

第六章

審裁處和 專責法庭

土地審裁處檔案室
LANDS TRIBUNAL, RECORDS OFFICE



Chapter 6

TRIBUNALS AND SPECIALISED COURT



土地審裁處
The Lands Tribunal

審裁處和專責法庭

司法機構轄下有 4 個審裁處和 1 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 1 位高等法院原訟法庭法官領導，3 位區域法院法官擔任審裁官，並有 1 位土地測量師擔任審裁委員。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

任何人士，其土地因公共或私人發展而減值或被收回，而政府或其他有關方面應對其作出賠償，賠償金額由土地審裁處決定。土地審裁處審理的賠償申索，金額沒有上限。審裁處在判予法定救濟或衡平法上的救濟時，有與高等法院原訟法庭同等的權力。

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, headed by a President who is a Judge of the Court of First Instance of the High Court, comprises three Presiding Officers who are District Court Judges, and one Member who is a land valuation surveyor. The other Tribunals and the Coroner's Court are under the purview of the Chief Magistrate.

LANDS TRIBUNAL

The Lands Tribunal has unlimited jurisdiction to determine the amount of compensation payable by the Government and others to a person whose land is compulsorily resumed or has its value reduced because of public and private developments. In the exercise of its jurisdiction, it has the same powers to grant legal and equitable remedies as the Court of First Instance of the High Court.

土地審裁處有上訴管轄權。不服差餉物業估價署署長、地政總署署長和房屋署署長所作的決定，包括不服根據《地租（評估及徵收）條例》和《差餉條例》釐定的地租和差餉額，及不服根據《房屋條例》對物業評估的市值，可向土地審裁處上訴。

土地審裁處有權根據《業主與租客（綜合）條例》發出判令收回樓宇，或命令給付相應濟助，亦有權批准新租約和裁定市值租金。

土地審裁處亦審理《建築物管理條例》指定的某些爭議並作出裁斷，包括管理委員會的委任和解散、對該條例的解釋和執行，及對大廈公契條款和規定的解釋和執行等。

土地審裁處審理案件，當事人可以由大律師或律師代表，也可以親自出庭。



向土地審裁處入稟案件
Filing an application to the Lands Tribunal

The Lands Tribunal has appellate jurisdiction over determinations by the Commissioner of Rating and Valuation, the Director of Lands and the Director of Housing. These include appeals in respect of Government rent and rates payable under the Government Rent (Assessment and Collection) Ordinance and the Rating Ordinance, and appeals against assessment of the prevailing market value of a property under the Housing Ordinance.

Under the Landlord and Tenant (Consolidation) Ordinance, the Lands Tribunal may make orders for possession and consequential relief, grant a new tenancy and determine the prevailing market rent.

The Lands Tribunal also has jurisdiction to hear and determine disputes specified under the Building Management Ordinance, which includes the appointment or dissolution of a management committee, the interpretation and enforcement of the Ordinance, and of the terms and provisions in a deed of mutual covenant.

Parties may appoint counsel or solicitors to appear before the Tribunal or 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，並為審裁官和審裁委員提供支援服務。

登記處電腦化完成後，各級法庭登記處的系統已經互聯，不但方便了文件的存檔、資料的提取和在線資料的分享，而且有助更新排期資料、紀錄費用和繳款情況。系統的互聯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，使用者可以隨時索取關於入稟程序的指南和表格，節省輪候的時間。登記處亦採用了新的輪候制度，簡化申請程序，提高服務效率。

此外，土地審裁處的互動聲訊系統功能已經提升，接受 24 小時電話查詢，提供案件詳情，包括聆訊日期、時間和地點等。



差餉物業估價署職員於土地審裁處解答市民有關租務的問題
An officer from Rating and Valuation Department answers public enquiries concerning tenancy matters in the Lands Tribunal

THE LANDS TRIBUNAL REGISTRY

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

Upon computerisation of the Registry of the Lands Tribunal, the networking among various levels of court has been established. It facilitates document filing, retrieval and sharing of on-line information, updating of listing services, recording of fees and payments. It also enhances case management, thus contributing to the better administration of justice.

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

The Lands Tribunal Interactive Voice Response System has been enhanced to provide a 24-hour enquiry service on hearing details of cases e.g. date, time and court number through the telephone.



