

Administrative Instructions on Electronic Payments to the Judiciary

In the exercise of the power under Section 33 of the Court Proceedings (Electronic Technology) Ordinance (Cap. 638) (“the Ordinance”), the Judiciary Administrator has specified in this Administrative Instruction the details relating to the making of electronic payments to the e-Courts¹ through the e-system designated in the Ordinance (hereinafter referred to as the integrated Court Case Management System (“iCMS”)).

Modes of Electronic Payment²

2. There are two means through which a court user may make electronic payments to the Judiciary via the iCMS. They are:

- (a) online credit card (Visa, MasterCard, China UnionPay and JCB) payment; and
- (b) web-based PPS (繳費靈) Shop&Buy Service (“PPSB”) payment.

3. To promote the wider use of electronic technology (including electronic payments), the commission fee and service charge incurred for the online payment options will be borne by the Judiciary. The Judiciary will introduce other electronic payment means when circumstances permit.

4. The ceiling for online credit card payment is HK\$3,300 for each filing of cases/documents. For payments exceeding HK\$3,300, it must be made through PPSB subject to the default maximum amount for PPSB payment as set by the service provider not being exceeded and such ceiling is currently HK\$100,000. Multiple filings of cases/documents by one single payment is allowed in which the ceiling of HK\$3,300 will be applied to each filing of cases/documents but not

¹ e-Court means a court and/or a tribunal specified by the rules made by the Chief Justice under Section 6 of the Ordinance as a court/tribunal in which electronic documents may be used. For example, the Court Proceedings (Electronic Technology) (Specification of e-Courts) Rules (Cap. 638A) specify the District Court, the Magistrates’ Court and the Small Claims Tribunal as e-Courts. Please also see paragraph 8 below.

² Government bureaux, departments and agencies may have different settlement arrangements with the Judiciary such as by way of payment vouchers, Government Financial Management Information System Cross Departmental Journal (“CDJ”), and/or use the prevailing mechanism for settlement of fees and charges for individual cases via the iCMS. The e-CDJ transactions will be implemented in the iCMS for those transactions recorded and committed electronically. For CDJ arrangement with Government bureaux and departments, no settlement of fees and charges (i.e. no real cash flow) for individual cases will be made via the e-payment platform under the iCMS.

the total aggregated payment amount. Moreover, the payment ceiling will be subject to review from time to time and the Judiciary will keep the stakeholders posted.

5. For batched payments (which support court users to lodge multiple payment-related submissions in respect of fees and/or other sums of money by one single payment), if the payment of any particular case in a batch exceeds the ceiling for online credit card payment of HK\$3,300, that batched payment needs to be paid by PPSB.

6. If a fee is payable in order for a document to be filed with the Court, the party making the filing must first make payment of the required fee and the document is taken to have been successfully submitted to the Court via the iCMS at the time when an initial receipt is given by the iCMS after the payment transaction is completed.

Types of Payments that can be made via the iCMS

7. Electronic payments can only be made via the iCMS in respect of a proceeding that electronic technology has been implemented for that proceeding in an e-Court (an “e-proceeding”); and for court-related matter that is carried out by means of the iCMS.

8. Under Section 32 of the Ordinance, the Chief Justice may specify, by implementation notices published in Gazette, the date from which electronic technology may be used in relation to a particular e-Court or a type or description of proceedings, thereby implementing the use of electronic technology in relation to court proceedings in phases. Please refer to the implementation notice(s) at https://www.judiciary.hk/en/e_courts/Ann_IN.html issued by the Chief Justice currently in force.

9. The types of payment that can be made via the iCMS for e-proceedings include filing fees, search fees, fines, costs, other fees and deposits (such as transcript fees, bailiff expenses for execution, watchman fees, commission on sum realized upon execution (exclusively in Dstraint cases), deposit of witness expenses), etc. Some examples in respect of the District Court, the Summons Courts of the Magistrates’ Courts and the Small Claims Tribunal where iCMS has been rolled out for public use are set out under **Schedules 1, 2 and 3 respectively**³.

³ The lists at Schedules 1, 2 and 3 may not be exhaustive. Please contact the relevant registry/offices for any enquiries on court case related payment by means of the iCMS if necessary.

Time-limited Concessionary Fees for Electronic Services

10. To encourage migration to the electronic mode at the initial stage of iCMS implementation, electronic users are offered a 20% concession on fee items in the District Court, the Summons Courts of the Magistrates' Courts and the Small Claims Tribunal which are primarily or directly related to the electronic handling of court documents⁴. Specifically, such concession is offered for the relevant fee items in the District Court and the Magistrates' Courts for five years; and for the relevant fee items in the Small Claims Tribunal for three years, starting from the date on which iCMS is first implemented in these court levels. For the avoidance of doubt, the concessionary fees will only be applicable:

- (a) for the court users who will interact with the e-Court in respect of the relevant court-related matters carried out by an electronic mode⁵; and
- (b) when the type(s) of e-proceeding for which the use of the iCMS for the relevant fee item is applicable and available.

