

審裁處和專責法庭

司法機構轄下有四個審裁處和一個專責法庭，即土地審裁處、勞資審裁處、小額錢債審裁處、淫褻物品審裁處和死因裁判法庭。土地審裁處由一位高等法院原訟法庭法官擔任庭長及兩位區域法院法官擔任土地審裁處法官。審裁委員（由產業測量師擔任）的數目，自 2004 年 8 月起已由兩名減至一名。其他審裁處和死因裁判法庭則由總裁判官管轄。

土地審裁處

土地審裁處的其中一項重要職能是裁決有關業主提出收回《業主與租客（綜合）條例》（第 7 章）所規管之處所的申索。自 2004 年 7 月 9 日起，審裁處亦有管轄權就因時間期滿而終止的租賃或分租租賃所提出的收回處所申索作出裁決（即使該等租賃或分租租賃不屬上述條例的管轄範圍）。審裁處並有權判予相應的濟助。

TRIBUNALS AND SPECIALISED COURT

There are four tribunals and one specialised court under the purview of the Judiciary, namely the Lands Tribunal, the Labour Tribunal, the Small Claims Tribunal, the Obscene Articles Tribunal, and the Coroner's Court. The Lands Tribunal is headed by a President who is a Judge of the Court of First Instance of the High Court, and comprises two Presiding Officers who are District Court Judges. The number of Members (who are land valuation estate surveyors) has been reduced from two to one since August 2004. The other Tribunals and the Coroner's Court are under the purview of the Chief Magistrate.

LANDS TRIBUNAL

One of the important functions of the Lands Tribunal is to adjudicate claims by landlords for possession of premises, the tenancies or sub-tenancies of which are under the Landlord and Tenant (Consolidation) Ordinance (Cap. 7). Starting from 9 July 2004, the Tribunal also has power to adjudicate claims for possession of premises, the tenancies or sub-tenancies of which have expired by effluxion of time even when they are outside the said Ordinance. The Tribunal also has power to grant consequential relief.



在土地審裁處進行的聆訊
A hearing at the Lands Tribunal

土地審裁處另一項經常行使的司法管轄權是處理與物業管理有關的爭議，並作出裁斷。這類爭議所涉的事項包括對《物業管理條例》（第344章）的解釋和執行、對公契條款的解釋和執行、管理委員會的委任與解散、召開業主大會的請求，以及建築物管理代理人的委任等。

任何人士，其土地因公共發展而減值或被強制收回，而政府應對其作出補償，補償金額由土地審裁處決定。土地審裁處審理的補償申索，金額沒有上限。同時，審裁處亦可根據《土地（為重新發展而強制售賣）條例》（第545章）頒令售賣土地以作重新發展用途。

此外，土地審裁處有上訴管轄權，處理(i) 不服差餉物業估價署署長根據《差餉條例》（第116章）所作的決定而提出的上訴、(ii) 不服地政總署署長根據《地租（評估及徵收）條例》（第515章）所作的決定而提出的上訴及(iii) 不服房屋署署長根據《房屋條例》（第283章）所作的決定而提出的上訴。

審裁處在判予補救和濟助時，不論是法律上或衡平法上的補救和濟助，皆具有與高等法院原訟法庭同等的管轄權。以土地審裁處的案件而言，訴訟當事人可以由大律師或律師代表，但以親自出庭者較多。

Another widely used jurisdiction of this Tribunal is to determine building management disputes. Such disputes arise from, among others, the interpretation and enforcement of the provisions of the Building Management Ordinance (Cap. 344) and deeds of mutual covenant, the appointment or dissolution of management committees, requisitions for owners' meetings and appointment of building management agent.

The Tribunal also has unlimited jurisdiction to determine the amount of compensation payable by the Government to a person whose land has been compulsorily resumed or has suffered a reduction in value because of public developments. The Tribunal can also order the sale of land for redevelopment purpose under the Land (Compulsory Sale for Redevelopment) Ordinance (Cap. 545).

The Tribunal also exercises appellate jurisdiction over (i) determinations by the Commissioner of Rating and Valuation under the Rating Ordinance (Cap. 116); (ii) determinations by the Director of Lands under the Government Rent (Assessment and Collection) Ordinance (Cap. 515); and (iii) determinations by the Director of Housing under the Housing Ordinance (Cap. 283).

