

**Proposed Amendments to the Labour Tribunal Ordinance (Cap. 25)
in Marked-up Mode**

Section 12 Contents of claims

A claim shall contain-

- (a) the name and address of each claimant, and, in the case of a representative claim, the name and address of each person represented;
- (b) the name and address of each defendant;
- (c) the ~~sum of money~~ sum of money (whether liquidated or unliquidated) claimed by each claimant or person represented;
- (d) such particulars of the claim as shall be reasonably sufficient to inform the defendant of the grounds for the claim and of the manner in which the amount claimed by each claimant or person represented has been calculated.

Section 15 Conciliation certificate to be filed

- (1) The tribunal shall not hear a claim until a certificate in the prescribed form signed by a tribunal officer or an authorized officer is filed or produced to the effect that-
 - (a) one or more of the parties has refused to take part in conciliation;
 - (b) conciliation has been attempted but no settlement has been reached;
 - (c) conciliation is unlikely to result in a settlement being reached; or
 - (d) conciliation may prejudice the interests of a party.
- (2) A certificate under subsection (1) shall be filed with or produced to the tribunal not later than 24 hours before the date fixed for the hearing of the claim.
- (3) During the hearing of a claim the tribunal may, subject to ~~sections 16 and 30~~ section 16, adjourn the claim and notify the Commissioner in the prescribed form of the adjournment and the reason therefor if-
 - (a) the tribunal is of the opinion that there is a reasonable likelihood of a settlement of the claim; and
 - (b) all parties to the claim have agreed to an adjournment for the purpose of conciliation.
- (4) The Commissioner may, when he has been notified of an adjournment pursuant to subsection (3), hold conciliation between such of the parties to the claim as are willing to take part.
- (5) The Commissioner may, if after such conciliation the parties reach a settlement of the claim or if he is of the opinion that there is no reasonable likelihood of such a settlement, so advise the tribunal in the prescribed form.
- (6) The Commissioner shall, unless he has earlier advised the tribunal under subsection (5), advise the tribunal as to what, if any, progress has been made in the conciliation not less than 24 hours before the date to which the claim has been adjourned.
- (7) If a settlement of a claim is reached, whether as a result of conciliation or not, the terms of the settlement shall be reduced to writing in the prescribed form and signed by the parties to the settlement.

- (8) A settlement, which has been reduced to writing and signed by the parties thereto, shall be filed in the tribunal.
- (9) A settlement filed under subsection (8) shall be treated for all purposes as if it were an award of the tribunal.

Section 30 Giving security upon adjournment

~~Without prejudice to the generality of section 29A, the tribunal may, if it is of the opinion that an adjournment of the hearing of a claim may result in prejudice to a party because of the disposal or loss of control of assets by a defendant, grant an adjournment only on payment into the tribunal of such sum of money, or the giving of such other security for the payment of the amount of any award, as the tribunal may think sufficient.~~

30. Security for award or order

- (1) The tribunal may order a party to give security for the payment of an award or order that has been or may be made if the tribunal considers it just and expedient to do so.
- (2) The tribunal may make the order either of its own motion or on the application of a party.
- (3) The order may require security to be given—
 - (a) by payment into the tribunal a sum of money that the tribunal considers sufficient; or
 - (b) in any other form and manner that the tribunal considers appropriate.
- (4) Without limiting subsection (1), the tribunal may make an order under that subsection against a party if—
 - (a) the tribunal is satisfied that there is a real risk that the payment of an award or order that has been or may be made is likely to be obstructed or delayed because—
 - (i) the party has disposed of, removed from Hong Kong or lost control of assets belonging to the party;
 - (ii) the party is about to dispose of, remove from Hong Kong or lose control of assets belonging to the party; or
 - (iii) there is a real risk of the party disposing of, removing from Hong Kong or losing control of assets belonging to the party;
 - (b) the tribunal is satisfied that—
 - (i) the party has conducted the proceedings in a manner that delays the determination of the case; or
 - (ii) the party's conduct otherwise constitutes an abuse of the process; or

- (c) the tribunal is satisfied that the party has, without reasonable excuse, failed to comply with any award, order or direction.
- (5) If a party fails to comply with an order under subsection (1), the tribunal may—
- (a) dismiss the party's claim;
 - (b) stay the proceedings; or
 - (c) enter judgment on the claim against the party.
- (6) On a party's failure to comply with an order under subsection (1), the tribunal may exercise the powers referred to in subsection (5) without further hearing the party or considering the party's case if the order expressly indicates the tribunal's intention to do so on such non-compliance without further hearing or consideration.