Apart from fee items the mode of delivery of which is not affected by the use of the iCMS, concession is also not applicable to fee items which are reimbursements in nature, payments/deposits to which the Court acts as a trustee, or non-fee items (such as penalties/fine/costs imposed by the Court, payments related to criminal proceedings).

Reckoning of Time

11. Payment by electronic means is taken to have been received by the e-Court at the time when the payment transaction is completed. However, if the electronic payment is completed at a time specified as follows:

⁴ For fee items the mode of delivery of which is not affected by the use of the iCMS, no concession will be granted. Making reference to the existing manual fee items, some examples include examination of witnesses by the Judge or Registrar (item 3 of the Schedule to the District Court (Fees) Rules ("Cap. 336C")) and attendance of a public officer to give evidence as an expert witness (item 5 of the Schedule to Cap. 336C).

⁵ For details of the electronic fees for the court-related matters in the e-Court(s), and the related fee concessions, please refer to the respective subsidiary legislation currently in operation (e.g. the Court Proceedings (Electronic Technology) (District Court) (Electronic Fees) Rules, Cap. 638E, the Court Proceedings (Electronic Technology) (Magistrates' Court) (Electronic Fees) Rules, Cap. 638F, and the Court Proceedings (Electronic Technology) (Small Claims Tribunal) (Electronic Fees) Rules, Cap. 638I).

- (a) the time is a closure time of the accounts office of the e-Court; and
- (b) the time is not a time during which the accounts office is open for the e-proceeding to which the payment relates;

the payment is taken to have been received by the e-Court at whichever is the earlier of the following times:

- (a) the time when the accounts office of the e-Court is next normally open to the public; or
- (b) the time when the accounts office is next open for the e-proceeding to which the payment relates.

12. Court users should note that the normal opening hours of the accounts offices are: Mondays to Fridays (except Public Holidays) from 8:45 am to 1:00 pm and from 2:00 pm to 5:30 pm.

Who can make Electronic Payments

13. Only registered users may make electronic payments via the iCMS for payments relating to case transactions⁶, for example filing fees, search fees, fines, costs, other fees and deposits (such as transcript fees, bailiff expenses for execution; watchman fees, commission on sum realized upon execution (exclusively in Distraint cases), deposit of witness expenses) etc., in respect of an e-proceeding, or a court-related matter that is carried out by means of the iCMS.

14. Non-registered users may also make electronic payments using the iCMS for those types of payments which do not require identity authentication. These types of payments include fines and search fees.

⁶ The arrangement is subject to any restrictive or disallowance order(s) granted by the Court including but not limited to the e-Court on the use of the iCMS for sending documents, and making the electronic payment concerned as part of the case transactions in relation to a particular court proceeding.

Technical Requirements

15. Pre-requisites

- (a) Online credit card (Visa, MasterCard, China UnionPay and JCB)
 - (i) Some credit card issuers do not support online payment, i.e. they issue credit cards mainly for retail transactions where merchants can check the physical card. Please check with the respective credit card issuers to ascertain whether they support online payment.
 - (ii) Some credit card issuers offer additional security mechanism to give their cardholders extra protection when they make online payments. There is a possibility that the respective credit card issuer would decline an online payment request if a court user has not registered for these security mechanism. Please contact the respective credit card issuer for the registration as appropriate. More details are also available from the relevant online credit card websites⁷:

Visa at

https://www.visa.com.hk/en_HK/run-your-business/small-business-tools/payment-technology/visa-secure.html

MasterCard at

<https://www.mastercard.com.hk/en-hk/business/merchants/safety-security/identity-check.html>

China UnionPay at

<https://www.unionpayintl.com/en/servicesProducts/products/innovativeProducts/onlinePayment/index.shtml>

JCB at

<https://www.global.jcb/en/products/security/jsecure/>

⁷ Please take note that the availability of these external links are subject to the maintenance schedule and conditions of respective owners. One would find the contact page in the respective site maps for further inquiries. The Judiciary cannot guarantee that these links will work all of the time and have no control over the availability of the linked page.

(b) PPSB

When making online PPS payments, a court user will need to input both his/her PPS account number and his/her PPS Internet password for each payment. Please visit the PPS website at <https://www.ppshk.com/hkt/revamp2/English/main.html> to find out how to register for a PPS Internet password, as well as details on browser compatibility and other technical information.