In exercising its jurisdiction, the Tribunal has the same powers to grant remedies and relief, legal or equitable, as the Court of First Instance of the High Court. Parties may appoint counsel or solicitors to appear before the Tribunal or, as is often the case, they may appear in person.

土地審裁處登記處

登記處負責處理和備存土地審裁處案件的有關文件，並為土地審裁處法官和審裁委員提供支援服務。

登記處電腦化完成後，不但方便了文件的存檔、資料的提取和在線資料的共用，而且有助更新排期資料，記錄費用和繳款情況。電腦系統的使用提高了案件管理和司法工作的水平。

土地審裁處登記處設置了“自助”櫃位，使用者可以隨時取得關於入稟程序的指南和表格，節省輪候的時間。登記處亦採用了輪候制度，簡化申請程序，提高服務效率。

自 2004 年 1 月 5 日起，土地審裁處在案件排期方面作出了新安排。在新安排下，審裁處每星期平均撥出一天專供處理收回處所的案件，而聆訊則以過堂方式進行。編排在該天處理的案件甚多（15-20 宗），而簡單及非抗辯的案件可以即日結案。至於較複雜的案件則會押後以便按常規程序處理。由於實施了新的排期安排，儘管審裁處的案件量有所增加，由申請收回處所的日期至首次聆訊的輪候時間卻得以縮短。

LANDS TRIBUNAL REGISTRY

The Lands Tribunal Registry is responsible for the filing and maintenance of documents in connection with cases handled by the Lands Tribunal. It also provides support to the Presiding Officers and Members of the Tribunal.

Computerisation of the Registry facilitates document filing and information retrieval as well as sharing information on-line, updating listing services, and recording fees and payments. The system enhances case management, thus contributing to better administration of justice.

To save users' queuing time, a self-service counter has been set up in the Lands Tribunal Registry to provide forms and guidelines on filing procedures. A queuing system has also been established to streamline applications for the purpose of providing more efficient services for the users.

As from 5 January 2004, a new listing arrangement was introduced, whereby on average one day every week is set aside to deal exclusively with repossession cases in the form of callover hearings. A large number of cases (between 15 to 20) are listed for the assigned day, and simple and non-contested cases are disposed of immediately. More complicated cases will be adjourned to follow the regular listing schedule. The new listing practice has helped shortening the waiting time from the date of application for repossession to the date of first hearing in spite of an increased caseload.



市民於土地審裁處登記處入稟案件
Public file application at the Lands Tribunal Registry

登記處於2002年9月引進了一套品質管理系統，並於2003年6月獲頒國際標準化組織ISO 9001:2000證書。2004年7月，登記處不但通過了ISO的監查審核，且能全面達標。審裁處的工作流程和運作程序均已制定，而所提供的服務亦達到所訂的標準。ISO證書令審裁處的服務質素得到了外界的廣泛承認。

案件量和輪候時間

由於入稟的租賃案件及上訴案數字下降，預計審裁處的案件量會減少。這情況可能與撤銷租住權保障及引入過渡性終止期的安排有關，因為有關措施會令訴訟人士延遲一年才入稟租賃案件。2004年，審裁處各類案件的輪候時間，皆全部維持在訂下的目標之內。

A Quality Management System was introduced to the Lands Tribunal Registry in September 2002, with its work accredited with the award of an ISO 9001:2000 Certificate in June 2003. The Registry passed the ISO surveillance audit with zero nonconformance in July 2004. Work processes and operating procedures of the Tribunal are documented and services provided are standardised. Through the certification, the quality performance of the Tribunal is well recognised outside the Judiciary.

CASELOAD AND WAITING TIME

It is projected that there will be a decrease in the caseload due to the reduction in filing of tenancy cases and appeal cases. This is probably due to the removal of the security of tenure and the introduction of the transitional termination period, which has the effect of deferring the filing of the tenancy cases for a year. In 2004, the waiting times for all types of cases are well within targets.

