

第四章 | Chapter 4

區域法院 DISTRICT COURT





終審法院首席法官、區域法院首席法官馮驊(左三)及區域法院法官合照

The Chief Justice, H H Judge Fung, the Chief District Judge (third left), and Judges of the District Court



在區域法院進行的聆訊 A court hearing at the District Court

區域法院

區域法院根據《區域法院條例》(第336章) 成立,司法管轄範圍有刑事和民事兩 方面,民事方面包括婚姻訴訟管轄。

區域法院由區域法院首席法官領導,編制 上共有33位法官、一位司法常務官和兩位 副司法常務官(後二者統稱為聆案官)。

民事司法管轄範圍

除法例另有規定外,區域法院負責審理的 民事訴訟,申索限額為5萬元以上,60萬 元以下;申索如涉及收回土地或土地 權益,則以年租或應課差餉租值或年值 不超過24萬元為限。除了一般民事訴訟 外,區域法院還有專屬管轄權審理根據 《僱員補償條例》(第282章)提出的申索、 根據《税務條例》(第112章)提出的税項 追討,以及根據《業主與租客(綜合)條例》 (第7章)進行的欠租扣押。

The District Court also has jurisdiction over divorce, adoption, domestic violence and other family related matters. The Court may exercise the matrimonial jurisdiction notwithstanding that 區域法院亦有管轄權處理離婚、領養、 the amount of financial relief claimed is beyond 家庭暴力和其他與家事有關的事宜。所有 its civil jurisdiction. 婚姻訴訟,即使經濟濟助的申索額超過 區域法院的民事訴訟權限,區域法院仍可 有權審理。



DISTRICT COURT

The District Court is established under the District Court Ordinance (Cap. 336). It has both criminal and civil jurisdiction, including matrimonial jurisdiction.

The District Court is headed by the Chief District Judge and has an establishment of 33 District Judges, one Registrar and two Deputy Registrars (collectively known as the Masters).

CIVIL JURISDICTION

Unless otherwise provided for by statute, civil claims of the value over \$50,000 but not more than \$600,000 are heard in the District Court. Where claims are for recovery of land, or the title to an interest in land comes in question, the annual rent or rateable value or the annual value must not exceed \$240,000. Apart from the general civil jurisdiction, the District Court has exclusive jurisdiction over claims brought under the Employees' Compensation Ordinance (Cap. 282), tax recovery claims under the Inland Revenue Ordinance (Cap. 112) and distress for rent under the Landlord and Tenant (Consolidation) Ordinance (Cap. 7).

刑事司法管轄範圍

區域法院有刑事管轄權,可審理除最嚴重 的案件如謀殺、誤殺和強姦等以外的所有 可公訴罪行案件,亦可審理由裁判法院 移交的附可公訴罪行的簡易程序案件。 區域法院判處的監禁刑期最高可達七年。 區域法院的刑事審訊不設陪審團。

上訴司法管轄範圍

區域法院亦根據多項條例,如《印花税 條例》(第117章)、《肺塵埃沉着病(補償) 條例》(第360章)和《職業性失聰(補償) 條例》(第469章)等,行使有限的上訴管 轄權,審理不服各審裁處和法定團體的決 定而提出的上訴。

對區域法院民事訴訟 申索限額的檢討

2000年9月1日,區域法院一般民事訴訟 的申索限額由12萬元增至60萬元。區域 法院自此可以審理一些新增的案件類別 如人身傷害訴訟等,吸納了部份高等法院 原訟法庭沉重的案件量。《區域法院規則》 亦於2000年9月1日實施。該規則以《高等 法院規則》為藍本,並套用其中可適用於 區域法院的條文。此外,區域法院又設立 了聆案官制度,以處理爭議性較小的非 正審事宜及加強案件管理。到目前為止, 區域法院在應付新增的民事案件量或在 實施《區域法院規則》的新程序規則方面, 都相當順利。

CRIMINAL JURISDICTION

The criminal jurisdiction of the District Court includes all indictable offences, except the most serious ones such as murder, manslaughter and rape, as well as summary offences transferred to it together with an indictable offence. The maximum term of imprisonment that the District Court can impose is seven years. Trial by jury is not extended to the District Court.

APPELLATE JURISDICTION

The District Court also exercises limited appellate jurisdiction in hearing appeals from Tribunals and Statutory Bodies conferred on it under various ordinances, e.g. the Stamp Duty Ordinance (Cap. 117), the Pneumoconiosis (Compensation) Ordinance (Cap. 360) and the Occupational Deafness (Compensation) Ordinance (Cap. 469).



