnover is

\$

I am not in arrears with my mandatory provident fund contributions and income tax

I am in arrears and I owe

\$

Give details of :

(a) contracts and other work
in hand

--

(b) any sums due for work done

--

I have been unemployed for

years	months
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I am a pensioner

4. Bank account and savings (please list all)

Bank account	In credit by \$	Overdrawn by \$

5. Residence

- I live in my own flat
 my jointly owned flat
 public housing estate
 rented private flat
 others (please specify)

6. Income

My usual take-home pay (including overtime, commission, bonuses etc)	\$	per month
My pension(s)	\$	per month
Others living in my home give me	\$	per month
Other income (<i>give details below</i>)		
	\$	per month
	\$	per month
	\$	per month
Total income	\$	per month

7. Other assets (*please list and indicate their location*)

8. Expenses

(Do not include any payments made by other members of the household out of their own income)

I have regular expenses as follows:

Mortgage (<i>including second mortgage</i>)	\$	per month
Rent	\$	per month
Rates and government rent	\$	per month
Management fees	\$	per month
Domestic helper's salary	\$	per month
Gas	\$	per month
Electricity	\$	per month
Water charges	\$	per month
Telephone charges	\$	per month
Housekeeping, food, school meals	\$	per month
Travelling expenses	\$	per month
Children's clothing	\$	per month
Tuition fees	\$	per month
Maintenance payments	\$	per month
Court orders	\$	per month
Others		
	\$	per month
	\$	per month
	\$	per month
Total expenses	\$	per month

9. Liabilities

(This section is for arrears only. Do not include regular expenses listed in item 8.)

Rent arrears	\$
Mortgage arrears	\$
Rates and government rent arrears	\$
Water charges arrears	\$
Fuel debts: Gas	\$
Electricity	\$
Others	\$
Maintenance arrears	\$
Loans and credit card debts (<i>please list</i>)	\$
Others (<i>give details below</i>)	
	\$
	\$
Total liabilities	\$

10. Firm, company or corporation

Name	
Address	
Tel. no.	

11. Assets of firm, company or corporation (please list)

Property, plant and equipment		\$
Inventories		\$
Goodwill and other intangible assets		\$
Loans and receivables		\$
Bank balances and cash		\$
Others		\$
	Total	\$

12. Liabilities of firm, company or corporation (please list)

Trade payables		\$
Tax payables		\$
Other payables		\$
Bank loans		\$
Other borrowings		\$
Others		\$
	Total	\$

13. Attach to this form a copy of the latest audited profit and loss account and balance sheet of the firm, company or corporation.

14. Declaration I _____ declare that the details I have given above and in the attached sheet(s) (if any) are true to the best of my knowledge

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declaration Ordinance (Cap. 11)

Signed

Position or office held
(If signing on behalf of a firm, company or corporation)

With company chop
(if applicable)

Declared at _____ in Hong Kong on _____ of 20 _____.

Before me,

[Signature and designation, i.e.,
Justice of the Peace/Notary
Public/Commissioner for Oaths.]

- Note** – Under section 36 of the Crimes Ordinance (Cap. 200), a person who knowingly and wilfully makes a statement false in a material particular in a declaration or other document which he is authorized or required to make by an enactment is guilty of an offence.
- A defendant who is an individual must sign personally. A director of company must obtain leave to represent the company from a Practice Master before he may sign on behalf of the company.
 - If a plaintiff does not file a request for judgment within 14 days after this form is served on him, his claim is stayed until he files the request.

(The footnote below is not part of the statutory Form No. 16C)

Please refer to Order 5A rule 2(2) of the Rules of the District Court (Cap.336, sub. leg. H) for the procedure in relation to paragraph 2 of the Note.