勞資審裁處

勞資審裁處提供廉宜、省時、簡便的途徑，解決僱主和僱員之間的勞資糾紛。在勞資審裁處所申索的金額必須在港幣 8,000 元以上，但沒有任何上限。在同一宗申索中，如果申索人每人申索的金額是港幣 8,000 元或以下，而申索人數不超過 10 人，則由勞工處轄下的小額薪酬索償仲裁處處理。

勞資審裁處聆訊有關在香港境內違反僱傭合約和學徒合約的案件。此外，有關在香港境內訂定但在香港境外履行的僱傭合約也在其審理範圍之內。申索種類包括：終止合約時須給予的代通知金、終止僱傭金、欠薪、遣散費、長期服務金、法定假日薪酬、疾病津貼及產假薪酬等。勞資審裁處的聆訊不拘泥於程序，多以中文進行，雙方當事人均不得由律師代表。

勞資審裁處設有一位主任審裁官及 11 位審裁官。現時共有 12 個審裁法庭，其中 10 個審裁法庭設於旺角始創中心，另外兩個則設於東區法院大樓。

2003 年 6 月，終審法院首席法官在考慮公眾人士對勞資審裁處的意見後，成立檢討勞資審裁處工作小組（工作小組）。該工作小組職權如下 —



在勞資審裁處進行的聆訊
A hearing at the Labour Tribunal

LABOUR TRIBUNAL

The Labour Tribunal provides a quick, informal and inexpensive means to resolve disputes between employers and employees. It handles claims of over \$8,000 in amount. There is no upper limit on a claim. Where a claim per claimant is \$8,000 or less and the total number of claimants in a claim is not more than 10, it will be handled by the Minor Employment Claims Adjudication Board of the Labour Department.

The Tribunal hears cases involving breach of employment contract or apprenticeship in Hong Kong. It also has jurisdiction over employment contracts entered in Hong Kong but performed outside the territories. The types of claims include wages in lieu of notice of termination, terminal payment, arrears of wages, severance pay, long service payment, statutory holiday pay, sickness allowance and maternity leave pay. Hearings are informal and are mainly conducted in Chinese. Legal representation is not allowed.

There are one Principal Presiding Officer and 11 Presiding Officers in the Labour Tribunal. At present, a total of 12 courts are in operation, with 10 located at the Pioneer Center, Mong Kok, and two at the Eastern Law Courts Building.

In June 2003, having considered public comments on the operation of the Labour Tribunal, the Chief Justice established the Working Party on the Review of the Labour Tribunal ("the Working Party"), with the following terms of reference –

「檢討勞資審裁處的運作，以及就其運作提出改善建議。」

該工作小組由高等法院原訟法庭法官朱芬齡出任主席，現已完成檢討，並於2004年6月向終審法院首席法官提交報告（工作小組報告）。該報告已上載至司法機構網站，以供公眾人士閱覽。

終審法院首席法官已接納工作小組報告內的所有建議。這些建議涵蓋下述範疇 —

- 審裁處的司法管轄權
- 審裁處的程序
- 上訴時的訟費
- 強制執行裁斷
- 審裁官和審裁處職員的培訓
- 審裁處所在的大樓和地點

司法機構已擬訂執行方案，以實施工作小組的建議。



終審法院首席法官、檢討勞資審裁處工作小組主席高等法院原訟法庭法官朱芬齡（右三）及總裁判官向立法會議員講解勞資審裁處的運作
The Chief Justice, the Hon Madam Justice Chu, Judge of the Court of First Instance of the High Court, Chairman of the Working Party on the Review of the Labour Tribunal (third right) and the Chief Magistrate brief the Legislative Council Members on the operation of the Labour Tribunal

“To review the operation of the Labour Tribunal and to recommend improvements thereto.”

The Working Party, chaired by the Hon Madam Justice Chu, completed the review and submitted a report (“the Working Party’s Report”) to the Chief Justice in June 2004. The Working Party’s Report had been uploaded onto the Judiciary’s Website for public access.

The Chief Justice has accepted all the recommendations in the Working Party’s Report, which cover the following aspects –

- The jurisdiction of the Labour Tribunal
- The Tribunal process
- Costs on appeal
- Enforcement of awards
- Training for Presiding Officers and Tribunal staff
- The premises and location of the Labour Tribunal

The Judiciary has drawn up an implementation plan for the Working Party’s recommendations.



