

審裁處和專責法庭 Tribunals and Specialised Court

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，另外由兩位區域法院法官擔任土地審裁處法官，以及一位產業測量師擔任審裁委員。其他兩個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。

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。

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 and one Member who is a land valuation estate surveyor. The other two 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.

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.



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

如任何人士的土地因公共發展而減值或被強制收回，土地審裁處有權釐定政府應付的補償金額。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。

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.

《土地審裁處條例》及《土地審裁處規則》的檢討

在2004年底，司法機構完成對《土地審裁處條例》（第17章）及《土地審裁處規則》（第17A章）的檢討工作，並提出合共14項建議。其中大部分的建議主要涉及收回管有的申請以期簡化程序；另外亦有建議是關乎審裁處的司法管轄權及其他常規和程序的，目的是令審裁處能更有效率及更迅速地處理申索。

土地審裁處因應上述檢討的結果，自2005年2月21日起引入一項新措施，容許申請人在判決作出之前或之後張貼法律程序的通告，希望藉此縮短收回管有處所程序所需的時間。該項新措施的詳情及通告格式樣本現已載錄於行政指引。該套指引可向土地審裁處登記處索取，亦可在司法機構的網站閱覽<<http://www.judiciary.gov.hk>>。

司法機構已就檢討後所作出的建議諮詢兩個法律專業團體及政府的有關政策局，現時正在處理該等須先修訂法例才可施行的建議。

REVIEW OF THE LANDS TRIBUNAL ORDINANCE AND RULES

In late 2004, the Judiciary completed the review of the Lands Tribunal Ordinance (Cap. 17) and the Lands Tribunal Rules (Cap. 17A). A total of 14 recommendations were made. Most of the recommendations were related primarily to applications for possession of premises, with a view to streamlining the procedures. Recommendations were also made in respect of the jurisdiction and other practice and procedure of the Tribunal, with a view to making the processing of claims in the Tribunal more efficient and expeditious.

Arising from the review, the Lands Tribunal has introduced as from 21 February 2005 a new practice, permitting applicants to post the notice of proceedings either before or after judgment has been given, with a view to shortening the process for recovery of possession. The new practice and specimen notices are promulgated by a set of administrative guidelines obtainable at the Lands Tribunal Registry and accessible at the Judiciary's Website (<http://www.judiciary.gov.hk>).

Having consulted the two legal professional bodies and the relevant bureaux in the Administration on the recommendations, the Judiciary is now working on the recommendations requiring legislative amendments.



立法會議員參觀土地審裁處
Legislative Council Members visit the Lands Tribunal

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。

審裁處登記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。此外，繼於2003年6月獲頒國際標準化組織 ISO 9001:2000 證書後，登記處於2004年7月再度獲頒該項證書，顯示登記處的服務得到了外界的廣泛承認。

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 Member of the Tribunal.

Work processes and operating procedures of the Tribunal Registry are documented and services provided are standardised. With the certification of ISO 9001:2000 in June 2003 and re-certification in July 2004, the performance of the Tribunal Registry is well recognised outside the Judiciary.

案件量和輪候時間

預計案件量會減少約 11%，原因是在首九個月入稟的差餉上訴及地租上訴的數目減少。根據以往的紀錄顯示，這些上訴案件入稟的高峰期是每年的最後一季。各類案件的輪候時間均維持在訂下的目標之內。

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八位審裁官。審裁法庭合共九個，設於旺角始創中心。

CASELOAD AND WAITING TIME

It is projected that there will be a decrease of about 11% in caseload due to the reduction in filing of Rating Appeals and Government Rent Appeals in the first nine months. According to previous records, the high time for filing of these appeal cases falls in the last quarter of the year. The target waiting times for all types of cases are within targets.

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 eight Presiding Officers in the Labour Tribunal. A total of nine courts are in operation at the Pioneer Center, Mong Kok.



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

2004年6月，檢討勞資審裁處工作小組（由原訟法庭法官朱芬齡出任主席）完成有關審裁處運作的檢討工作，並向終審法院首席法官提交報告（工作小組報告）。公眾人士可進入司法機構網站閱覽該份報告<<http://www.judiciary.gov.hk>>。

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

工作小組報告所提出有關勞資審裁處運作及程序方面的若干建議現正付諸實行，而司法機構政務處目前正在與政府當局就落實須先修訂法例才可施行的建議進行商討。

In June 2004, the Working Party on the Review of the Labour Tribunal, under the chairmanship of the Hon Madam Justice Chu, completed the review of the operation of the Labour Tribunal and submitted a report ("the Working Party's Report") to the Chief Justice. The Working Party's Report is accessible at the Judiciary's Website <<http://www.judiciary.gov.hk>>.