土地審裁處職員為法庭使用者提供服務
Registry staff of the Lands Tribunal attends to court user

我們與差餉物業估價署已作了安排，該署 2001 年 4 月起已派人在土地審裁處即場提供諮詢服務。市民如因私人住宅租客欠租而須要收回樓宇，或須就新租約問題作出各種申請或提出反對，可請該署人員協助辦理有關手續。

案件量和輪候時間

由於租賃、賠償和大廈管理這三類案件的數量增加，所以 2001 年土地審裁處的案件量較 2000 年略多，但各類案件的輪候時間都能維持在指標之內。

With effect from April 2001, an arrangement has been made with the Rating and Valuation Department to have their staff stationed in the Lands Tribunal to provide on-the-spot enquiry service. The service assists members of the public in following the application and opposition procedures regarding disputes over re-possession of domestic premises for non-payment of rent and new tenancy.

CASELOAD AND WAITING TIME

The Lands Tribunal recorded a slight increase in caseload in 2001 as compared to that in 2000 due to an increase in tenancy cases, compensation cases and building management cases. For 2001, the waiting times for all types of cases are well within targets.



申請人向監督員宣誓已將申請書送達予答辯人
Applicant takes oath before the Commissioner for Oaths that she has served a copy of the application on the respondent

表 11 土地審裁處的案件量 Table 11 Caseload of the Lands Tribunal					
	承接往年* Brought forward from previous years	2000 案件數目 No. of Cases			
		送交 Filed	結案* Disposed of	訴訟中止# Inactive	訴訟進行中 In progress
上訴案件 Appeals	289	575	525	227	330
賠償案件 @ Compensation cases	32	59	26	41	58
建築物管理案件 Building management cases	269	483	344	345	317
租賃案件 Tenancy cases	3 060	4 476	3 665	1 895	4 025
土地強制售賣申請 Lands compulsory sale applications	2	1	1	2	2
雜類申請 Ω Miscellaneous proceedings applications	—	—	—	—	—
合計 Total	3 652	5 594	4 561	2 510	4 732
2001 案件數目(截至9月30日) No. of Cases (up to 30 Sept)					
	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	330	169	269	130	327
賠償案件 @ Compensation cases	58	36	30	46	59
建築物管理案件 Building management cases	317	491	383	439	331
租賃案件 Tenancy cases	4 025	3 813	2 933	2 862	3 938
土地強制售賣申請 Lands compulsory sale applications	2	2	0	2	4
雜類申請 Ω Miscellaneous proceedings applications	0	24	1	22	1
合計 Total	4 732	4 535	3 616	3 501	4 660

表 12 土地審裁處案件輪候時間 Table 12 Waiting Time for Cases in the Lands Tribunal				
	目標 Target	2000	輪候時間(日) Waiting Time (Days)	
			2001 (截至9月30日) (as at 30 Sept)	2002 (預計) (Plan)
由聆訊期訂定日至聆訊日 From setting down of a case to hearing				
• 上訴案件 Appeals	100	26	19	80
• 賠償案件 Compensation cases	100	29	18	80
• 管理建築物案件 Building management cases	100	26	19	80
• 租賃案件 Tenancy cases	60	28	26	60

☆ 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 do not include cases inactive

* 結案指上訴得直/上訴駁回/審訊結束或聆訊結束
Disposed of refers to appeals allowed/appeals dismissed/trials or hearings concluded

訴訟中止指原訴申請/上訴送交之後沒有進一步行動
Inactive refers to those having no further action after filing of the originating application/appeal

@ [賠償案件]包括[雜項申請]
"Compensation cases" "include" "Miscellaneous reference applications"

Ω 由二零零一年起增加此項數據
Figures are included from 2001 onwards

— 不適用
Not Applicable



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。勞資審裁處申索額沒有上限，但必須在港幣 8,000 元以上，而在同一宗申索中，如果申索人每人申索額在港幣 8,000 元或以下，而申索人數不超過 10 人，則通常由勞工處轄下的小額薪酬索償仲裁委員會處理。

勞資審裁處審理由於違反僱傭合約條款引起的申索，如關於解僱應付的代通知金、不合理解僱應付之合約終止金、欠薪、遣散費、長期服務金、有薪假期工資、法定假期工資、病假津貼、分娩假期工資、年終雙糧等的各類申索。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。

勞資審裁處設於旺角始創中心，有日庭和夜庭分別於日間和晚上進行聆訊，另有 3 個日庭設於東區法院大樓審理該處的案件。

THE LABOUR TRIBUNAL

The Labour Tribunal provides a quick, inexpensive and informal method of resolving disputes between employees and employers. There is no upper limit to the amount which may be claimed in the Tribunal but it has to be over HK\$8,000. Cases with the claim amount of HK\$8,000 or less per claimant and where the total number of claimants in a claim is not more than 10 are generally dealt with by the Minor Employment Claims Adjudication Board of the Labour Department.