勞資審裁處職員向參觀的學生簡介審裁處的工作
Labour Tribunal staff briefs visiting students on the work of the Tribunal

勞資審裁處登記處

勞資審裁處登記處處理所有入稟勞資審裁處的申索，並為審裁官和調查主任提供支援。

勞資審裁處登記處設置了多用途櫃位，為公眾人士提供一站式服務，包括預約時間、處理各項申請的入稟程序及答覆查詢等。登記處已經進行電腦化。這不單有助縮短入稟和提取資料的時間，亦方便更新排期資料、預約傳譯服務、以及記錄費用和繳款情況。登記處的人員都受過良好的訓練，為公眾人士提供優質服務。申索人可透過司法機構網頁或 24 小時的電話預約系統（電話號碼：2625 0056）預約時間入稟案件。自 2004 年 3 月 29 日起，司法機構提供勞資審裁處網上預約服務，訴訟人士可透過司法機構的網站，利用連線方式與審裁處預約會面日期及時間。此外，自 2004 年 5 月 14 日起，司法機構亦提供了網上查詢裁斷款項交收情況的服務，以便利訴訟人在網上查詢個別申索的裁斷款項交收情況。常用的勞資審裁處表格也可於司法機構的網頁下載。此外，審裁處的互動聲訊系統接受 24 小時電話查詢，提供聆訊詳情和繳款情況。

案件量和輪候時間

勞資審裁處的案件量與香港的失業率及經濟狀況有密切關係。估計 2004 年審裁處的案件量會下降 25%。審裁處已實施多項措施來簡化程序，各項輪候時間均能維持在所訂下的目標之內。

LABOUR TRIBUNAL REGISTRY

The Registry handles all claims filed with the Labour Tribunal. It also provides support to the Presiding Officers and Tribunal Officers.

The multiple-purpose counter system has been adopted to provide one-stop service to the public for booking of appointments, filing of various applications and answering of enquiries. Computerisation has reduced the time for filing and retrieval of information, updating of listing data, booking of interpretation service, and recording of fees and payment. The Registry staff have been well-trained to provide quality service to the public. Claimants can also make an appointment to file claim through the Judiciary's Website or the 24-hour Telephone Appointment Booking System (Telephone no. 2625 0056). With effect from 29 March 2004, an e-appointment booking service via the Judiciary's Website is provided for litigants of the Labour Tribunal. Litigants can make on-line appointment bookings with the Tribunal. Furthermore, an e-award payment enquiry service is provided with effect from 14 May 2004. It allows parties concerned to make on-line enquiry about the award payment status in respect of their individual claims. Usual forms of the Labour Tribunal can also be downloaded from the website of the Judiciary. Moreover, the Interactive Voice Response System of the Tribunal provides 24-hour enquiry on hearing details and payment status.

CASELOAD AND WAITING TIME

The caseload of the Labour Tribunal is closely related to the economic situation as well as the unemployment rate of Hong Kong. It is projected that there will be a decrease of 25% in caseload in 2004. The Labour Tribunal has taken various measures to streamline its procedure and that the target waiting times can well be met.



在小額錢債審裁處進行的聆訊
A hearing at Small Claims Tribunal

小額錢債審裁處

小額錢債審裁處採用簡單、廉宜、不拘形式的程序審理港幣5萬元或以下的申索。該處審理的申索主要類別有：追收欠債、追收服務費、財產損毀要求賠償，以及與貨物銷售或消費權益有關的追討。審裁處所進行的聆訊，多以中文進行。各方當事人均不得由律師代表，訴訟人可以親自出庭，或授權獲審裁處認可的代表出庭。

小額錢債審裁處設有一位主任審裁官及七位審裁官。現時共有八個審裁法庭。

該處的調查主任在審裁官的指導下，向訴訟各方解釋法庭的程序及就如何為審訊作好準備給予意見。此外，調查主任亦協助訴訟各方整理其爭議事項或助其與對方協商和解；審裁官則開庭聆訊、聽取證供和作出裁定。

SMALL CLAIMS TRIBUNAL

The Small Claims Tribunal provides a simple, inexpensive and informal procedure to deal with monetary claims not exceeding \$50,000. The common claim categories include debts, service charges, damage to property, sale of goods and consumer claims. Hearings are mainly conducted in Chinese. Legal representation is not permitted. A party may appear in person or, by an authorised representative approved by the Tribunal.

The team in the Tribunal includes a Principal Adjudicator and seven Adjudicators. Eight courts are in operation.

Under the guidance of the Adjudicators, the Tribunal Officers explain to the parties the court procedure, and advises them to prepare for trials. The Tribunal Officers also assist parties in sorting out issues and negotiating settlement. Adjudicators will hear evidence and determine the claim.