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

A number of recommendations in the Working Party's Report relating to the operational matters and procedures of the Labour Tribunal are being put in place. The Judiciary Administration is liaising with the Administration regarding the implementation of the recommendations which require legislative amendments.

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。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。司法機構亦提供了網上查詢裁斷款項交收情況的服務，以便訴訟人在網上查閱個別申索的裁斷款項交收情況。此外，審裁處的互動聲訊系統 24 小時處理電話查詢，提供有關聆訊及繳款的資料。

案件量和輪候時間

隨着經濟情況改善，預計 2005 年的案件量會下降約 20%。各項輪候時間均能維持在所訂的目標之內。

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。

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 multi-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. 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). An e-award payment enquiry service is provided so that parties concerned can make on-line enquiries about the award payment status in respect of their individual claims. The Interactive Voice Response System of the Tribunal handles enquiries on hearings and payment status on a 24-hour basis.

CASELOAD AND WAITING TIME

With improving economic conditions, it is projected that the caseload of the Labour Tribunal in 2005 will decrease by about 20%. The target waiting times can be met.

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.



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

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。

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。

審裁處登記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。此外，繼於2002年3月獲頒國際標準化組織 ISO 9001:2000 證書後，登記處再於2005年5月獲頒該項證書，可見登記處的服務得到了外界的廣泛承認。

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 advise 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.

SMALL CLAIMS TRIBUNAL REGISTRY

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

Work processes and operating procedures of the Tribunal Registry are documented and provision of services standardised to the international standard. With the certification of ISO 9001:2000 in March 2002 and re-certification in May 2005, the performance of the Tribunal Registry is well recognised outside the Judiciary.

為簡化工作流程而進行的小額錢債審裁處案件管理系統改良工程已於年內完竣。此外，我們亦已於年內增闢了更多房間，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

由於入稟集體申索的數目減少，預計2005年的案件量與2004年比較會下降約8%。案件的輪候時間完全能夠達到所訂的目標。

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特委審裁委員共同主持；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。截至2005年9月30日，淫褻物品審裁處審裁委員小組共有297位審裁委員。

Improvement works to the Case Management System of the Small Claims Tribunal have been completed during the year to enhance work processes. In addition, more rooms for holding interviews with parties concerned by the court support staff have also been provided during the year.

CASELOAD AND WAITING TIME

It is projected that there will be a decrease of about 8% in caseload in 2005 as compared with that in 2004 due to a decrease in filing of group claims. The target waiting time can well be met.

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 nor 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 lay 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 2005, there were a total of 297 Adjudicators on the panel.

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，並為主審裁判官及審裁委員提供文書支援服務。

案件量和輪候時間

承接去年的趨勢，2005年提請審裁處分類及裁定的物品數目持續下降。於2005年呈交物品的數目與2004年相比，預計會下降65%。案件的輪候時間均能達到訂下的目標。

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、或高等法院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。

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 Adjudicators.

CASELOAD AND WAITING TIME

The decreasing trend of articles submitted for classification and determination continued in 2005. It is projected that the number of articles submitted in 2005 will decrease by about 65% as compared with that in 2004. The target waiting times can well be met.

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 of the High Court 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 Court situated at the Eastern Law Courts Building.

死因裁判法庭登記處

死因裁判法庭登記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的死因研訊的所有文件和紀錄。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

我們預計 2005 年的案件量與 2004 年比較會上升約 45%，主要原因是監護權案件數目增加兩倍。死因研訊的平均輪候時間略為超過訂下的目標。死因裁判法庭會繼續盡力將輪候時間維持在合理範圍之內。

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

It is projected that the caseload in 2005 will increase by about 45% as compared with that in 2004. This is mainly attributed to the twofold increase in guardianship cases. The average waiting time for an inquest has slightly exceeded target. The Coroner's Court will continue to keep the waiting time within reasonable limit.