Section 31 Review of awards and orders

- (1) Except where a party has filed an application for leave to appeal and does not agree to withdraw the application, a presiding officer may, within 14 days from the date of an award or order given or made by him, review the award or order and on such review may re-open and re-hear the claim wholly or in part and may call or hear fresh evidence and may confirm, vary or reverse his previous award or order.
- (2) The power conferred by subsection (1) may be exercised-
 - (a) by a presiding officer of his own motion, on notice in the prescribed form to all parties;
 - (b) on the application of a party within 7 days, on notice in the prescribed form to all other parties.
- (3) The exercise of the power conferred by subsection (1) shall not operate as a bar to appeal by a party against the award or order or thereafter against the determination of the review.
- ~~(4) On the application of a party for a review of an award or order, the presiding officer, having regard to the possibility of assets which may be available to satisfy an award being disposed of to the prejudice of any party, may make such order regarding payment into the tribunal, giving of security or otherwise as he may think fit.~~
- (4) After a party has made an application for a review of an award or order, the presiding officer may order any party to give security for the payment of any award or order that has been or may be made.
- (4A) The presiding officer may make the order either of the presiding officer's own motion or on the application of a party.
- (4B) The order may require security to be given—
 - (a) by payment into the tribunal a sum of money that the presiding officer considers sufficient; or
 - (b) in any other form and manner that the presiding officer considers appropriate.

(4C) Without limiting subsection (4), the presiding officer may exercise the power under that subsection—

(a) on being satisfied that the application for a review of an award or order—

(i) is devoid of merit; or

(ii) is made to delay the process; and

(b) having regard to the possibility of assets that may be available to satisfy an award or order being disposed of to the prejudice of any party.

(4D) If a party fails to comply with an order under subsection (4), the presiding officer may dismiss the application for review.

(4E) On a party's failure to comply with an order under subsection (4), the presiding officer may dismiss the application for review under subsection (4D) without further hearing the party or considering the party's case if the order expressly indicates the presiding officer's intention to do so on such non-compliance without further hearing or consideration.

(5) A presiding officer may transfer the hearing and consideration of a review to another presiding officer who shall have all the powers and functions which he would have if he had originally heard the claim and had prepared the record of proceedings.

~~Section 38 Awards and orders may be registered in District Court~~

~~A final award or order of the tribunal may be registered in such manner as may be prescribed, in the District Court and shall, on such registration, become for all purposes a judgment of the District Court and, subject to section 40, may be enforced accordingly, notwithstanding that amount for which an award or order has been given is beyond the jurisdiction of the District Court.~~

38. Awards and orders may be registered in District Court

- (1) A final award or order of the tribunal may be registered, in such manner as may be prescribed, in the District Court and, on such registration, becomes for all purposes a judgment of the District Court made on the date on which the final award or order was made by the tribunal.
- (2) Subject to section 40, the award or order so registered may be enforced accordingly even if the amount for which the award or order has been given is beyond the jurisdiction of the District Court.

Section 44 Punishment for refusal to comply with request by tribunal officer to produce document and for obstruction of tribunal officer

Subject to section 14(5), any person who-

- (a) refuses, without reasonable excuse, to comply with a lawful request made by a tribunal officer for the production to him of any records, books of account or other documents; or
- (b) wilfully obstructs a tribunal officer in the carrying out of any duty under section 14,

shall be guilty of an offence and shall be liable on summary conviction to a fine at level 4.

44A. Documents not to be used for other purposes

- (1) The tribunal may give directions prohibiting or restricting the disclosure or use of a specified document if the tribunal considers it appropriate to do so having regard to all the circumstances of the case.
- (2) The circumstances include the need to protect—
 - (a) intimate personal and financial information;
 - (b) commercially sensitive information; and
 - (c) information communicated or obtained in confidence.
- (3) If a specified document has not been read to or by the tribunal, or referred to, at a hearing of the tribunal held in public, no person, other than the person who disclosed the document, may use or disclose the document otherwise than for the purpose of the proceedings in which the document is disclosed.
- (4) Despite subsections (1) and (3), if the tribunal considers that the justice of the case so requires, the tribunal may, in any proceedings in the tribunal, order —
 - (a) the use of a specified document in a manner specified in the order; or
 - (b) the disclosure of a specified document to a person and in a manner specified in the order.
- (5) Despite subsections (1) and (3), a person may disclose or use a specified document under an order of a court of record or magistrates' court.
- (6) A person who contravenes subsection (3) or a direction given under subsection (1) is liable to committal for contempt of court.