區域法院法官彭偉昌與以色列司法部國家總檢 察長Mrs Edna Arbel會面 H H Judge Pang and Mrs Edna Arbel, State Attorney, Ministry of Justice of Israel

為了使原訟法庭和區域法院的民事案件量 更能平均分配,我們現正檢討是否需要 進一步提高區域法院的訴訟限額,檢討後 會將建議提交終審法院首席法官考慮。

家事法庭

家事法庭是區域法院的一部份,專責處理 根據《婚姻訴訟條例》(第179章)提出的呈 請和其他附帶事宜。現時,共有六位區域 法院法官專責處理家事法庭的事宜。



調解統籌主任鄺楊雁好女士向新加坡法援局訪港團簡介家事調 解試驗計劃 Mrs Doris Kuang, Mediation Coordinator, briefs a delegation from Singapore Legal Aid Bureau on the Pilot Scheme on **Family Mediation**



REVIEW OF THE FINANCIAL LIMITS OF THE CIVIL JURISDICTION OF THE DISTRICT COURT

The general civil jurisdiction of the District Court was increased from \$120,000 to \$600,000 on 1 September 2000. New case types such as personal injuries actions were brought within the jurisdiction of the District Court to absorb part of the heavy caseload of the Court of First Instance of the High Court. The Rules of the District Court, which were modelled on the Rules of the High Court where appropriate, also came into operation on 1 September 2000. A System of Masters was introduced to enhance case management and to deal with less contentious interlocutory matters. The District Court has coped well with the increased civil caseloads and the new procedural rules under the Rules of the District Court.

To better balance the civil caseloads between the Court of First Instance and the District Court, a review to further increase the financial limits of the District Court is underway. The recommendations arising from the review will be submitted to the Chief Justice for consideration.

FAMILY COURT

The Family Court is part of the District Court to deal specifically with petitions and other ancillary matters under the Matrimonial Causes Ordinance (Cap. 179). Currently, six District Judges are specially assigned to deal with family matters.

家事調解試驗計劃

2000年5月,我們開始推行為期 三年的家事調解試驗計劃,作為 訴訟以外解決因婚姻破裂而引起 糾紛的另一種方法。這計劃鼓勵 雙方達成和解,目的是協助申請 分居或離婚的夫婦就子女的撫養 權和贍養費問題,或就財務事 **宜**, 達成雙方可接受的協議。

自試驗計劃在2000年5月開始, 至2002年9月底止,我們共舉辦 了476次有關的講座,出席人數 超過2 600人。經轉介接受調解的 833宗個案中,有639宗已經完成 調解,其中452宗達成全面協議, 59宗達成局部協議。

司法機構委托了香港理工大學對這項計劃 的成效進行檢討。該研究小組已發出 問卷,並與有關方面,如使用這項調解服 務的人士、他們的家人、調解員、社會 工作者和法庭人員等面談討論。

檢討結果顯示,社會大眾認為家事調解 服務比訴訟可取,又認為應將這項計劃全 面推介為排解家庭糾紛的一種方法。大部 份曾經使用這項服務的人士對調解服務 都有高度評價。他們認為這項服務既有助 節省時間金錢,又可使雙方更清楚明白 如何以積極的態度處理離婚事宜,更可 緩和在排解糾紛過程中造成的精神壓力, 有助加強夫婦雙方的溝通,以便達成協議 並落實執行。



家事調解試驗計劃督導委員會主席高等法院原訟法庭法官夏正民(左二) 與家事法庭法官陳忠基(左一)舉行記者會,介紹家事調解試驗計劃的中 期評核報告內容

The Hon Mr Justice Hartmann, Chairman of the Steering Committee on the Pilot Scheme on Family Mediation and Judge of the Court of First Instance of the High Court (second left), and H H Judge Bruno Chan, Judge of the Family Court (first left), release details of the Interim Report of the Pilot Scheme on Family Mediation at a press conference

PILOT SCHEME ON FAMILY MEDIATION

A three-year pilot scheme on family mediation was introduced in May 2000 as an alternative to litigation to resolve disputes arising from breakdown of marriage. A more settlementoriented approach is adopted, which allows the separating or divorcing couples to reach mutual agreements for the custody and maintenance of their children as well as resolution of financial matters.

From the introduction of the Scheme in May 2000 to the end of September 2002, a total of 476 information sessions were held and attended by more than 2 600 persons. Among the 833 cases referred to mediation, 639 cases had been completed, with 452 resulted in full settlement and 59 in partial settlement.

我們會密切監察試驗計劃的進展情況, 並會在2003年5月這計劃結束時就計劃的 未來路向作詳細評估。



調解統籌主任鄺楊雁好女士(中)與參加家事調解 試驗計劃的夫婦會面 Mrs Doris Kuang, Mediation Coordinator (middle), interviews a couple participating in the Pilot Scheme on Family Mediation

香港婚姻訴訟附屬濟助程序改革

香港現行的婚姻訴訟附屬濟助訴訟程序自 1972年制訂以來一直沿用至今。各方的 意見認為,在現行的制度中,訴訟人有 太多向對方宣洩怨憤的空間,這不但無助 於平復離婚造成的精神打擊,雙方亦往往 因訟費負擔而虛耗家財。

近年來,已有多個普通法地區試圖改革其 婚姻訴訟附屬濟助程序。1999年11月, 終審法院首席法官委派夏正民法官為 主席,成立了工作小組,對附屬濟助程序 改革展開研究,目的是盡量弱化訴訟的 對抗形式,鼓勵雙方以和解為目標,使糾 紛得以用更快捷廉宜的途徑解決。

經過一連串的會議後,工作小組提出了一 套附屬濟助程序的改革建議,並將進行為 期兩年的試驗計劃以評估其成效。



The Hong Kong Polytechnic University has been commissioned to conduct an evaluation study on the effectiveness of the scheme. Questionnaires were issued and interviews were conducted with the parties involved, e.g. service users, their family members, mediators, social workers and our court staff.