16. System Requirements

(a) Online credit card (Visa, MasterCard, China UnionPay and JCB)

In addition to system requirements of the iCMS, there may be specific system requirements for enabling the online credit cards' security mechanism. Please check with the respective credit card issuer if they have imposed any other specific system requirements.

(b) PPSB

In addition to system requirements of the iCMS, please visit the PPS website at <https://www.ppshk.com/hkt/revamp2/English/main.html> to find out details on browser compatibility and other technical information.

Schedule 1

Examples of Types of Payments **under the iCMS for the District Court¹**

I. Payments related to Civil Proceedings

Item	Particulars	Relevant Legislation
(A)	Deposit of witness expenses	Order 38 rule 14(5) of the Rules of District Court (Cap. 336H)
(B)	Fees specified in Part 1, Schedule to the District Court (Fees) Rules, such as a fee on sealing of an originating document; the prescribed fee to conduct search in the registry; bailiff expenses for execution	Part 1, Schedule to the District Court (Fees) Rules (Cap. 336C)
(C)	Fees relating to distraint for rent cases, such as application fee, deposit for commission, watchman fees and bailiff expenses	Fourth Schedule to the Landlord and Tenant (Consolidation) Ordinance (Cap. 7)
(D)	Fee for registration of an award or order with the District Court	Item 6 of the Schedule to the Labour Tribunal (Fees) Rules (Cap. 25B)
(E)	Fees relating to appeal to the District Court, such as registration of a determination; filing of notice of appeal	Items 2 to 4 of the Schedule 2 to the Estate Agents (Registration of Determination and Appeal) Regulation (Cap. 511E)
(F)	Fee for application for a certified copy of a Hong Kong Judgment under Section 33(1) of Cap. 645	Item 2 of the Schedule to the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Rules (Cap. 645A)

¹ A registered user may make a payment under the iCMS in relation to a particular court-related matter only after the use of electronic technology has been implemented to the respective Court and/or the respective type of proceeding. Please refer to the implementation notice(s) issued by the Chief Justice for details.

II. Payments related to Criminal Proceedings

Item	Particulars	Relevant Legislation
(G)	Penalties and fines	Imposed under: <ul style="list-style-type: none">• the District Court Ordinance (Cap. 336);• Order 52 rule 9 of the Rules of District Court (Cap. 336H); or• any other relevant legislation
(H)	Court costs	Imposed under: <ul style="list-style-type: none">• the District Court Ordinance (Cap. 336); or• any other relevant legislation
(I)	Fees specified in Part 2, Schedule to the District Court (Fees) Rules, such as copy of a document typed in the Registry and certifying same, per page; authentication of document by the Registrar	Part 2, Schedule to the District Court (Fees) Rules (Cap. 336C)

III. Other fees

Item	Particulars
(J)	Fees for transcripts

Schedule 2

Examples of Types of Payments **under the iCMS for the Summons Courts of the Magistrates' Courts¹**

I. Payments under the law

Item	Particulars	Relevant Legislation
(A)	Fees specified in the Scale of Fees to the Magistrates (Fees) Regulations, such as the prescribed fee to affix the signature of a magistrate, with or without the magistrate's seal, to any statutory declaration or other document made, etc.	Scale of Fees to the Magistrates (Fees) Regulations (Cap. 227B)
(B)	Penalties and fines	Imposed and/or authorized by a magistrate under: <ul style="list-style-type: none">• the Magistrates Ordinance (Cap. 227); or• any other relevant legislation
(C)	Court Costs	Imposed under: <ul style="list-style-type: none">• the Magistrates Ordinance (Cap. 227); or• other relevant legislation

II. Other fees

Item	Particulars
(D)	Fees for transcripts

¹ A registered user may make a payment under the iCMS in relation to a particular court-related matter only after the use of electronic technology has been implemented to the respective Court and/or the respective type of proceeding. Please refer to the implementation notice(s) issued by the Chief Justice for details.

Schedule 3

Examples of Types of Payments under the iCMS for the Small Claims Tribunal¹

Item	Particulars	Relevant Legislation
(A)	Fees specified in the Schedule to the Small Claims Tribunal (Fees) Rules, such as the fee on filing of a claim; fee on application for review; the prescribed fee to conduct search in the registry	Schedule to the Small Claims Tribunal (Fees) Rules (Cap. 338B)
(B)	Fee for application for a certified copy of a Hong Kong Judgment under Section 33(1) of Cap. 645	Item 2 of the Schedule to the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Rules (Cap. 645A)

¹ A registered user may make a payment under the iCMS in relation to a particular court-related matter only after the use of electronic technology has been implemented to the respective Court and/or the respective type of proceeding. Please refer to the implementation notice(s) issued by the Chief Justice for details.