小額錢債審裁處主任審裁官黃一鳴（右四）與澳門初級法院及行政法院院長譚曉華（中）率領的代表團會面
Mr Michael Wong, Principal Adjudicator of the Small Claims Tribunal (fourth right), meets with a delegation led by Ms Tam Hio-wa, President of the Base Court and the Administration Court (centre), Macau



小額錢債審裁處登記處
Small Claims Tribunal Registry

小額錢債審裁處登記處

小額錢債審裁處登記處負責處理各類入稟申索文件，並為審裁官提供支援。

登記處於2001年11月引進了品質管理系統，並於2002年3月獲得國際標準化組織ISO 9001:2000證書。2004年5月，登記處成功通過了ISO的監查審核。審裁處的工作流程和運作程序均按國際標準編定，所提供的服務亦已達到國際認可的水平。ISO證書令審裁處的服務質素得到了外界的廣泛承認。

司法機構現正展開一項工程以改良小額錢債審裁處的案件管理系統。該項工程將於明年完竣。此項系統改良工程將可提高服務效率，並有助簡化工作流程，從而進一步提升服務質素。此外，我們亦已進行裝修工程，增闢更多房間，供訴訟人士與法庭的支援人員作會面洽談之用。

案件量和輪候時間

2004年的案件量與2003年相比，雖然已下降20%，但案件量仍然高企，約有90 000宗。案件的輪候時間均能達到訂下的目標。

SMALL CLAIMS TRIBUNAL REGISTRY

The Registry deals with all claim-related documents filed with the Small Claims Tribunal and offers support to the Adjudicators.

A Quality Management System was instituted in the Registry in November 2001, with its work accredited with the ISO 9001:2000 Certificate in March 2002. The Small Claims Tribunal Registry successfully passed the ISO surveillance audit in May 2004. Work processes and operating procedures of the Tribunal are documented and provision of services standardised to the international standard. Through the certification, the quality performance of the Tribunal is well recognised outside the Judiciary.

A project to improve the Case Management System of the Small Claims Tribunal is being carried out and will be completed within the coming year. Through the system modification project, service efficiency will be enhanced, and work process will be streamlined to provide court users with better quality services. In addition, improvement works have been carried out to provide more rooms for holding interviews with parties concerned by the court support staff.

CASELOAD AND WAITING TIME

Despite a decrease of caseload by 20% as compared with that of 2003, the caseload in 2004 remains high with around 90 000 cases. The target waiting time can be met.

淫褻物品審裁處

淫褻物品審裁處有權裁定有關物品是否屬於淫褻或不雅。該審裁處亦有權將有關物品分為第一類（既非淫褻、亦非不雅）、第二類（不雅）或第三類（淫褻）。交由該審裁處進行裁定或分類的物品主要是雜誌、連環圖、錄影帶和光碟。作者、印刷人、出版商、製造商、進口商、分銷商或版權擁有人，都可以將物品呈交該審裁處評定類別。

淫褻物品審裁處由一位裁判官連同兩位或以上的審裁委員共同主持；如覆核分類、或就已分類物品重新考慮，則會由一位裁判官連同至少四位審裁委員進行全面聆訊。至2004年9月30日，淫褻物品審裁處審裁委員小組共有287位審裁委員，而其中約三分之二是在2004年初向約100個社區及專業團體的人士發出招聘邀請後而獲委任的新任委員。

淫褻物品審裁處登記處

登記處負責處理所有請求該審裁處作出分類或裁定的申請，又負責管理已分類物品的儲存庫，並為主審裁判官及各特委/非專業審裁委員提供文書支援服務。

案件量和輪候時間

與2003年比較，2004年審裁處的案件量預期會下降，原因是呈交審裁處裁定的物品數量大幅減少。案件的輪候時間均能達到訂下的目標。

OBSCENE ARTICLES TRIBUNAL

The Obscene Articles Tribunal has jurisdiction to determine whether an article is obscene or indecent. It also has power to classify an article as Class I (neither obscene or indecent), Class II (an indecent article) or Class III (an obscene article). Articles received by the Tribunal for determination or classification are mainly magazines, comic books, video cassette tapes and video compact discs. An author, printer, publisher, manufacturer, importer, distributor or copyright owner of an article may submit a copy of the article to the Tribunal for classification.

The Tribunal is presided by a Magistrate, who sits with two or more Adjudicators. A minimum of four Adjudicators are required at full hearings to review the classification of articles, or to reconsider previous classifications. As at 30 September 2004, there were a total of 287 Adjudicators on the panel. About two-thirds are new Adjudicators appointed after an invitation in early 2004 to members of around 100 community organisations and professional bodies to apply for appointment.

