

**Notification for Stakeholders about General Adjournment of
Court Proceedings
from 17 February 2020 to 23 February 2020**
(position as at 13 February 2020)

(I) General Arrangements

The Judiciary has made a public announcement today (February 13) that in view of public health considerations, all hearings of the courts/tribunals originally scheduled from February 17 to February 23 will generally be adjourned. The courts will however continue to handle urgent and essential hearings and/or matters during this period, together with as appropriate any such hearings and/or matters which were originally fixed to be dealt with during the period from January 29 to February 16.

2. A copy of the press release is at **Annex A**.

(II) Urgent and Essential Hearings/Matters Handled by the Courts

3. The urgent and essential hearings and/or matters which may be handled from February 17 to 23 include the following :

(a) For Civil Cases at the High Court (“HC”), the District Court (“DC”) and the Family Court (“FC”) :

- (i) urgent matters or hearings before the HC, the DC and the FC, including those relating to the specialists lists, will continue to be dealt with by the respective Duty Judges (“Duty Judge system”); and

- (ii) the Duty Judge system has been expanded (with the support of duty master(s) as necessary), to cover the following urgent filing matters :
 - (1) urgent applications to file originating documents at these courts where the limitation period for a cause of action under the Limitation Ordinance (Cap. 347) may expire during the adjourned period. For such urgent applications for filing, the handling solicitor shall provide a certificate explaining the need for urgent filing;
 - (2) urgent non-contentious matters, i.e. urgent application and collection of apostilles and urgent grants of probate; and
 - (3) documents relating to the urgent bankruptcy-related proceedings set out in (b) below; and
- (iii) if a party or his/her legal representative considers that any matter has become urgent because of the court's continued general adjournment, they may consider using the Duty Judge system to bring such matters to the attention of the court. The party concerned should provide a certificate explaining the urgency of the matter. They should also provide the essential and key documents to enable the court to decide whether the matter is really urgent and essential which should be handled during the adjourned period on an exceptional basis.

- (b) *For Civil Cases at the Court of First Instance of the High Court (“CFI”)* : the following urgent bankruptcy-related applications :
 - (i) urgent applications under section 30A of the Bankruptcy Ordinance (Cap. 6) by the trustee in bankruptcy or creditor of the bankrupt for the suspension of the bankrupt’s discharge from bankruptcy;
 - (ii) urgent objections to discharge applications not yet filed but with imminent dates of discharge of bankruptcy, and urgent applications for non-commencement orders under section 30AB of Cap. 6 not yet filed but with imminent deadlines for filing; and
 - (iii) urgent applications under section 42 of Cap. 6 by the debtors for validation orders.
- (c) *For Criminal Cases at the Court of Appeal of the High Court* : urgent bail applications;
- (d) *For Criminal Cases at CFI* : urgent bail applications and bail reviews;
- (e) *For Criminal Cases at the CFI and DC* : urgent cases in which the defendants are remanded in custody pending sentence and the hearings of which fall under either of the following categories :
 - (i) the hearing date falls between February 17 and February 23; or

- (ii) the case was originally adjourned to a hearing date during the period of January 29 to February 16.

(f) For the MCs :

- (i) fresh remand cases; and
- (ii) person remanded in custody who has the legal rights to appear before a Magistrate to review his or her remand situation and either of the following conditions is met :
 - (1) the return date falls between February 17 and February 23; or
 - (2) the case was originally adjourned to a date during the period of January 29 to February 16.

These cases are called “eight-day cases” hereafter.

- (iii) urgent cases relating to sentencing in which the defendants are remanded in custody and the hearings of which fall under either of the following categories :
 - (1) the hearing date falls between February 17 and February 23; or
 - (2) the case was originally adjourned to a hearing date during the period of January 29 to February 16.