表 11 Table 11	土地審裁處的案件量 CASELOAD OF THE LANDS TRIBUNAL	2004 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	1 097	1 425	78	867
補償案件 @ Compensation cases		158	47	33	41	131
建築物管理案件 Building management cases		1 018	413	350	111	970
租賃案件 Tenancy cases		9 654	5 089	4 068	1 372	9 303
強制售賣土地申請 Lands compulsory sale applications		9	3	3	0	9
雜類申請 Miscellaneous proceedings applications		34	20	20	4	30
合計 TOTAL		12 146	6 669	5 899	1 606	11 310

	2005 (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	945	331	805	14	457
補償案件 @ Compensation cases	172	15	11	19	157
建築物管理案件 Building management cases	1 081	268	195	83	1 071
租賃案件 Tenancy cases	10 675	3 842	2 789	857	10 871
強制售賣土地申請 Lands compulsory sale applications	9	2	2	0	9
雜類申請 Miscellaneous proceedings applications	34	2	5	3	28
合計 TOTAL	12 916	4 460	3 807	976	12 593

☆ 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	2004	2005 (截至9月30日止) (as at 30 Sept)	2006 (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	20	52	50
· 補償案件 Compensation cases	100	68	87	80
· 管理建築物案件 Building management cases	100	26	47	50
· 租賃案件 Tenancy cases	60	23	28	50

表 13
Table 13勞資審裁處的案件量
CASELOAD OF THE LABOUR TRIBUNAL

	2004 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	8 273	8 622	577	927
覆核 Reviews	37	286	281	5	37
恢復申索 Restore claims	48	186	199	15	20
將裁決擱置 Set-aside awards	38	138	137	15	24
小計 Sub-total	123	610	617	35	81
合計 TOTAL	1 976	8 883	9 239	612	1 008

	2005 (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	1 504	5 021	4 805	677	1 043
覆核 Reviews	42	153	170	8	17
恢復申索 Restore claims	35	125	123	17	20
將裁決擱置 Set-aside awards	39	136	125	17	33
小計 Sub-total	116	414	418	42	70
合計 TOTAL	1 620	5 435	5 223	719	1 113

☆ 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

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	2004	2005 (截至9月30日止) (as at 30 Sept)	2006 (預計) (Plan)
由預約時間到案件入稟日 From appointment to filing of a case	30	8	13	30
由案件入稟日到首次聆訊日 From filing of a case to first hearing	30	24	25	30

表 15

小額錢債審裁處的案件量

Table 15

CASELOAD OF THE SMALL CLAIMS TRIBUNAL

	2004 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	88 242	99 653	0	5 757
覆核 Reviews	113	211	177	0	147
合計 TOTAL	17 281	88 453	99 830	0	5 904

2005 (截至9月30日 up to 30 Sept)
案件數目 No. of Cases

	2005 (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	5 757	60 717	61 102	0	5 372
覆核 Reviews	147	164	154	0	157
合計 TOTAL	5 904	60 881	61 256	0	5 529

☆ 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	2004	2005 (截至9月30日止) (as at 30 Sept)	2006 (預計) (Plan)
由案件入稟日到首次聆訊日 From filing of a case to first hearing	60	46	44	60

表 17 Table 17	淫褻物品審裁處的案件量 CASELOAD OF THE OBSCENE ARTICLES TRIBUNAL				
	2004 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	73 808	74 356	0	2 678
就呈交的物品評定類別 Articles for classification	13	3 062	3 066	0	9
就決定或類別評定進行覆核 Articles for review	2	4	6	0	0
就決定或類別評定重新考慮 Articles for reconsideration	0	1	0	0	1
合計 TOTAL	3 241	76 875	77 428	0	2 688

	2005 (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	2 678	17 963	18 110	0	2 531
就呈交的物品評定類別 Articles for classification	9	1 343	1 347	0	5
就決定或類別評定進行覆核 Articles for review	0	6	4	0	2
就決定或類別評定重新考慮 Articles for reconsideration	1	0	1	0	0
合計 TOTAL	2 688	19 312	19 462	0	2 538

☆ 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

淫褻物品審裁處案件輪候時間

Table 18

WAITING TIME FOR CASES IN THE OBSCENE ARTICLES TRIBUNAL

	輪候時間 (日) Waiting Time (days)			
	目標 Target	2004	2005 (截至9月30日止) (as at 30 Sept)	2006 (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	16	15	21
由收到申請至進行分類 From receipt of application to classification	5	2	2	5
由收到申請至覆核 From receipt of application to review	35	19	21	35
由收到申請至重新考慮 From receipt of application to reconsideration	35	21	-	35

As there is no application for reconsideration filed from January to September 2005, the waiting time is inapplicable.

表 19 Table 19		死因裁判法庭的案件量 CASELOAD OF THE CORONER'S COURT				
		2004 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	101	99	0	21
	無陪審團 Without jury	13	39	42	0	10
合計 TOTAL		32	140	141	0	31

		2005 (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	21	119	120	0	20
	無陪審團 Without jury	10	33	38	0	5
合計 TOTAL		31	152	158	0	25

☆ 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	2004	2005 (截至9月30日止) (as at 30 Sept)	2006 (預計) (Plan)
由排期日到聆訊日 From date of listing to hearing		42	46	47	42