(7) In this section—

specified document (指明文件) means any document disclosed in a proceedings in the tribunal.

Section 47 Immunity

- (1) A presiding officer has, in the performance of his powers or duties under this Ordinance, the same privileges and immunities as a judge of the Court of First Instance in civil proceedings in that court.
- (2) A witness before the tribunal shall be entitled to the same privileges and immunities as if he were a witness in civil proceedings in the Court of First Instance.

48. Transitional provisions

The amendments made to this Ordinance by the Labour Tribunal (Amendment) Ordinance 2013 (of 2013) apply in relation to all proceedings to which this Ordinance relates irrespective of when those proceedings were commenced.

SCHEDULE

[section 7]

1. A claim for a sum of ~~money~~money, whether liquidated or unliquidated, which arises from-
 - (a) the breach of a term, whether express or implied or (if relevant) arising by force of section 10(1) of the Minimum Wage Ordinance (Cap 608), of a contract of employment, whether for performance in Hong Kong or under a contract to which the Contracts for Employment Outside Hong Kong Ordinance (Cap 78) applies; (Amended 8 of 1976 s. 49; 59 of 1999 s. 3) (aa) the breach of a term, whether express or implied or (if relevant) arising by force of section 10(1) of the Minimum Wage Ordinance (Cap 608), of a contract of apprenticeship; or
 - (b) the failure of a person to comply with the provisions of the Employment Ordinance (Cap 57), the Minimum Wage Ordinance (Cap 608) or the Apprenticeship Ordinance (Cap 47),other than a claim specified in the Schedule to the Minor Employment Claims Adjudication Board Ordinance (Cap 453).
2. A claim for contribution under section 26(2).
3. Notwithstanding paragraphs 1 and 2, the tribunal shall not have jurisdiction to hear and determine a claim for a sum of ~~money~~money (whether liquidated or unliquidated), or otherwise in respect of a cause of action, founded in tort whether arising from a breach of contract or a breach of a duty imposed by a rule of common law or by any enactment.
4. Any question as to-
 - (a) the right of an employee to a severance payment under Part VA of the Employment Ordinance (Cap 57); or
 - (b) the amount of such payment, (Added L.N. 178 of 1974) other than a claim specified in the Schedule to the Minor Employment Claims Adjudication Board Ordinance (Cap 453).
5. Any question as to-
 - (a) the right of an employee to payment of wages by a person other than his employer under Part IXA of the Employment Ordinance (Cap 57); and
 - (b) the amount of such payment,other than a claim specified in the Schedule to the Minor Employment Claims Adjudication Board Ordinance (Cap 453).

6. Notwithstanding paragraphs 1, 2, 4 and 5, the tribunal shall have jurisdiction to hear and determine a claim transferred to the tribunal under section 8(3) of the Minor Employment Claims Adjudication Board Ordinance (Cap 453) or section 7 or 10 of the Small Claims Tribunal Ordinance (Cap 338). (Added 61 of 1994 s. 48. Amended 28 of 1999 s. 18)
7. A claim for remedies under Part VIA of the Employment Ordinance (Cap 57). (Added 75 of 1997 s. 6)
8. (Repealed 135 of 1997 s. 4)
9. (Repealed 135 of 1997 s. 14)

**Proposed Amendments to the Labour Tribunal (General) Rules
(Cap. 25 sub.leg.A)
in Marked-up Mode**

Rule 12 Registration of award or order in District Court

- (1) Where an award or order is made by the tribunal, and if stay of execution has not been ordered under section 37 of the Ordinance, the registrar shall, on the application of the party in whose favour the award or order is made, supply to him a certificate of award or order in the prescribed form and a copy thereof. (see Form 17)
- (2) The registrar of the District Court ~~shall, on the production of a certificate of award or order, and a copy thereof to him within 12 months after the date of the award or order,~~ must, on the production of a certificate of award or order and a copy of it to the registrar, register the certificate in the Register of Actions kept in the District Court.
- (3) The registrar of the District Court shall seal and date the copy certificate and return it to the person producing it.
- (4) A presiding officer may at any time authorize an officer attached to the tribunal, not being below the rank of senior clerical officer, to discharge the duties of the registrar under paragraph (1).