The evaluation study reveals that the public prefer family mediation service to litigation, and consider that the scheme should be widely promoted as a means to resolve family disputes. The great majority of the users of the service also gave positive feedback on the mediation service they received, e.g. saving in time and costs, acquiring a clearer understanding on how to proceed with divorce constructively, lessening of tension in the dispute resolution process, and better communication between both parties to facilitate reaching of agreements and sustaining of the agreements.

The progress of the scheme will be closely monitored. Its future direction upon expiry in May 2003 will be mapped out.

REFORM OF ANCILLARY RELIEF PROCEDURES IN MATRIMONIAL CASES IN HONG KONG

The existing ancillary relief procedures in matrimonial proceedings in Hong Kong have been in operation since 1972. The present system is taken to have allowed too much leeway for litigants to adopt an antagonistic approach on the other party, hence prolonging the emotional trauma of divorce and often resulting in the dissipation of family assets in costs.

概括而言,改革後的程序可分為三個 階段,每一階段都以聆訊作為該階段結束 的指標。第一階段由提交附屬濟助的申請 開始,在進行首次預約聆訊時,該階段便 告結束。第二階段是在首次預約聆訊後 開始,以排解財務糾紛的聆訊作結。第三 階段是在排解財務糾紛的聆訊後開始, 若不能完全排解糾紛,則以審訊了結全案。

In recent years, a number of common law jurisdictions have introduced changes to ancillary relief procedures. In November 1999, the Chief Justice appointed a Working Group chaired by the Hon Mr Justice Hartmann to consider reform of the ancillary relief procedures with a view to making them guicker, cheaper, less adversarial and more conducive to a culture of settlement.



婚姻訴訟附屬濟助程序改革試驗計劃督導委員會 Steering Committee on the Pilot Scheme for the Reform of Ancillary Relief Procedures in Matrimonial Proceedings

在首次預約聆訊時,法庭的主要職責是為 排解財務糾紛訂定聆訊或審訊日期,這樣, 有關案件便有了一個時間表。在排解財務糾 紛的聆訊中,法官主要擔任「調停人」的角 色,在此聆訊結束時,法庭可在適當情況 下作出雙方同意的命令。如果雙方未能逹 致和解,法庭便會另訂審訊日期(由另一 位法官進行審訊),並會作出進一步的必 需指示。

這些建議已經獲得終審法院首席法官批 准。由於推行這個試驗計劃前須修訂有關 附屬法例,因此,我們打算於2003年才推 行這項計劃。

Following a series of meetings, the Working Group has decided to recommend a set of reformed ancillary relief procedures, the effectiveness of which should be tested by a two-year pilot scheme.

Expressed broadly, the reformed procedures may be divided into three phases, each phase concluding with a 'milestone' court hearing. Phase One commences with the filing of an application for ancillary relief and concludes with the holding of the First Appointment. Phase Two proceeds from the First Appointment and concludes with the Financial Dispute Resolution (FDR) hearing. Phase Three proceeds from the FDR hearing, if that is not fully successful, and concludes with the trial.

An essential function of the court at the First Appointment is to fix a date either for the FDR hearing or for the trial. In this way, a timetable is set. At the FDR hearing, the judge sits essentially in the role of a 'conciliator'. At the end of the FDR hearing, the court may make any appropriate consent orders. If no



區域法院登記處

區域法院登記處負責處理藉傳訊令狀/ 原訴傳票展開民事申索的入稟程序,並接 受民事和刑事訴訟的有關文件存檔。

聆案官書記辦事處為區域法院的聆案官 提供支援服務,並為訟費評定和爭議性較 小的非正審事宜排期交由聆案官聆訊。 區域法院每日都有一位常規聆案官當值, 專責處理訴訟人單方面的申請,並在有需 要時給予訴訟人適當的指示。

為了改善法庭的環境,我們現正進行法院 翻新工程,使法院更光亮和更具親切感, 我們亦計劃增設會見室,以迎合法庭使用 者在這方面日益增加的需求。

settlement is reached, the court will then fix a date for trial (by another judge) and give any further necessary directions.

The recommendations have been approved by the Chief Justice. As the implementation of the pilot scheme will involve amendments to subsidiary legislation, it is intended to bring the pilot scheme into operation in 2003.

The District Court Registry accepts filing of civil

claims by way of writ of summons/originating

summons and other documents in civil and

DISTRICT COURT REGISTRY

criminal proceedings.

The Office of Masters' Clerks provides support service to the District Court Masters and fixes dates for taxation of bills of costs and hearing of less contentious interlocutory matters before the Masters. A Practice Master is on duty everyday to deal with ex-parte applications and to give directions to litigants in need.

To improve the court environment, refurbishment work is being carried out to give the court a brighter look and warmer touch. More consultation rooms have also been planned to meet the increasing needs of court users.

