

Division 6—Hong Kong Court of Final Appeal Ordinance (Cap. 484)

12. Section 40A added

After section 40—

Add

“40A. Suitors’ Funds Rules

- (1) The Chief Justice may make rules for regulating the following matters—
 - (a) the deposit, payment, delivery, and transfer in, into, and out of the Court of money of suitors;
 - (b) the evidence of such deposit, payment, delivery, or transfer, and the investment of and other dealings with money in the Court;
 - (c) the execution of the orders of the Court; and
 - (d) the powers and duties of the Registrar with reference to such money.
- (2) Without limiting subsection (1), rules made under that subsection may —
 - (a) regulate the placing on and withdrawal from deposit of money in the Court, and the payment or crediting of interest on money placed on deposit;
 - (b) determine the smallest amount of money on deposit on which interest is to be credited to an account to which money placed on deposit belongs;
 - (c) determine the time at which money placed on deposit is to begin and to cease to bear interest and the mode of computing such interest;
 - (d) determine the cases in which money placed on deposit is to begin and to cease to bear interest and the mode of computing such interest;
 - (e) determine the cases in which interest on money placed on deposit is to be placed on deposit; and
 - (f) dispose of money remaining unclaimed in the Court.”.

**Proposed Amendments to the High Court Ordinance (Cap. 4)
in Marked-up Mode**

**Section 57 ~~Rules concerning deposit, etc. of moneys, etc. in High Court~~
Suitors' Funds Rules**

- (1) The Chief Judge of the High Court may make rules for regulating-
 - (a) the deposit, payment, delivery, and transfer in, into, and out of the High Court of money, securities, and movable property of suitors;
 - (b) the evidence of such deposit, payment, delivery, or transfer, and the investment of and other dealings with money, securities, and movable property in court;
 - (c) the execution of the orders of the High Court; and
 - (d) the powers and duties of the Registrar with reference to such money, securities, and property.

- (2) Without prejudice to the generality of the foregoing, rules made under this section may provide for-
 - (a) regulating the placing on and withdrawal from deposit of money in court, and the payment or crediting of interest on money placed on deposit;
 - (b) determining the smallest amount of money on deposit on which interest is to be credited to an account to which money placed on deposit belongs;
 - (c) determining the time at which money placed on deposit is to begin and to cease to bear interest and the mode of computing such interest;
 - (d) determining the cases in which money placed on deposit is to begin and to cease to bear interest and the mode of computing such interest;
 - (e) determining the cases in which interest on money placed on deposit and the dividends on any securities standing in the name of the Registrar is or are to be placed on deposit; and
 - (f) disposing of money remaining unclaimed in court, ~~other than the balance of an intestate estate, remaining unclaimed in court or money remaining unclaimed in the Bankruptcy Estates Account established under section 128 of the Bankruptcy Ordinance (Cap 6).~~

(3) For the purposes of this section "suitors" (訴訟人) includes any party to arbitral proceedings who makes payment of money into the Court of First Instance in accordance with rules of court.

(4) For the purposes of this section, *securities* includes shares.

Division 7—Competition Ordinance (14 of 2012)

13. Section 158A added

Part 10, after section 158—

Add

“158A. Suitors’ Funds Rules

- (1) The Chief Judge may, after consulting the President, make rules for regulating the following matters—
 - (a) the deposit, payment, delivery, and transfer in, into, and out of the Tribunal of money, securities and movable property of suitors;
 - (b) the evidence of such deposit, payment, delivery, or transfer, and the investment of and other dealings with money, securities and movable property in the Tribunal;
 - (c) the execution of the orders of the Tribunal; and
 - (d) the powers and duties of the Registrar of the Tribunal with reference to such money, securities and movable property.
- (2) Without limiting subsection (1), rules made under that subsection may—
 - (a) regulate the placing on and withdrawal from deposit of money in the Tribunal, and the payment or crediting of interest on money placed on deposit;
 - (b) determine the smallest amount of money on deposit on which interest is to be credited to an account to which money placed on deposit belongs;
 - (c) determine the time at which money placed on deposit is to begin and to cease to bear interest and the mode of computing such interest;
 - (d) determine the cases in which money placed on deposit is to begin and to cease to bear interest and the mode of computing such interest;
 - (e) determine the cases in which interest on money placed on deposit is, and the dividends on any securities standing in the name of the Registrar of the Tribunal are, to be placed on deposit; and
 - (f) dispose of money remaining unclaimed in the Tribunal.
- (3) For the purposes of this section, *securities* includes shares.”

**Proposed Amendments to the District Court Ordinance (Cap. 336)
in Marked-up Mode**

Section 73 Suitors' Funds Rules

- (1) The Chief Judge may make rules for regulating-
 - (a) the deposit, payment, delivery, and transfer in, into, and out of the Court of money, securities, and movable property of suitors;
 - (b) the evidence of such deposit, payment, delivery, or transfer, and the investment of and other dealings with money, securities, and movable property in court;
 - (c) the execution of the orders of the Court; and
 - (d) the powers and duties of the Registrar with reference to such money, securities, and movable property.