**Proposed Amendments to the Labour Tribunal (Forms) Rules
(Cap. 25 sub.leg.C)
in Marked-up Mode**

Schedule

[rule 2]

FORM 1
LABOUR TRIBUNAL ORDINANCE
(Chapter 25)
TITLE TO CLAIM: GENERAL FORM

Between (a)
Claimant(s)

and

(b)
Defendant(s)

~~Claim No. of 19~~ Claim No. of

Note: (a) Insert full name and address of each claimant and, in the case of a representative claim, the name and address of each person represented.
(b) Insert full name and address of each defendant.

FORM 2
LABOUR TRIBUNAL ORDINANCE
(Chapter 25)
FORM OF CLAIM
[title as in Form 1]

[section 11]

TO THE DEFENDANT.

The claimant claims the amount
of particulars of the grounds for
which and the manner in which it is calculated are set out as follows:

(a) 1. The grounds for the claim are:

.....
.....
.....

(b) 2. The amount of claim is calculated as follows:

.....
.....
.....

| Dated this ~~day of~~ 19 day of.....

.....
(c) (Signature of Claimant)

| Filed this..... ~~day of~~ 19 day of.....

Registrar
L.S.

Note: (a) Set out sufficient particulars to inform the defendant of the grounds for the claim.

- (b) Set out in full the manner in which the amount of claim is calculated and whether it includes any interest or expenses.
- (c) This claim must be signed by each claimant or person represented before the date of hearing.

FORM 3

[section 13]

LABOUR TRIBUNAL ORDINANCE
(Chapter 25)
NOTICE OF PLACE AND DAY FIXED FOR HEARING
[title as in Form 1]

TO THE DEFENDANT:

TAKE NOTICE that this claim has been made by the claimant against you and will be heard at a tribunal to be held

at

before, Presiding Officer, on the day

of 19 day of....., at *a.m./p.m.

AND TAKE NOTICE that if you do not attend at the time and place mentioned, the claim will be heard in your absence and such award or order may be made in your absence as the tribunal thinks fit.

Dated this day of 19 day of.....

Registrar
L.S.

(a) This notice and a copy of the claim was served by me

on at on the day

of 19 day of.....

.....
(Signature of recipient of claim and notice) (Signature of process server)

* Delete whichever is not applicable.

Note: (a) Service shall be effected in accordance with section 13(2) of the Labour Tribunal Ordinance.

FORM 4 [section 13]
LABOUR TRIBUNAL ORDINANCE
(Chapter 25)
NOTICE OF NEW PLACE AND NEW DAY FIXED FOR HEARING
[title as in Form 1]

TO THE DEFENDANT.

TAKE NOTICE that this claim will be heard

at on the ~~day of 19~~
~~day of.....~~, at *a.m./p.m. and any previous notice of the place and
date of hearing is hereby cancelled.

Dated this ~~day of 19~~ ~~day of.....~~

Registrar
L.S.

(a) This notice was served by me on at on the
~~day of 19~~ ~~day of.....~~

.....
(Signature of recipient of notice)

.....
(Signature of process server)

* Delete whichever is not applicable.

Note: (a) Service shall be effected in accordance with section 13(2) of the Labour
Tribunal Ordinance.

FORM 5
LABOUR TRIBUNAL ORDINANCE
(Chapter 25)

[(Gen.) rule 7]

NOTICE OF DAY OF HEARING BY COURT/TRIBUNAL TO WHICH CLAIM
HAS BEEN TRANSFERRED

In the *Court of First Instance/District Court/Small Claims Tribunal of Hong Kong
[title as in Form 1]

TO ALL PARTIES INTERESTED.

TAKE NOTICE that this claim has been transferred to *this Court/this Tribunal
and will be heard at on the ~~day of 19~~
~~day of.....~~, at *a.m./p.m.

Dated this ~~day of 19~~ ~~day of.....~~

.....
Registrar,
*High Court/District Court/
Small Claims Tribunal

L.S.

(a) This notice was served by me on at
| on the ~~day of~~ 19 day of.....

.....
.. ..
(Signature of recipient of notice) (Signature of process server)

* Delete whichever is not applicable.

Note: (a) Service shall be effected in accordance with the Labour Tribunal
(General) Rules.

FORM 6 [section 14(1) & (Gen.)
rule 8(a)]
LABOUR TRIBUNAL ORDINANCE
(Chapter 25)
SUMMARY OF FACTS
[title as in Form 1]

TO THE PRESIDING OFFICER.