家事法庭登記處

家事法庭登記處負責處理家事法庭的離婚 呈請及其他有關申請的入稟程序。登記處 的人員亦會向訴訟人(尤其是沒有律師代 表的訴訟人)解釋現時離婚呈請及各項有 關申請的入稟程序和常規。

案件量和輪候時間

隨著2000年9月1日《區域法院規則》的實 施和區域法院民事管轄財務限額的提高, 區域法院處理的民事案件數量大幅上升。 若將1999年9月1日至2000年8月31日期 間與其後的兩段12個月期間,即2000年 9月1日至2001年8月31日,以及2001年 9月1日至2002年8月31日相比,案件量 大幅增加的情況相當明顯。

在2000年9月1日前的12個月內,入稟的 民事案件共有2 707宗(不包括税務局追 討税項的申索、欠租扣押申請等其他不因 民事管轄擴大而受影響的訴訟),而在 2000年9月1日起接續的兩個12個月 期間,入稟的民事案件分別為9 587宗 和8 318宗,與民事管轄擴大前的12個月 相比,案件量分別增加了254%和207%。

FAMILY COURT REGISTRY

The Family Court Registry is responsible for the filing of petitions and other applications with the Family Court. The Registry staff will also advise litigants, especially those who are acting in person, on the current practices and procedures to follow in filing petitions and various applications.

CASELOAD AND WAITING TIME

The implementation of the Rules of the District Court and the increase of District Court civil jurisdictional limits on 1 September 2000 has led to a substantial increase in civil caseload handled in the District Court. This is apparent when one compares the caseload for the 12-month period between 1 September 1999 and 31 August 2000, with the following 12-month periods, i.e. between 1 September 2000 and 31 August 2001; as well as between 1 September 2001 and 31 August 2002.

For the 12-month period before 1 September 2000, the total number of civil cases (excluding tax recovery claims, distress for rent and other cases which are not affected by the increase in civil jurisdiction) filed were 2 707. This increased to 9 587 and 8 318 for the two consecutive 另一方面,非正審申請的聆訊同樣亦大幅 12-month periods commencing on 1 September 上升,在2000年9月1日起接續的兩個12 2000, representing an increase of 254% and 個月期內,非正審的申請分別有9 724宗 207% respectively as compared with the 和11 811宗,與2000年9月1日前的12個 12-month caseload preceding the increase in 月期內的4 257宗相比,分別增加了128% civil jurisdiction. Similarly, the number of 和177%。至於已排期審訊的案件數目, interlocutory hearings in the two consecutive 分別是713宗和841宗,與2000年9月1日 12-month periods commencing on 1 September 前的12個月期內的561宗相比,分別增加 2000 were 9 724 and 11 811, representing an 了27%和50%。自2000年9月1日起,區域 increase of 128% and 177% respectively as 法院亦有權審理人身傷害的訴訟;在緊隨 compared with the caseload of 4 257 for the 2000年9月1日的兩個接續12個月期內, 12-month period before 1 September 2000. 區域法院處理的人身傷害申索分別有361 With regard to trials listed, there were 713 cases 宗和420宗。 and 841 cases respectively, representing an increase of 27% and 50% as compared with 561 trials listed for the 12-month period before 1 September 2000. Since the increase in jurisdiction of the District Court on 1 September 2000, personal injuries claims were brought in the District Court. The District Court handled 361 and 420 personal injuries claims for the two consecutive 12-month periods since 1 September 2000.



區域法院署理首席法官潘敏琦向「香港青年大使計劃」的參加者簡介香港的司法 制度

H H Judge Poon, Acting Chief District Judge, briefs the participants of the Hong Kong Young Ambassador Scheme on the judicial system of Hong Kong

民事案件量或在實施新的程序規則方面, 工作都相當順利。由於經濟不景,扣押財 物的案件數目亦有所增加。整體而言, 目標之內。

在家事法庭方面,2002年首9個月的離婚 呈請和共同申請共有12 523宗,扣押入息 申請共有42宗;與2001年同期相比,分別 增加了11%和32%。

家事法庭案件的輪候時間,遠比我們訂立 的目標輪候時間為短,這主要是因為我們 在2002年1月實施了《婚姻訴訟(修訂) 規則》。新規則以司法機構有關工作小組 的建議為根據,簡化了訴訟程序,使無 抗辯離婚和裁判分居的法律程序變得更為 快捷。

在上述期間,區域法院無論在應付額外的 The District Court has coped well with the increased civil caseloads and the new procedural rules during these periods. There has been an increase in distraint cases due to the downturn 民事和刑事案件的輪候時間都能維持在 of the economic climate. The waiting times for civil and criminal cases are well within the targets.

> For the Family Court, a total of 12 523 petitions and joint applications, plus 42 applications for Attachment of Income Orders were filed in the first nine months of 2002, representing an increase of 11% and 32% in the respective caseload as compared with that over the corresponding period in 2001.

The waiting times are well within the targets. This is, inter alia, due to the coming into operation of the Matrimonial Causes (Amendment) Rules in January 2002, which simplified the procedures regarding undefended divorces and judicial separations, as recommended by a Judiciary Working Group.