OBSCENE ARTICLES TRIBUNAL REGISTRY

The Registry is responsible for the processing of applications for classification and determination. It also maintains a repository of classified articles. It provides clerical support to the Presiding Magistrate and the lay Adjudicators.

CASELOAD AND WAITING TIME

It is projected that there will be a decrease in caseload in 2004 as compared to that in 2003 due to a considerable decrease in filing of articles for determination. The target waiting times can well be met.

死因裁判法庭

死因裁判官調查在本港發生而又須予報告的死亡個案。若有人於官方看管時死亡、或原訟法庭發出死因研訊指示、又或律政司司長要求進行死因研訊，死因裁判法庭便須對有關個案進行死因研訊。

進行死因研訊的主要目的是就某宗死亡個案查明導致死亡的情況。法庭可在適當的情況，提出建議以防止類似的事件重演。

現時有兩位死因裁判官在東區法院大樓主理死因裁判法庭的研訊。

死因裁判法庭登記處

死因裁判法庭登記處處處理各死因裁判法庭的日常運作事務，並保存在該法庭進行死因研訊的所有有關文件和紀錄。登記處 2000 年開始進行電腦化，以提高效率。

案件量和輪候時間

由於提交死因裁判法庭尋求指示的報告個案有所增加，估計死因裁判法庭 2004 年的案件量與 2003 年相比，會上升 29%，故此案件的輪候時間或許未能達到所訂下的目標。司法機構會盡力縮短案件的輪候時間。

CORONER'S COURT

Coroners are empowered to investigate reportable deaths occurred in Hong Kong. An inquest must be held in respect of deaths in official custody, or as directed by the Court of First Instance or requested by the Secretary for Justice.

The prime purpose of an inquest is to ascertain the circumstances surrounding a particular death. The Court may make recommendations to prevent the recurrence of similar incidents in appropriate circumstances.

At present, there are two Coroners presiding at the Coroner's Courts situated at the Eastern Law Courts Building.

CORONER'S COURT REGISTRY

The Registry handles the daily administration of the courts. It maintains records and documents of inquests conducted in the Coroner's Court. The Registry has been computerised since 2000 to enhance efficiency.

CASELOAD AND WAITING TIME

As there are more reported cases referred to Coroner's Court for directions, the caseload in 2004 is estimated to increase by 29% as compared with that in 2003. The target waiting time may not be met due to the increase in caseload. The Judiciary will make every effort to improve the court waiting time.

表 11 土地審裁處的案件量
Table 11 CASELOAD OF THE LANDS TRIBUNAL

	2003 案件數目 No. of Cases				
	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
上訴案件 Appeals	657	1 720	1 104	25	1 248
補償案件 @ Compensation cases	131	64	37	8	150
建築物管理案件 Building management cases	852	388	222	23	995
租賃案件 Tenancy cases	8 320	5 808	4 474	472	9 182
強制售賣土地申請 Lands compulsory sale applications	8	1	0	0	9
雜類申請 Miscellaneous proceedings applications	25	23	14	1	33
合計 TOTAL	9 993	8 004	5 851	529	11 617

	2004 (截至9月30日 up to 30 Sept) 案件數目 No. of Cases				
	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
上訴案件 Appeals	1 273	405	999	50	629
補償案件 @ Compensation cases	158	44	21	30	151
建築物管理案件 Building management cases	1 018	315	247	83	1 003
租賃案件 Tenancy cases	9 654	3 850	2 981	1 087	9 436
強制售賣土地申請 Lands compulsory sale applications	9	3	2	0	10
雜類申請 Miscellaneous proceedings applications	34	11	13	3	29
合計 TOTAL	12 146	4 628	4 263	1 253	11 258

☆ 承接往年的案件是指訴訟中止及訴訟進行中的案件

Cases brought forward from previous years refer to cases in progress and inactive cases

* 結案的案件是指上訴得直或駁回，以及審訊或聆訊結束的案件

Cases disposed of include appeals which have been allowed or dismissed and trials or hearings which have been concluded

訴訟中止的案件是指自最後一次送交文件之日起計一年內，並無任何（包括送交文件或聆訊）行動的案件

Inactive cases refer to those having no action (including filing of document or hearing) for one year from the date of last filing of document

