

Leaflet 1

Use of electronic technology in the District Court under the Court Proceedings (Electronic Technology) Ordinance (Cap.638)

This leaflet is designed to provide you with a brief outline of the use of electronic technology in the District Court (“Court”) under the Court Proceedings (Electronic Technology) Ordinance (Cap.638) (“Ordinance”).

You should read the Ordinance as well as the Court Proceedings (Electronic Technology) (District Court Civil Proceedings) Rules (Cap.638C) (“e-Rules”) and e-Practice Direction 1 made thereunder for full details. They are available at https://www.judiciary.hk/en/e_courts/refmat_index.html.



This publication is for general reference only and should not be treated as a complete or authoritative statement of law or court practice. Whilst every effort has been made to ensure that the information provided in this leaflet is accurate, it does not constitute legal or other professional advice. The Judiciary cannot be held responsible for the contents of this publication.

This leaflet does not touch upon any law on civil right, claim or liability.

1. Under the Ordinance, litigants may conduct the following business by electronic means (“electronic mode”) provided certain conditions are satisfied :

- (a) send documents to the Court;
- (b) issue proceedings out of the Court;
- (c) send documents to another party to the proceedings;
- (d) accept delivery of documents from the Court or another party to the proceedings;
- (e) search and inspect a document filed with the Court; and
- (f) effect payment to the Court.

2. The electronic mode is only available in proceedings for which the use of electronic technology has been implemented. Please refer to the e-Rules and e-Practice Direction 1 at https://www.judiciary.hk/en/e_courts/ref_practice.html for the type(s) of proceedings in the Court in which you may use the electronic mode.



3. For use in the electronic mode, it must be reasonable at the time of use to expect that the information in the documents in electronic form would be accessible so as to be usable for future reference.

4. The Chief Justice has designated the integrated Court Case Management System (“iCMS”) as an e-system to facilitate the use of electronic technology in the Court.

5. A litigant or his/her legal representative must have registered as a registered user or an Organization User account holder before he/she may have access to the e-system. Please refer to the leaflet on “Integrated Court Case Management System” at https://www.judiciary.hk/doc/en/e_courts/L_iCMSgeneral_e.pdf.



6. Registered users and Organization User account holders may send and receive documents to/from the Court, issue proceedings (such as, writs of summons, originating summons and inter-parte summons) out of the Court, and conduct search and inspection of documents filed with the Court in the electronic mode by means of the e-system.

7. For further information on how you may:

(a) send and receive documents to/from the Court by means of the e-system, please refer to Leaflet 2 “How to send and receive documents to/from the District Court by electronic means?” at https://www.judiciary.hk/doc/en/e_courts/L_legalaspects2_e.pdf ;



(b) issue documents out of the Court by means of the e-system, please refer to Leaflet 3 “How to issue documents out of the District Court by electronic means?” at https://www.judiciary.hk/doc/en/e_courts/L_legalaspects3_e.pdf; and



(c) conduct search and inspection of documents filed with the Court by means of the e-system, please refer to Leaflet 6 “How to conduct search and inspection of documents filed in the District Court by means of the e-system?” at https://www.judiciary.hk/doc/en/e_courts/L_legalaspects6_e.pdf.



8. The e-system may not be used for inter-parte service and litigants may serve documents in electronic form on each other provided certain conditions are satisfied. For further information on how you may conduct inter-parte service by the electronic mode, please refer to Leaflet 5 “How a party may send a document to another party in the proceedings by electronic means?” at https://www.judiciary.hk/doc/en/e_courts/L_legalaspects5_e.pdf.



9. There are special rules for authentication of documents in electronic form, please refer to Leaflet 4 “How to authenticate documents in electronic form?” at https://www.judiciary.hk/doc/en/e_courts/L_legalaspects4_e.pdf for further information.



10. Generally speaking, where something is done by the paperless electronic mode, it has the same effect as if it were done by means of the conventional paper-based mode of operation (“conventional mode”).

11. Litigants are encouraged to make use of the electronic mode insofar as it is available to reduce time and costs of litigation. At this stage, the use of the electronic mode is optional and litigants are free to choose between the conventional mode or the electronic mode. There may be proceedings in which one party may choose the electronic mode whilst the other party prefers the conventional mode.

12. There is a Help Centre located at 5th Floor, Wanchai Tower, 12 Harbour Road, Wanchai, Hong Kong where electronic devices are available for court users to access the e-system.

13. If you have any enquiry on the use of electronic technology in the Court, you may approach the Help Centre or call the following hotlines during office hours for assistance:

(a) general enquiry hotline: 2477 1002; and

(b) technical helpline: 2886 6474.

Office hours are as follows:

(a) Help Centre and the general enquiry hotline: Mondays to Fridays (except public holidays) from 8:45 am to 1:00 pm and from 2:00 pm to 5:30 pm; and

(b) technical helpline: Mondays to Fridays (except public holidays) from 8:00 am to 7:00 pm.