I,, tribunal officer, on the
| ~~day of~~ 19 day of..... received a copy of this claim from
the registrar and have inquired into the facts thereof, a summary of which is set out
in the following :

- | 1. By a contract of employment made *orally/in writing, *(a copy of which is

attached) on the ~~day of~~ 19 day
of....., the claimant(s) agreed *to serve/employ the defendant(s)
as on the following terms:

- (a)
- (b)
- (c)
- (d)

2. *The claimant(s) were dismissed from the services of the defendant(s) on
the ~~day of~~ 19 day of.....

3. *The dismissal was made *orally/in writing *(a copy of which is attached).

4. *The defendant(s) left the services of the claimant(s) on
the ~~day of~~ 19day
of.....

5. *The defendant(s) gave *no notice/ days' notice to the claimant(s)
of *his/their intention to leave the services of the claimant(s).

6. *The claimant(s) became ill on the ~~day~~
of..... 19 day of..... and informed the defendant(s)
*orally/in writing *(a copy of which is attached) of *his/their illness and the
opinion of *his/their medical advisor *(a copy of which is attached) that
he/they would be unable to resume work fordays.

7. *The following facts are agreed by the claimant(s) and the defendant(s):

- (a)
- (b)
- (c)
- (d)

8. *The claimant(s) dispute(s) the following facts:

- (a)
- (b)
- (c)
- (d)

9. *The defendant(s) dispute(s) the following facts:

- (a)
- (b)
- (c)
- (d)

10. The following facts are, in my opinion, of assistance to the tribunal:

- (a)
- (b)
- (c)

(d)

11. The following persons have refused to be interviewed by me:

(a)

(b)

(c)

(d)

12. The following persons have been interviewed by me but have refused to *make any statement/answer any question put to him:

(a)

(b)

(c)

(d)

| Dated this ~~day of~~ 19 day of.....

.....
Tribunal Officer

* Delete whichever is not applicable.

Note : To be completed in duplicate and delivered to the registrar not later than 24 hours after the completion of the necessary inquiries.

FORM 7
LABOUR TRIBUNAL ORDINANCE
(Chapter 25)
CERTIFICATE OF CONCILIATION
[title as in Form 1]

[section 15(1)]

I,, authorized officer, hereby *certify/report-

*That the following *claimant(s) defendant(s), having been interviewed by me, *has/have indicated *his/their refusal to take part in conciliation :

(a) 1.

2.

3.

4.

*That the parties to this claim, having taken part in conciliation, have not been able to reach any settlement.

*That having interviewed the parties to this claim, I am of the opinion that conciliation is unlikely to result in a settlement being reached.

*That having interviewed the parties to this claim, I am of the opinion that conciliation may prejudice the interest of the *claimant(s)/defendant(s).

(b) Dated this ~~day of~~ 19 day of.....

.....
Authorized Officer

*(c) I,, tribunal officer, having studied the above report, certify that it is true and correct.

(b) Dated this ~~day of~~ 19 day of.....

.....
Tribunal Officer

* Delete whichever is not applicable.

Note : (a) Insert full name of each claimant or person represented, or defendant who refuses to participate in conciliation.

(b) To be delivered to the registrar not later than 24 hours before the date fixed for the hearing of the claim.

(c) To be filled and signed by the tribunal officer if the authorized officer has reported to him on conciliation.

FORM 8
LABOUR TRIBUNAL ORDINANCE
(Chapter 25)

[section 15(3)]

NOTICE OF ADJOURNMENT

[title as in Form 1]

TO THE COMMISSIONER FOR LABOUR.

TAKE NOTICE that this appearing to me that there is a reasonable likelihood of a settlement of this claim being agreed to by all or some of the parties thereto, I have ordered that hearing of this claim be adjourned to the day of 19 day of at *a.m./p.m.

Dated this day of 19 day of

.....
Presiding Officer

* Delete whichever is not applicable.

FORM 9 [section 15(5) & (6)]
LABOUR TRIBUNAL ORDINANCE
(Chapter 25)
ADVICE OF RESULT OF CONCILIATION
[title as in Form 1]

TO THE PRESIDING OFFICER.

Conciliation has been held by me pursuant to section 15(4) of the Labour Tribunal Ordinance between the *(following) parties to this claim:

*A settlement has been agreed to by such parties.

*I am of the opinion that there is no reasonable likelihood of a settlement being agreed to by such parties.

*The following has resulted from conciliation:

Dated this day of 19 day of

.....
*Authorized Officer/
for Commissioner for Labour.

* Delete whichever is not applicable.