Table 1 ORSEAUD OF THE DISTRICT COURT <th>表7</th> <th>區域法</th> <th colspan="5">域法院的案件量</th>	表7	區域法	域法院的案件量						
Image: Part of the state of the s	Table 7	CASE	SELOAD OF THE DISTRICT COURT						
Brought forward, from preducts years Filed Diposed of Inactive In progress D#F676 Cronninal Lurisdiction Criminal cases 2.973 1.192 1.019 .0 .466 Diposed of Criminal Lurisdiction 1.EGP 1.933 9.097 7.211 .2.10 .2.00 Diposed of Critil Jurisdiction 1.EGP 0.905 1.373 .8.07 .120 .1.199 2.3.0.2.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1									
Criminal Lurisdiction Criminal Lassi FRFREE Civil Jurisdiction 1. RG# Coul 1. PG# Coul 1. 933 9.097 7.211 2.210 2.700 1. RG# Coul 1. RG# Coul 9.059 13.732 8.287 5.158 11.893 2. 7@81/#P#66 Disress for Rent: 1.223 8.655 8.507 1.20 1.189 4. #GBB@B#sp Employee's Compensation 1.22 1.067 9.06 0 2.868 5. #theRJ#sp there Other Civil cases 3.705 4.297 2.181 597 6.154 6. #firstice Other Civil cases 1.6052 3.6788 27.092 8.085 22.222 6. #firstice Other Civil cases 2.0.266 13.737 1.2070 1.424 2.2191 1. #firstice Other Civil cases 2.0.266 13.737 1.2070 1.424 2.2191 1. #firstice Other Cases 2.0.266 13.737 1.2070 1.424 2.2191 1. #firstice Other Cases 2.9.28 1.1643 1.355 1.58 1.597 1.30101 applications <				Brought forward	Filed				
Civil Civil 1. 税款申案 Tax Claim 9 059 13 732 8 287 5 158 11 893 3. 欠租扣押申請 Dibtres for Rent 1 233 8 555 8 507 120 1 189 4. 健員賠償申案 Employees Compensation 1 22 1 067 906 0 286 小計 Sub-total 16 052 36 748 27 092 8 085 22 222 6. 離婚訴訟 Divorce Lividaction 16 052 36 748 27 092 8 085 22 222 6. 離婚訴訟 Divorce Lividaction 20 286 13 737 12 070 1 424 22 191 • 離婚案件 Conce Lividactions 20 286 13 737 12 070 1 424 22 191 • 離毎案件 Divorce Lividactions 40 1 229 31 25 703 • 常有意用 594 1 643 1 355 158 859 • 公告書書書 781 133 151 14 763 · Mit sub-total 22 132 15 742 1 6079 1 621 24 516 Fise Artest TotAL (Civil) 38 184 52 490 <th></th> <th>ction</th> <th></th> <th>293</th> <th>1 192</th> <th>1 019</th> <th>0</th> <th>466</th>		ction		293	1 192	1 019	0	466	
Tax Claim 1 233 8 555 8 507 120 1 189 3. 欠租扣押申請 Distress for Rent 122 1 067 906 0 286 4. 僅員陸債申素 Employee's Compensation 3 705 4 297 2 181 597 6 154 J Vật Sub-total 16 052 36 748 27 092 8 085 22 222 6. 熱炉所設 Divore Jurisdiction 16 052 36 748 27 092 8 085 22 221 6. 熱炉新整 Divore Jurisdiction 20 286 13 737 12 070 1 424 22 191 • 袖顶程序 Miscellaneous Proceedings 471 229 31 25 703 • 台類共同申請 Joint applications 594 1 643 1 355 158 859 • 公 餐業共同申請 Joint applications 781 1 33 151 14 763 VÌt Sub-total 22 132 15 742 13 6070 1621 24 516 F要 条件總數 TOTAL (Civil) 38 184 52 490 40 699 9706 46 738 11 TOTAL 38 177 53 682 11 718 9706 47 204 12 TOTAL 158 <				1 933	9 097	7 211	2 210	2 700	
Distress for Rent 122 1 067 906 0 286 4. 僱員賠償申案 Employees Compensation 3 705 4 297 2 181 597 6 154 小针 Sub-total 16 052 36 748 27 092 8 085 22 222 6. 離婚訴訟 Divorce Jurisdiction - <td< th=""><th></th><th></th><th></th><th>9 059</th><th>13 732</th><th>8 287</th><th>5 158</th><th>11 893</th></td<>				9 059	13 732	8 287	5 158	11 893	
Employee's Compensation 3 705 4 297 2 181 597 6 154 小計 Sub-total 16 052 36 748 27 092 8 085 22 222 6. 離婚訴訟 Divorce Jurisdiction 20 286 13 737 12 070 1 424 22 191 • 離婚案件 Cases 20 286 13 737 12 070 1 424 22 191 • 離婚案件 Cases 471 229 31 25 703 • 微頻集中請 Joint applications 594 1 643 1 355 158 859 • 微費集申請 Adoption applications 781 133 151 14 763 林 Sub-total 22 132 15 742 13 607 ^{C0} 1 621 24 516 反事案件總數 TOTAL (Civil) 38 184 52 490 40 699 9 706 46 738 승計 TOTAL 38 477 53 682 41 718 9 706 47 204 ప3 度襲軍部定 Taxation bills 158 1 299 1 107 32 409 · Civil 0 3 071 3 017 0 64				1 233	8 555	8 507	120	1 189	