- (g) For the Juvenile Court : urgent cases concerning care and protection orders with either of the following conditions being met :
 - (i) the return date falls between February 17 and February 23; or
 - (ii) the case was originally adjourned to a date during the period of January 29 to February 16.
- (h) For the Coroner's Court : the following categories of urgent matters :
 - (i) paper applications for waivers for autopsy;
 - (ii) issuing urgent certificates of order authorizing burial/cremation of body;
 - (iii) handling urgent cases with pathologist's recommendation for autopsy; and
 - (iv) issuing urgent certificate of the fact of death and documents for the removal of bodies outside jurisdiction.

4. Moreover, the courts may also continue to hand down judgments for cases with urgency or great public importance as appropriate. As usual, the courts will give sufficient notice to the relevant parties of the cases.

(III) Statutory Duties

5. For the DC and MCs, the relevant Judges and Magistrates will continue to perform, as appropriate, their statutory duties relating to urgent applications for search warrants and applications under the Mental Health Ordinance.

(IV) Detailed Arrangements for the MCs

6. The MCs will continue to adopt basically the Holiday or Saturday sitting arrangement in the light of caseload and other factors. They will handle fresh remand cases and eight-day cases etc. The detailed arrangements are as follows :

- (a) 17 Feb (Monday) : Tuen Mun Magistrates' Courts will open;
- (b) 18 Feb (Tuesday) : No Magistrates' Courts will open;
- (c) 19 Feb (Wednesday) : West Kowloon Magistrates' Courts will open;
- (d) 20 Feb (Thursday) : No Magistrates' Courts will open;
- (e) 21 Feb (Friday) : Kwun Tong Magistrates' Courts will open;
- (f) 22 Feb (Saturday) : the usual Saturday sitting will be adopted, i.e. Eastern Magistrates' Courts, Kowloon City Magistrates' Courts and Shatin Magistrates' Courts will open; and
- (g) 23 Feb (Sunday) : No Magistrates' Courts will open.

(V) Registries and Other Court Offices

7. Court/tribunal registries and offices will continue to be closed until further notice, except for providing support for the handling of urgent and essential court hearings and/or matters as set out above.

(VI) Contacts

8. If stakeholders have any questions about the detailed arrangements for the above matters, particularly those relating to the urgent and essential court businesses, please contact the following officers for the respective courts during the office hours :

(a) High Court

For urgent and essential apostilles and bankruptcy (objections to discharge applications) related matters

- Ms Catherine Li, Chief Judicial Clerk (High Court Registry) at 2825 4571
- Mr Kenneth Tsang, Senior Judicial Clerk I (Resource Centre) at 2825 0571
- Mr Larry Ngan, Senior Judicial Clerk II (High Court Registry) at 2825 0401

For urgent and essential criminal matters including bail-related hearings, and bankruptcy (non-commencement orders) related matters

- Ms Terri Tang, Clerk of Court at 2825 4383
- Miss Cynthia Leung, Judicial Clerk (Civil) at 2825 4672

For urgent grants of probate

- Ms Memory Wong, Chief Probate Officer at 2825 0619

(b) District Court

- Ms Clare Tsang, Chief Judicial Clerk (Courts) at 2582 4000
- Ms Anny Tam, Chief Judicial Clerk (Registry) at 2582 4200
- Mr Wing Lau, Senior Judicial Clerk II (Registry)¹ at 2582 5368
- Miss Jenny Kwok, Senior Judicial Clerk II (Registry)² at 2504 0766

(c) Family Court

- Ms Jolly Lam, Chief Judicial Clerk (Family Court) at 2582 5370

(d) Magistrates' Courts

- Ms Pauline Kwok, Senior Judiciary Executive (Magistracies) at 3916 6389

(VII) Further Updates

9. The Judiciary will keep in view developments. If the Judiciary decides to introduce any further changes, we will continue to keep the stakeholders posted as soon as practicable.

10. Besides, the Judiciary will continue to post updated information, including Daily Cause Lists and advice to court users visiting the courts, on the Judiciary's website (www.judiciary.hk).

Stakeholders are advised to check the website for updated information as necessary.

11. In particular, for the Bar Association and the Law Society, we should be grateful if you would continue to advise your members to check the website for updated information.

Judiciary Administration
13 February 2020