

General Reference

(Appeals from Award/Order of the Small Claims Tribunal/Labour Tribunal/Minor Employment Claims Adjudication Board)

Points to Note:

1. All parties concerned in any legal litigation has a duty of submitting documents with true content and in legible form;
2. All applications must be signed by the Applicant;
3. If a director of a limited company intends to act for the company in any proceedings, he or she must apply to the Registrar, High Court before the hearing for leave to represent the company;
4. For obtaining further information about the Award or transcript of the proceedings at the Tribunal, the Applicant has to apply to the respective Tribunal and pay the necessary charges;
5. If the Applicant was absent in the trial, he or she can apply to the respective Tribunal within the appeal period for setting aside the Award;

6. Court Fees:

(A) Court of First Instance	(B) Court of Appeal
(1) <u>Application for Leave to Appeal out of time</u> Free of charge (2) <u>Application for Leave to Appeal</u> from Small Claims Tribunal (Form 9) \$61 from Labour Tribunal (Form 14) \$45 from Minor Employment Claims Adjudication Board (Form 13) \$45 (3) <u>Application for Review of Transfer Order</u> from Small Claims Tribunal (Form 7) \$61 (4) <u>Application for Appeal</u> by Notice of Originating Motion \$1,045	(1) <u>Application for Leave</u> by Notice of Ex-parte application for Leave to appeal * (out of time) / HCMP Summons \$1,045 (2) <u>Application for Appeal</u> by Notice of Appeal \$1,045

7. Accounts Office

Location: Lower Ground Floor 2 (LG2), High Court Building

8. Photocopying Service (self-service - only Octopus Card can be used):

- (1) Clerk of Court's Office, Ground Floor (G/F), High Court Building
- (2) High Court Registry, Lower Ground Floor 1 (LG1), High Court Building; and
- (3) "Resource Centre for Unrepresented Litigants" at Room LG105, Lower Ground Floor 1, High Court Building

9. How to calculate the Appeal Period (re. Para 6(A) (2) above)

The 7-day appeal period should exclude those Saturday, Sunday and public holiday(s) in between, and counts from the 2nd working day after posting of the Award (with reference to the date of the stamp on the envelope posting the Award).

Example (1):

If the date of the stamp is Apr 11 (Mon), the 7-day appeal period counts from Apr 13, excluding Apr 12 (Tue) (the 1st working day) Apr 16 (Sat) and Apr 17 (Sun), making Apr 21 the last day for submission of the application for leave to appeal.

Sun	Mon	Tue	Wed	Thurs	Fri	Sat
10	11 (date of stamp)	12 (excluded)	13 (1 st day)	14 (2 nd day)	15 (3 rd day)	16 (excluded) (Non working day)
17 (excluded)	18 (4 th day)	19 (5 th day)	20 (6 th day)	21 (7 th day) (Last Day)	22	23

Example (2):

If the date of the stamp is Feb 7 (Mon), the appeal period should counts from Feb 9. As it happens Feb 9 to 11 are the Lunar New Year holidays, the 7-day appeal period thus counts from Feb 14. Therefore, Feb 22 will be the last day for submission of the application for leave to appeal.

Sun	Mon	Tue	Wed	Thurs	Fri	Sat
6	7 (date of stamp)	8 (excluded)	9 (excluded) (Public Holiday)	10 (excluded) (Public Holiday)	11 (excluded) (Public Holiday)	12 (excluded) (Non working day)
13 (excluded)	14 (^{1st} day)	15 (^{2nd} day)	16 (^{3th} day)	17 (^{4th} day)	18 (^{5th} day)	19 (excluded) (Non working day).
20 (excluded)	21 (^{6th} day)	22 (^{7th} day) (Last day)				

10. **Addresses & Enquiry Nos. of various Tribunals:**

Small Claims Tribunal : 3/F, Tower B, West Kowloon Law Courts Building, 501 Tung Chau Street (Tel: 28774068)

Labour Tribunal : 36 Gascoigne Road, Kowloon, Hong Kong (Tel: 26250020)

Minor Employment Claims Adjudication Board (MECAB) : 10/F, Cheung Sha Wan Government Offices,

303 Cheung Sha Wan Road, Kowloon (Tel: 29278000)