Note : This advice has to reach the presiding officer not less than 24 hours before the date to which hearing has been adjourned.

FORM 10
LABOUR TRIBUNAL ORDINANCE
(Chapter 25)

[section 15(7)]

CERTIFICATE OF SETTLEMENT
[title as in Form 1]

We, (a)
.....
.....
parties to this claim, hereby agree to a settlement of this claim on the following terms:

(b)
.....
.....

The above agreement has been interpreted to us in the
dialect and understood by us.

Dated this ~~day of~~ 19 day of.....

(c) (Signature of Claimant(s))
.....

(c) (Signature of Defendant(s))

Before me,

.....
Authorized Officer.

Filed this~~day of~~ 19 day of.....

Registrar

L.S.

- Note : (a) Insert full names of those parties who agree to the settlement.
 (b) Set out in full the conditions on which the settlement is agreed
 (c) This certificate must be signed by all parties who agree to the settlement.

Form 11 [section 31(2)(a)]
 LABOUR TRIBUNAL ORDINANCE
 (Chapter 25)
 NOTICE OF REVIEW BY A PRESIDING OFFICER OF
 HIS OWN MOTION
 [title as in Form 1]

TO ALL PARTIES INTERESTED.

TAKE NOTICE that in exercise of the powers conferred by section 31(1) of the Labour Tribunal

Ordinance, Presiding Officer, will review the *award/order made on the~~day of~~ 19 day of..... against

(a)*claimant(s)/defendant(s) to this claim.

AND TAKE NOTICE that the review will be heard

at on the~~day of~~ 19 day of..... at *a.m./p.m.

Dated this~~day of~~ 19 day of.....

Registrar.

L.S.

(b) This notice was served by me on
at on the ~~day of~~ 19 day
of.....

.....
(Signature of recipient of notice)

.....
(Signature of process server)

* Delete whichever is not applicable.

Note : (a) Insert full name and address of party against whom award/order was made.

(b) Service shall be effected in the manner prescribed under the Labour Tribunal (General) Rules.

FORM 12 [section 31(2)(b)]
LABOUR TRIBUNAL ORDINANCE
(Chapter 25)
NOTICE OF REVIEW BY A PRESIDING OFFICER ON THE
APPLICATION OF A PARTY
[title as in Form 1]

TO ALL PARTIES INTERESTED.

An Application has been made by

(a), a party to this claim, for a review under section 31 of the Labour Tribunal Ordinance of an *award/order made on the ~~day of~~ 19 day of..... in respect of this claim.

TAKE NOTICE that, Presiding Officer, will review the *award/order at on the ~~day of~~ 19 day of..... at *a.m./p.m.

Dated this ~~day of~~ 19 day of.....

Registrar.
L.S.

(b) This notice was served by me
on at on
the ~~day of~~ 19 day of.....

.....
(Signature of recipient of notice)

.....
(Signature of process server)

* Delete whichever is not applicable.

Note : (a) Insert full name of the party by whom the application has been made.
(b) Service shall be effected in the manner prescribed under the
Labour Tribunal (General) Rules.

FORM 13 [section 31(4)]
LABOUR TRIBUNAL ORDINANCE
(Chapter 25)
APPLICATION FOR REVIEW OF AN *AWARD/ORDER
BY A PARTY
[title as in Form 1]

TO, PRESIDING OFFICER.

I, (a), a party to this claim which has heard and
determined before you on the ~~day of~~ 19 day
of....., being dissatisfied with the *award/order made by you in respect of
this claim, hereby, pursuant to section 31(2)(b) of the Labour Tribunal Ordinance,
make application to you to review the *award/order.

(b) Dated this ~~day of~~ 19 day of.....

.....
(Signature of Applicant)

* Delete whichever is not applicable.

Note : (a) Insert full name of the party making application
(b) An application for a review of an award or order must be made within 7 days of the award or order.

FORM 14 [section 32(2)]
LABOUR TRIBUNAL ORDINANCE
(Chapter 25)
APPLICATION FOR LEAVE TO APPEAL ON POINT OF LAW
[title as in Form 1]

TO THE COURT OF FIRST INSTANCE.

I, (a), a party to this claim, pursuant to section 32 of the Labour Tribunal Ordinance do hereby apply for leave to appeal against the *award/order/determination by, Presiding Officer, made in respect of this claim on the~~day of~~ 19 day of.....

The grounds on which I desire to appeal are that-

*the *award/order/determination is erroneous in point of law in that-(b)

- 1.....
- 2.....
- 3.....
- 4.....