Other civil cases 16 052 36 748 27 092 8 085 22 222 6. 離婚訴訟 Divorce Jurisdiction				122	1 067	906	0	286	
6. 離婚訴訟 Divorce Jurisdiction 20 286 13 737 12 070 1 424 22 191 • 離婚案件 Cases 20 286 13 737 12 070 1 424 22 191 • 離項程序 Miscellaneous Proceedings 471 229 31 25 703 • 各類共同申請 Joint applications 594 1 643 1 355 158 859 • 領養申請 Adoption applications 781 133 151 14 763 以計 Sub-total 22 132 15 742 13 607(9) 1 621 24 516 民事案件總數 TOTAL (Civil) 38 184 52 490 40 699 9 706 46 738 台計 TOTAL 38 477 53 682 41 718 9 706 47 204 訟費賬單評定 Taxation bills 158 1 299 1 107 32 409 · 民事 Civil 0 3 071 3 017 0 64				3 705	4 297	2 181	597	6 154	
Divorce Jurisdiction 20 286 13 737 12 070 1 424 22 191 • 離填案件 Cases 471 229 31 25 703 • 槍填程序 Miscellaneous Proceedings 471 229 31 25 703 • 各類共同申請 Joint applications 594 1 643 1 355 158 859 • 領養申請 Adoption applications 781 133 151 14 763 Jhi Sub-total 22 132 15 742 13 607(*) 1 621 24 516 R事案件總數 TOTAL (Civit) 38 184 52 490 40 699 9 706 46 738 Chi TOTAL 38 177 53 682 41 718 9 706 47 204 監養賬單評定 Taxation bills 158 1 299 1 107 32 409 · 戰婚 Divorce 0 3 071 3 017 0 64			小計 Sub-total	16 052	36 748	27 092	8 085	22 222	
Cases• 維項程序 Miscelaneous Proceedings4712293125703• 各類共同申請 Joint applications5941 6431 355158859• 領養申請 Adoption applications78113315114763 小計 Sub-total 22 13215 74213 607(9)1 62124 516民事案件總數 TOTAL (Civil)38 18452 49040 6999 70646 738台計 TOTAL38 47753 68241 7189 70647 204記費賬單評定 Taxation bills1581 2991 10732409• 健婚 Divorce03 0713 017064			Divorce Jurisdiction						
Miscellaneous Proceedings 594 1 643 1 355 158 859 · 各類共同申請 Joint applications 781 133 151 14 763 · 領養申請 Adoption applications 22 132 15 742 13 607 ⁽³⁾ 1 621 24 516 · 斯計 Sub-total 22 132 15 742 13 607 ⁽³⁾ 1 621 24 516 · 民事案件總數 TOTAL (Civil) 38 184 52 490 40 699 9 706 46 738 · 合計 TOTAL 38 177 53 682 41 718 9 706 47 204 bligkli pirc Taxation bills 158 1 299 1 107 32 409 · · 民事 Civil 158 1 299 1 107 32 409 · 離婚 Divorce 0 3 071 3 017 0 64				20 286	13 737	12 070	1 424	22 191	
Joint applications78113315114763· 領養申請 Adoption applications22 13215 74213 607(7)1 62124 516 Jhit Sub-total 22 13215 74213 607(7)1 62124 516 R事案件總數 TOTAL (Civil) 38 18452 49040 6999 70646 738 Ghi TOTAL 38 18452 49040 6999 70647 204訟費賬單評定 Taxation bills38 47753 68241 7189 70647 204· 民專 Civil1581 2991 10732409· 離婚 Divorce03 0713 017064				471	229	31	25	703	
Adoption applications小計 Sub-total22 13215 74213 607(1)1 62124 516民事案件總數 TOTAL (Civil)38 18452 49040 6999 70646 738合計 TOTAL38 47753 68241 7189 70647 204訟費賬單評定 Taxation bills1581 2991 10732409• 民事 Civil03 0713 017064				594	1 643	1 355	158	859	
民事案件總數 TOTAL (Civil) 38 184 52 490 40 699 9 706 46 738 合計 TOTAL 38 477 53 682 41 718 9 706 47 204 訟費賬單評定 Taxation bills -				781	133	151	14	763	
合計 TOTAL38 47753 68241 7189 70647 204 			小計 Sub-total	22 132	15 742	13 607 ⁽¹⁾	1 621	24 516	
込費賬單評定 Taxation bills 158 1 299 1 107 32 409 ・			民事案件總數 TOTAL (Civil)	38 184	52 490	40 699	9 706	46 738	
Taxation bills 158 1 299 1 107 32 409 • 離婚 Divorce 0 3 071 3 017 0 64			合計 TOTAL	38 477	53 682	41 718	9 706	47 204	
Civil 0 3 071 3 017 0 64 Divorce 0 1000000000000000000000000000000000000									
Divorce				158	1 299	1 107	32	409	
合計 TOTAL 158 4 370 4 124 ⁽²⁾ 32 473				0	3 071	3 017	0	64	
			合計 TOTAL	158	4 370	4 124 ⁽²⁾	32	473	