@ 「補償案件」包括「雜項申請」

"Compensation cases" include "Miscellaneous reference applications"

表 12

Table 12

土地審裁處案件輪候時間

WAITING TIME FOR CASES IN THE LANDS TRIBUNAL

	輪候時間 (日) Waiting Time (days)			
	目標 Target	2003	2004 (截至9月30日止) (as at 30 Sept)	2005 (預計) (Plan)
由聆訊期訂定日到審訊日 From setting down of a case to trial				
· 上訴案件 Appeals	100	38	21	80
· 補償案件 Compensation cases	100	55	69	80
· 管理建築物案件 Building management cases	100	24	26	80
· 租賃案件 Tenancy cases	60	18	24	60

表 13
Table 13

勞資審裁處的案件量
CASELOAD OF THE LABOUR TRIBUNAL

	2003 案件數目 No. of Cases				
	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
案件 Cases	1 975	11 263	11 385	359	1 494
覆核+ Reviews	153	664	694	16	107
合計 TOTAL	2 128	11 927	12 079	375	1 601

	2004 (截至9月30日 up to 30 Sept) 案件數目 No. of Cases				
	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
案件 Cases	1 853	6 350	6 643	535	1 025
覆核 Reviews	37	202	205	4	30
恢復申索 Restore claims	48	143	158	14	19
將裁決擱置 Set-aside awards	38	97	106	11	18
小計 Sub-total	123	442	469	29	67
合計 TOTAL	1 976	6 792	7 112	564	1 092

☆ 承接往年的案件是指訴訟中止及訴訟進行中的案件

Cases brought forward from previous years refer to cases in progress and inactive cases

* 結案的案件是指經聆訊後成功申索或申索被撤銷的案件

Cases disposed of refer to claims which have been successfully made or dismissed after hearing

訴訟中止的案件是指自最後一次送交文件之日起計一年內，並無任何(包括送交文件或聆訊)行動的案件

Inactive cases refer to those having no action (including filing of document or hearing) for one year from the date of last filing of document

+ 在二零零三年，申請覆核、恢復申索及將裁決擱置的案件皆列入“覆核”類別

Applications for review, to restore claims and to set-aside awards, were classified as "Reviews" in 2003

表 14 勞資審裁處案件輪候時間

Table 14 WAITING TIME FOR CASES IN THE LABOUR TRIBUNAL

	輪候時間 (日) Waiting Time (days)			
	目標 Target	2003	2004 (截至9月30日止) (as at 30 Sept)	2005 (預計) (Plan)
由預約時間到案件入稟日 From appointment to filing of a case	30	14	7	30
由案件入稟日到首次聆訊日 From filing of a case to first hearing	30	24	24	30

表 15 小額錢債審裁處的案件量

Table 15 CASELOAD OF THE SMALL CLAIMS TRIBUNAL

	2003 案件數目 No. of Cases				
	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
申索 Claims	20 236	113 381	116 449	0	17 168
覆核 Reviews	63	596	546	0	113
合計 TOTAL	20 299	113 977	116 995	0	17 281

	2004 (截至9月30日 up to 30 Sept) 案件數目 No. of Cases				
	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
申索 Claims	17 168	67 397	75 342	0	9 223
覆核 Reviews	113	167	141	0	139
合計 TOTAL	17 281	67 564	75 483	0	9 362

☆ 承接往年的案件是指訴訟中止及訴訟進行中的案件

Cases brought forward from previous years refer to cases in progress and inactive cases

* 結案的案件是指經聆訊後成功申索或申索被撤銷，以及申索無限期押後的案件

Cases disposed of refer to claims which have been made successfully or dismissed after hearing and those which have been adjourned sine die

訴訟中止的案件是指自最後一次送交文件之日起計一年內，並無任何（包括送交文件或聆訊）行動的案件

Inactive cases refer to those having no action (including filing of document or hearing) for one year from the date of last filing of document

表 16
Table 16

小額錢債審裁處案件輪候時間
WAITING TIME FOR CASES IN THE SMALL CLAIMS TRIBUNAL

	輪候時間 (日) Waiting Time (days)			
	目標 Target	2003	2004 (截至9月30日止) (as at 30 Sept)	2005 (預計) (Plan)
由案件入稟日到首次聆訊日 From filing of a case to first hearing	60	60	46	60