*the *award/order/determination is outside the jurisdiction of the tribunal in that-(c)

- 1.....
- 2.....
- 3.....
- 4.....

Dated this~~day of~~ 19 day of.....

.....
(Signature of Applicant)

(d) Lodged this ~~day of~~ 19 day of.....

.....
Registrar, High Court

L.S.

* Delete whichever is not applicable.

- Note: (a) Insert full name of the party making the application for leave to appeal.
 (b) Set out the point of law in question.
 (c) Set out the reasons.
 (d) This application must be lodged with the Registrar, High Court, within 7 days after the date on which the written award/order/determination appealed against was served.

FORM 15
(Repealed L.N. 126 of 1976)

FORM 15A [(Gen.) rule 8A]
 LABOUR TRIBUNAL ORDINANCE
 (Chapter 25)

NOTICE OF DAY FIXED FOR HEARING OF AN APPLICATION
 FOR LEAVE TO APPEAL

[title as in Form 1]

TO (the applicant).

TAKE NOTICE that your application ~~dated~~ 19 dated
 for leave to appeal against the *award/order/determination
 of, Presiding Officer, made on the ~~day~~
~~of~~ 19 day of..... in respect of this claim will be heard
 at on the ~~day of~~ 19 day

| of..... at

| Dated this ~~day of~~ 19 day of.....

.....
Registrar, High Court
L.S.

(a) This notice was served by me on
at on the ~~day of~~ 19
day of.....

.....
(Signature of recipient of notice)

.....
(Signature of process server)

* Delete whichever is not applicable.

Note: (a) Service to be effected in accordance with the Labour Tribunal (General) Rules.

FORM 16 [(Gen.) rule 9(1)(c)]
LABOUR TRIBUNAL ORDINANCE
(Chapter 25)
NOTICE OF DAY FIXED FOR HEARING OF AN APPEAL
In the High Court of Hong Kong

[title as in Form 1]

TO ALL PARTIES INTERESTED.

TAKE NOTICE that leave to appeal against the *award/order/determination of, Presiding Officer, made on the ~~day of~~ 19 day of.....-in respect of this claim has been granted. The grounds of appeal are set out in the application for leave to appeal, a copy of which is annexed hereto.

AND TAKE NOTICE that this appeal will be heard

at on the day
of 19 day of-at

Dated this day of 19 day of.....

Registrar, High Court
L.S.

(a) This notice was served by me

on at
on the day of 19 day of.....

.....
(Signature of recipient of notice)

.....
(Signature of process server)

* Delete whichever is not applicable

Note: (a) Service to be effected in accordance with the Labour Tribunal (General) Rules.

FORM 17
LABOUR TRIBUNAL ORDINANCE
(Chapter 25)
CERTIFICATE OF *AWARD/ORDER
[title as in Form 1]

[(Gen.) rule 12(1)]

I,, certify that (a)
on the day of 19 day
of-obtained against (b) in the tribunal *the
award of/the order for the payment
of

Dated this day of 19 day of.....

*Registrar/Officer authorized by Presiding
Officer under rule 12(4) of the Labour

Tribunal (General) Rules

L.S.

TO THE REGISTRAR, DISTRICT COURT.

The above certificate is presented by me for registration in accordance with rule 12(2) of the Labour Tribunal (General) Rules.

~~(e) Dated~~ Dated this ~~day of~~ day of ~~19~~
day of.....

.....
(Signature of party presenting
for registration)

The above certificate is registered in the District Court.

Dated this ~~day of~~ day of ~~19~~ day of.....

Registrar, District Court

L.S.

* Delete whichever is not applicable.

Note: (a) Insert full name of party in whose favour the award or order is made.
(b) Insert full name of party against whom the award or order is made.
~~(c) The award or order must be presented for registration not later than 12 months after the date of the award or order.~~

TO THE LABOUR TRIBUNAL.

I, (a)....., a claimant to this claim, which was struck out by the tribunal in my absence on the day ~~of~~ 19 day of..... hereby, pursuant to section 20A of the Labour Tribunal Ordinance, make application for the restoration of the claim.

The *reason/reasons for my non-appearance at the hearing *is/are
.....
.....

(b) Dated this ~~day of~~ 19 day of.....

.....
(Signature of Applicant)

* Delete whichever is not applicable.

Note: (a) Insert full name of the claimant making application.

(b) This application must be made to the tribunal within 7 days after the hearing or such further period as the tribunal may allow.