表7 區域	法院的案件量					
Table 7 CASI	ELOAD OF THE DISTRICT COURT					
				2002 \$數目(截至9) Cases (up to		
		承接往年☆ Brought forward from previous years	送交 Filed	結案* Disposed of	訴訟中止# Inactive	訴訟進行中 In progress
刑事管轄 Criminal Jurisdiction	刑事 Criminal cases	466	982	980	40	428
民事管轄 Civil Jurisdiction	1. 民事 Civil	2 700	6 113	4 911	2 302	3 810
	2. 税款申索 Tax Claim	11 893	6 016	8 059	5 695	9 313
	3. 欠租扣押申請 Distress for Rent	1 189	8 148	8 166	11	1 280
	4. 僱員賠償申索 Employee's Compensation	286	887	743	92	338
	5. 其他民事案件+ Other civil cases	6 154	3 410	1 884	1 064	7 213
	小計 Sub-total	22 222	24 574	23 763	9 164	21 954
	6. 離婚訴訟 Divorce Jurisdiction					
	・離婚案件 Cases	22 191	11 280	8 781	1 138	24 976
	・ 雑項程序 Miscellaneous Proceedings	703	172	33	13	854
	 各類共同申請 Joint applications 	859	1 243	1 157	154	949
	 領養申請 Adoption applications 	763	87	74	9	781
	小計 Sub-total	24 516	12 782	10 045 ⁽¹⁾	1 314	27 560
	民事案件總數 TOTAL (Civil)	46 738	37 356	33 808	10 478	49 514
	合計 TOTAL	47 204	38 338	34 788	10 518	49 942
	訟費賬單評定 Taxation bills					
	・ 民事 Civil	409	631	575	74	423
	• 離婚 Divorce	64	2 139	2 083	0	120
	合計 TOTAL	473	2 770	2 568 ⁽²⁾	74	543