表 17
Table 17

淫褻物品審裁處的案件量
CASELOAD OF THE OBSCENE ARTICLES TRIBUNAL

	2003 案件數目 No. of Cases				
	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
就呈交的物品作出決定 Articles for determination	53 996	119 683	170 453	0	3 226
就呈交的物品評定類別 Articles for classification	15	3 003	3 005	0	13
就決定或類別評定進行覆核 Articles for review	3	10	11	0	2
就決定或類別評定重新考慮 Articles for reconsideration	0	1	1	0	0
合計 TOTAL	54 014	122 697	173 470	0	3 241

	2004 (截至9月30日 up to 30 Sept) 案件數目 No. of Cases				
	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
就呈交的物品作出決定 Articles for determination	3 226	25 021	21 553	0	6 694
就呈交的物品評定類別 Articles for classification	13	2 237	2 139	0	111
就決定或類別評定進行覆核 Articles for review	2	4	4	0	2
就決定或類別評定重新考慮 Articles for reconsideration	0	0	0	0	0
合計 TOTAL	3 241	27 262	23 696	0	6 807

☆ 承接往年的案件是指訴訟中止及訴訟進行中的案件

Cases brought forward from previous years refer to cases in progress and inactive cases

* 結案的案件是指審裁處已就物品作出裁定或分類；經雙方當事人同意不需作出裁定或分類；及審裁處已就裁定或分類予以覆核或重新考慮的案件

Cases disposed of refer to those articles which have been determined or classified; those in respect of which determination or classification was not required with consent of both parties; and those in respect of which determination or classification have been reviewed or reconsidered

訴訟中止的案件是指自最後一次送交文件之日起計一年內，並無任何（包括送交文件或聆訊）行動的案件

Inactive cases refer to those having no action (including filing of document or hearing) for one year from the date of last filing of document

表 18

Table 18

淫褻物品審裁處案件輪候時間

WAITING TIME FOR CASES IN THE OBSCENE ARTICLES TRIBUNAL

	輪候時間 (日) Waiting Time (days)			
	目標 Target	2003	2004 (截至9月30日止) (as at 30 Sept)	2005 (預計) (Plan)
由裁判官將案件移交審裁處到審裁處開始就所涉物品作出決定 From referral by a magistrate to commencement of determination of the subject matter of a court case	21	17	16	21
由收到申請至進行分類 From receipt of application to classification	5	3	2	5
由收到申請至覆核 From receipt of application to review	35	26	19	35
由收到申請至重新考慮 From receipt of application to reconsideration	35	23	^	35

^ 輪候時間並不適用，因為在二零零四年一月至九月期間並無收到任何要求就物品的裁定或分類重新考慮的申請
Waiting time is inapplicable as no articles had been submitted for reconsideration from January to September 2004

表 19
Table 19

 死因裁判法庭的案件量
CASELOAD OF THE CORONER'S COURT

		2003 案件數目 No. of Cases				
		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
死因研訊 Death Inquests	有陪審團 With jury	17	69	67	0	19
	無陪審團 Without jury	14	40	41	0	13
合計 TOTAL		31	109	108	0	32

		2004 (截至9月30日 up to 30 Sept) 案件數目 No. of Cases				
		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
死因研訊 Death Inquests	有陪審團 With jury	19	73	76	0	16
	無陪審團 Without jury	13	33	36	0	10
合計 TOTAL		32	106	112	0	26

☆ 承接往年的案件是指訴訟中止及訴訟進行中的案件

Cases brought forward from previous years refer to cases in progress and inactive cases

* 結案的案件是指死因研訊已結束的案件

Cases disposed of refer to death inquests concluded

訴訟中止的案件是指自最後一次送交文件之日起計一年內，並無任何（包括送交文件或聆訊）行動的案件

Inactive cases refer to those having no action (including filing of document or hearing) for one year from the date of last filing of document

 表 20
Table 20

 死因裁判法庭案件輪候時間
WAITING TIME FOR CASES IN THE CORONER'S COURT

	輪候時間 (日) Waiting Time (days)			
	目標 Target	2003	2004 (截至9月30日止) (as at 30 Sept)	2005 (預計) (Plan)
由死因裁判官收到完整的死亡報告之日 或由陳述書呈交時限期屆滿之日（以日期較後者 為準）到聆訊日 From receipt by the Coroner of a completed death report or expiry of the period prescribed for the receipt of any representation (whichever date is later) to hearing	42	45	46	42