FORM 19 [section 21A]
LABOUR TRIBUNAL ORDINANCE
(Chapter 25)
APPLICATION TO SET ASIDE AN *AWARD/ORDER
[title as in Form 1]

TO THE LABOUR TRIBUNAL.

I, (a) ,a defendant to this claim, which was heard and determined by the tribunal in my absence and an *award/order made on the ~~day~~ of 19 day of....., hereby, pursuant to section 21A of the Labour Tribunal Ordinance, make application to set aside the *award/order.

The *reason/reasons for my non-appearance at the hearing *is/are
.....
..
.....
..

(b) Dated this ~~day of~~ 19 day of.....

.....
(Signature of Applicant)

* Delete whichever is not applicable.

Note: (a) Insert full name of the defendant making application.
(b) This application must be made to the tribunal within 7 days after the hearing or such further period as the tribunal may allow.

FORM 20 [sections 20A & 21A]
LABOUR TRIBUNAL ORDINANCE
(Chapter 25)

NOTICE OF PLACE AND DAY FIXED FOR HEARING OF
AN APPLICATION TO *RESTORE A CLAIM/SET ASIDE
AN *AWARD/ORDER

[title as in Form 1]

TO ALL PARTIES INTERESTED.

An application has been made by (a)
....., a *claimant/defendant
to this claim, to-

- *restore under section 20A of the Labour Tribunal Ordinance a claim which was struck out
- *set aside under section 21A of the Labour Tribunal Ordinance the
- *award/order made

in the absence of the applicant on the~~day of~~.....
| ~~19 day of~~.....-in respect of this claim. The reasons for the non-appearance
of the applicant are set out in the Application, a copy of which is annexed hereto.

TAKE NOTICE that the Application will be heard at a tribunal to be held
at before, Presiding Officer, on
| the ~~day of~~..... ~~19 day of~~....., at
*a.m./p.m.

| Dated this~~day of~~..... ~~19 day of~~.....

.....
Registrar

L.S.

(b) This notice and a copy of the application was served by me on
at
| on the~~day of~~..... ~~19 day of~~.....

.....
(Signature of recipient of
notice and application).

.....
(Signature of process server)

* Delete whichever is not applicable.

Note: (a) Insert full name of the applicant.

(b) Service shall be effected in accordance with section 13(2) of the
Labour Tribunal Ordinance.

**Proposed Amendments to the Labour Tribunal (Suitors' Funds) Rules
(Cap. 25 sub.leg.D)
in Marked-up Mode**

Rule 4 Registrar to give receipt

- (1) The registrar shall give a receipt to any person by whom funds are paid into the tribunal.
- (2) A receipt given under this rule shall be as nearly as may be in Form 1 in the Schedule hereto and shall contain particulars sufficient to identify the payment to which it relates and a statement of such of the following circumstances as may be applicable-
 - (a) paid in on behalf of defendant (name of party) in satisfaction of claim of the above-named (name of party);
 - (b) paid in under order dated the ~~day of 19~~day of ;
 - (c) paid in to ~~security for costs account~~security money account on behalf of (name of party).

Schedule

FORM 1
 LABOUR TRIBUNAL (SUITORS' FUNDS) RULES
 Receipt
 IN THE LABOUR TRIBUNAL
 (Title of cause or matter. ~~No. of 19~~ No. of).
 Ledger account

[rule 4(2)]

(if the same as the cause, state as above).

Received from

(Signature)

the sum of

Registrar

Dated this ~~day of 19~~ day of .

FORM 2
 LABOUR TRIBUNAL (SUITORS' FUNDS) RULES
 Declaration
 IN THE LABOUR TRIBUNAL
 (Title of cause or matter. ~~No. of 19~~ No. of).
 Ledger account

[rule 7]

(if the same as the cause, state as above).

I (name and address of applicant) solemnly and sincerely declare that I am the (degree of relationship) and next or one of the next of kin of (name of deceased) and that I am entitled to take out administration to his estate and to receive the sum of \$ directed to be paid to him by the order ~~dated the 19~~ dated the .

And I further declare that the total value of the assets of the deceased including the above sum does not exceed \$5000, and I certify that the death-bed and funeral expenses of the deceased have been paid: and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths and Declarations Ordinance, Chapter 11.

(Signature of applicant)

Declared at

| Before me this ~~day of 19~~ day of _____.
(Signature)

Commissioner for Oaths,
notary public, or other
authorized officer