Table 8 WAITING TIME FOR CASES IN THE DISTRICT 刑事案件 - 由被告人在區域法院首次出庭到審訊日 Criminal cases - from first appearance of defendants in District Court to trial 民事案件 - 由排期日到聆訊日 § Civil cases - from date of listing to hearing 離婚案件 - 由時訊期訂定日到聆訊日 Dissolution of marriage - from setting down to hearing * 不擬抗辯案件 Undefended cases • 特別程序案 Special procedure cases • 技力指案件(為期一天的聆訊) Defended cases (one day hearing) * 承接往年的案件指訴訟進行中的案件,並不包括訴訟中止的案件 Cases brought forward from previous years refer to cases in progress and * 結案指被告人被定罪/被判無罪/申索成功/申索撤銷/審訊或聆訊結束 Disposed of refers to those where defendants have been convicted/acqu # 訴訟中止指一年內沒有文件送交或聆訊 Inactive refers to those having no action (including filing of document or interventional Deafness (Compensation) Appeals, Pneumoconicosis (Com Coupational Deafness (Compensation) Appeals, Pneumoconicosis (Com Securational Deafness (Compensation) Appeals, Pneumoconicosis (Com Securea Absolute granted and Adoption ord is no l	表 8	區域法院案件輪候時間	
Criminal cases - from first appearance of defendants in District Court to trial 民事案件 - 曲排期日到聆訊日 § Civil cases - from date of listing to hearing 離婚案件 - 曲聆訊期訂定日到聆訊日 Dissolution of marriage - from setting down to hearing • 不擬抗辯案件 Undefended cases • 特別程序案 Special procedure cases • 操子抗辯案件(為期一天的聆訊) Defended cases (one day hearing) ★ 承接往年的案件指訴訟進行中的案件,並不包括訴訟中止的案件 Cases brought forward from previous years refer to cases in progress and * 結案指被告人被定罪/被判無罪/申索成功/申索撤銷/審訊或聆訊結束 Disposed of refers to those where defendants have been convicted/acqu # 訴訟中止指一年內沒有文件送交或聆訊 Inactive refers to those having no action (including filling of document or 1 + 其他民事案件指雜項程序、印花税(條例)上訴案、平等機會訴訟、人: 地產代理上訴案 Other civil cases refer to Miscellaneous Proceedings, Stamp Duty (Ordina Occupational Deafness (Compensation) Appeals, Pneumoconiosis (Com § 自二零零零年九月《區域法院規則》(第336章) 生效後,無須再入稟排期目 Following the implementation of the new District Court Rules, Cap. 336 in is no longer required. Hence, the measuring interval has to be changed 註(1) : 結案指已發出最終離婚令或領養令 Note (1) : Disposed of refers to Decree Absolute granted and Adoption ord 註(2) : 結案指訟費賬單已處	Table 8	WAITING TIME FOR CASES IN THE DISTRIC	ст
Criminal cases - from first appearance of defendants in District Court to trial 民事案件 - 曲排期日到聆訊日 § Civil cases - from date of listing to hearing 離婚案件 - 曲聆訊期訂定日到聆訊日 Dissolution of marriage - from setting down to hearing • 不擬抗辯案件 Undefended cases • 特別程序案 Special procedure cases • 操子抗辯案件(為期一天的聆訊) Defended cases (one day hearing) ★ 承接往年的案件指訴訟進行中的案件,並不包括訴訟中止的案件 Cases brought forward from previous years refer to cases in progress and * 結案指被告人被定罪/被判無罪/申索成功/申索撤銷/審訊或聆訊結束 Disposed of refers to those where defendants have been convicted/acque # 訴訟中止指一年內沒有文件送交或聆訊 Inactive refers to those having no action (including filing of document or + 其他民事案件指雜項程序、印花税(條例)上訴案、平等機會訴訟、人ะ 地產代理上訴案 Other civil cases refer to Miscellaneous Proceedings, Stamp Duty (Ordina Occupational Deafness (Compensation) Appeals, Pneumoconiosis (Com § 自二零零零零年九月《區域法院規則》(第336章) 生效後 無須再入稟排期目 Following the implementation of the new District Court Rules, Cap. 336 in is no longer required. Hence, the measuring interval has to be changed 註(1) : 結案指已發出最終離婚令或領養令 Note (1) : Disposed of refers to Decree Absolute granted and Adoption ord 註(2) : 結案指訟費賬單已處理			
Criminal cases - from first appearance of defendants in District Court to trial 民事案件 - 由排期日到聆訊日 § Civil cases - from date of listing to hearing 離婚案件 - 由時訊期訂定日到聆訊日 Dissolution of marriage - from setting down to hearing • 不擬抗辯案件 Undefended cases • 特別程序案 Special procedure cases • 操予抗辯案件(為期一天的聆訊) Defended cases (one day hearing) ★ 承接往年的案件指訴訟進行中的案件,並不包括訴訟中止的案件 Cases brought forward from previous years refer to cases in progress and * 結案指被告人被定罪/被判無罪/申索成功/申索撤銷/審訊或聆訊結束 Disposed of refers to those where defendants have been convicted/acqu # 訴訟中止指一年內沒有文件送交或聆訊 Inactive refers to those having no action (including filing of document or + 其他民事案件指雜項程序、印花税(條例)上訴案、平等機會訴訟、人: 地產代理上訴案 Other civil cases refer to Miscellaneous Proceedings, Stamp Duty (Ordina Occupational Deafness (Compensation) Appeals, Pneumoconiosis (Com \$ 自二零零零年九月《區域法院規則》(第336章) 生效後 無須再入稟排期用 Following the implementation of the new District Court Rules, Cap. 336 in is no longer required. Hence, the measuring interval has to be changed 註(1) : 結案指已發出最終離婚令或領養令 Note (1) : Disposed of refers to Decree Absolute granted and Adoption ord 註(2) : 結案指訟費賬單已處理			-
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 Civil cases - from date of listing to hearing 離婚案件 - 由聆訊期訂定日到聆訊日 Dissolution of marriage - from setting down to hearing 不擬抗辯案件 Undefended cases 特別程序案 Special procedure cases 擬子抗辯案件(為期一天的聆訊) Defended cases (one day hearing) ★ 承接往年的案件指訴訟進行中的案件,並不包括訴訟中止的案件 Cases brought forward from previous years refer to cases in progress and 結案指被告人被定罪/被判無罪/申素成功/申索撤銷/審訊或聆訊結束 Disposed of refers to those where defendants have been convicted/acqu # 訴訟中止指一年內沒有文件送交或聆訊 Inactive refers to those having no action (including filing of document or linactive refers to those having no action (including filing of document or linactive refers to those having no action (including filing of document or linactive refers to those having no action (including filing of document or linactive refers to those having no action (including filing of document or linactive refers to those having no action (including filing of document or linactive refers to those having no action (including filing of document or linactive refers to those having no action (including filing of document or linactive refers to those having no action (including filing of document or linactive refers to those having no action (including filing of document or linactive refers to those having no action (including filing of document or linactive refers to those having no action (including filing of document or linactive refers to those having no action (including filing of document or linactive refers to those having no action (including filing of document or linactive refers to those having no action (including filing of document or linactive refers to these having no action (including filing of document or linactive refers to the proceedings, Stamp Duty (Ordina Occupational Deafness (Compensation) Appeals, Pneumoconiosis (Com \$ al==零零年九月《區域法院規則》(第336章) 生效後 無須再入稟 挑助軒 Following the implementation of the new District Court Rules, Cap. 336 in is no longer requi	Criminal cases - fr	rom first appearance of defendants in	
 Dissolution of marriage - from setting down to hearing 不擬抗辯案件 Undefended cases 特別程序案 Special procedure cases 擬予抗辯案件(為期一天的聆訊) Defended cases (one day hearing) ★ 承接往年的案件指訴訟進行中的案件,並不包括訴訟中止的案件 Cases brought forward from previous years refer to cases in progress and 結案指被告人被定罪/被判無罪/申索成功/申索撤銷/審訊或聆訊結束 Disposed of refers to those where defendants have been convicted/acqu # 訴訟中止指一年內沒有文件送交或聆訊 Inactive refers to those having no action (including filing of document or l + 其他民事案件指雜項程序、印花税(條例)上訴案、平等機會訴訟、人会 地產代理上訴案 Other civil cases refer to Miscellaneous Proceedings, Stamp Duty (Ordina Occupational Deafness (Compensation) Appeals, Pneumoconiosis (Com § 自二零零零年九月《區域法院規則》(第336章)生效後無須再入稟排期串 Following the implementation of the new District Court Rules, Cap. 336 in is no longer required. Hence, the measuring interval has to be changed 註(1) : 結案指已發出最終離婚令或領養令 Note (1) : Disposed of refers to Decree Absolute granted and Adoption orde 註(2) : 結案指訟費賬單已處理 			
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			時間(日) Time (days)	
	目標 Target	2001	2002 (截至9月30日) (as at 30 Sept)	2003 (預計) (Plan)
	100	92	64	100
	120	78	89	120
	56	53	38	56
	35	33	21	30
	110	75	101	110

d do not include cases inactive

uitted/successful claims/claims dismissed/trials or hearings concluded

hearing) for one year from the date of last filing of document

身傷害案件、職業性失聰 (補償)上訴案、肺塵埃沉着病(補償)上訴案及

ance) Appeals, Equal Opportunities Actions, Personal Injuries Cases, npensation) Appeals and Estate Agents Appeals

申請通知書,因此輪候時間改為排期日到聆訊日

n September 2000, filing of the Notice of Application for setting down a case to "from date of listing to hearing"

ers made