- (2) Without prejudice to the general nature of subsection (1), rules made under this section may provide for-
 - (a) regulating the placing on and withdrawal from deposit of money in court, and the payment or crediting of interest on money placed on deposit;
 - (b) determining the smallest amount of money on deposit on which interest is to be credited to an account to which money placed on deposit belongs;
 - (c) determining the time at which money placed on deposit is to begin and to cease to bear interest and the mode of computing such interest;
 - (d) determining the cases in which money placed on deposit is to begin and to cease to bear interest and the mode of computing such interest;
 - (e) determining the cases in which interest on money placed on deposit and the dividends on any securities standing in the name of the Registrar is or are to be placed on deposit; and
 - (f) disposing of money, ~~other than the balance of an intestate estate, remaining unclaimed in court or money remaining unclaimed in the Bankruptcy Estate Account established under section 128 of the Bankruptcy Ordinance (Cap 6).~~ remaining unclaimed in court.

- (3) For the purposes of this section, *securities* includes shares.

Division 2—Lands Tribunal Ordinance (Cap. 17)

8. Section 10AA added

After section 10—

Add

“10AA. Suitors’ Funds Rules

- (1) The Chief Justice, after consulting the President, may make rules for regulating the following matters—
 - (a) the deposit, payment, delivery, and transfer in, into, and out of the Tribunal of money, securities and movable property of suitors;
 - (b) the evidence of such deposit, payment, delivery, or transfer, and the investment of and other dealings with money, securities and movable property in the Tribunal;
 - (c) the execution of the orders of the Tribunal; and
 - (d) the powers and duties of the registrar with reference to such money, securities and movable property.
- (2) Without limiting subsection (1), rules made under that subsection may —
 - (a) regulate the placing on and withdrawal from deposit of money in the Tribunal, and the payment or crediting of interest on money placed on deposit;
 - (b) determine the smallest amount of money on deposit on which interest is to be credited to an account to which money placed on deposit belongs;
 - (c) determine the time at which money placed on deposit is to begin and to cease to bear interest and the mode of computing such interest;
 - (d) determine the cases in which money placed on deposit is to begin and to cease to bear interest and the mode of computing such interest;
 - (e) determine the cases in which interest on money placed on deposit is, and the dividends on any securities standing in the name of the registrar are, to be placed on deposit; and
 - (f) dispose of money remaining unclaimed in the Tribunal.
- (3) For the purposes of this section, *securities* includes shares.”

Division 3—Labour Tribunal Ordinance (Cap. 25)

9. Section 45 amended (Chief Justice may make rules)

(1) Section 45—

Renumber the section as section 45(1).

(2) After section 45(1)—

Add

“(2) Without limiting subsection (1), the Chief Justice may make rules for regulating the following matters—

- (a) the deposit, payment, delivery, and transfer in, into, and out of the tribunal of money and movable property of suitors;
- (b) the evidence of such deposit, payment, delivery, or transfer, and the investment of and other dealings with money and movable property in the tribunal; and
- (c) the powers and duties of the registrar with reference to such money and movable property.

(3) Without limiting subsection (1), rules made under that subsection may —

- (a) regulate the placing on and withdrawal from deposit of money in the tribunal, and the payment or crediting of interest on money placed on deposit;
- (b) determine the smallest amount of money on deposit on which interest is to be credited to an account to which money placed on deposit belongs;
- (c) determine the time at which money placed on deposit is to begin and to cease to bear interest and the mode of computing such interest;
- (d) determine the cases in which money placed on deposit is to begin and to cease to bear interest and the mode of computing such interest;
- (e) determine the cases in which interest on money placed on deposit is to be placed on deposit; and
- (f) dispose of money remaining unclaimed in the tribunal.”.

Division 5—Small Claims Tribunal Ordinance (Cap. 338)

11. Section 36 amended (Chief Justice may make rules)

(1) Section 36—

Renumber the section as section 36(1).

(2) After section 36(1)—

Add

“(2) Without limiting subsection (1), the Chief Justice may make rules for regulating the following matters—

- (a) the deposit, payment, delivery, and transfer in, into, and out of the tribunal of money of suitors;
- (b) the evidence of such deposit, payment, delivery, or transfer, and the investment of and other dealings with money in the tribunal; and
- (c) the powers and duties of the registrar with reference to such money.

(3) Without limiting subsection (2), rules made under that subsection may —

- (a) regulate the placing on and withdrawal from deposit of money in the tribunal, and the payment or crediting of interest on money placed on deposit;
- (b) determine the smallest amount of money on deposit on which interest is to be credited to an account to which money placed on deposit belongs;
- (c) determine the time at which money placed on deposit is to begin and to cease to bear interest and the mode of computing such interest;
- (d) determine the cases in which money placed on deposit is to begin and to cease to bear interest and the mode of computing such interest;
- (e) determine the cases in which interest on money placed on deposit is to be placed on deposit; and
- (f) dispose of money, remaining unclaimed in the tribunal.”.