The Labour Tribunal deals with claims arising from breach of contract of employment, such as, wages in lieu of notice of termination, terminal payment for unreasonable dismissal, arrears of wages, severance pay, long service payment, annual leave pay, statutory holiday pay, sickness allowance, maternity leave pay and year-end payment. Hearings are informal and are mostly conducted in Chinese. Legal representation is not allowed.

The Labour Tribunal is located at the Pioneer Centre in Mong Kok with both day courts and night courts in operation. In addition, three day courts are operating in the Eastern Law Courts Building.

勞資審裁處有一位主任裁判官和 12 位審裁官。此外，由多位暫委審裁官輪流負責兩個夜庭的運作。

夜庭聆訊是為了方便涉及比較簡單的案件而且日間又不便出席聆訊的法庭使用者，讓他們更有效地分配時間，盡量避免擾亂他們工作或業務上的安排。

勞資審裁處登記處

勞資審裁處登記處負責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。

為了改善服務，該處的入稟申索程序已經電腦化。該處的電腦系統設有索引和搜查功能，方便案件的存檔、資料的提取、預約翻譯和在線資料的分享，亦可更新排期資料、記錄數額和繳款情況。這系統提高了案件管理和司法工作的水平。



學生參觀勞資審裁處
Students visit the Labour Tribunal

The Labour Tribunal is headed by a Principal Presiding Officer and comprises 12 Presiding Officers. In addition, two night courts are manned by a number of Deputy Presiding Officers on a roster basis.

The night courts are convenient alternatives for court users of simple cases who cannot avail themselves of attending hearing in the daytime. Night hearings facilitate such court users in better deployment of their time and help reduce disruption caused to their work or business.

THE LABOUR TRIBUNAL REGISTRY

The Registry of the Labour Tribunal is responsible for handling all claims filed with the Tribunal. It also provides support to the Presiding Officers and Tribunal Officers.

To improve services to the court users, the filing of claims has been computerised. The system with indexing and searching function facilitates case filing, information retrieval, booking of interpreters, sharing of on-line information, updating of listing, recording of fees and payments. The system also enhances case management thus contributing to better administration of justice.



勞資審裁處調查主任向參觀的學生簡介勞資審裁處工作
Tribunal Officer briefs student visitors on the work of the Labour Tribunal

該處提供 24 小時電話預約服務的互動聲訊系統，2002 年初前會進一步改良，接受 24 小時電話查詢，提供聆訊的詳情和繳款情況。

為了方便申請人在同一個櫃位完成入稟申索的整項手續，登記處設置了多用途櫃位，提供一站式服務。此外，該處製作了一套關於勞資審裁處運作的錄像，在大堂放映，向使用者介紹案件從入稟至聆訊結束整個過程。

案件量和輪候時間

估計勞資審裁處 2001 年的案件量與 2000 年的相同，但 2000 年 12 月開始推行的強制性公積金、經濟的急劇轉弱和破產個案的飆升使該處 2001 年的集體申索數目上升。由於增開了兩個夜庭和另外三個日庭，因此案件的輪候時間能維持在指標之內。

The Interactive Voice Response System in the Labour Tribunal provides 24-hour telephone booking of appointments. It will be enhanced to provide a 24-hour telephone enquiry service on hearing details and payment status by early 2002.

To enable applicants to complete the process of filing claims at the same counter, multi-purpose counters have been set up at the Registry to provide a one-stop service. In addition, a video on the operation of the Labour Tribunal has been produced. Users of the Labour Tribunal are welcome to view the video in the hall, which gives them an idea of the full process of a case from filing to conclusion at the hearing.

CASELOAD AND WAITING TIME

The caseload in 2001, in terms of number of cases, is projected to be about the same level of that filed in 2000. The Mandatory Provident Fund Scheme implemented in December 2000, the sharp economic downturn and upsurge in bankruptcy cases lead to the increase in the number of group cases with multi-claimants for the Labour Tribunal in the year 2001. With the provision of the two night courts and three additional day courts, the target waiting time in 2001 is well within target.

	2000 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	994	9 611	9 810	0	795
覆核 Reviews	102	313	240	0	175
合計 Total	1 096	9 924	10 050	0	970
	2001 案件數目(截至9月30日) No. of Cases (up to 30 Sept)				
	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	795	7 496	6 446	0	1 845
覆核 Reviews	175	356	404	0	127
合計 Total	970	7 852	6 850	0	1 972

	輪候時間(日) Waiting Time (Days)			
	目標 Target	2000	2001 (截至9月30日) (as at 30 Sept)	2002 (預計) (Plan)
由預約時間到案件入稟日 From appointment to filing of a case	30	11	13	20
由案件入稟日到首次聆訊日 From filing of a case to first hearing	30	21	23	30

☆ 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 do not include cases inactive

* 結案指申索成功/申索撤銷/聆訊結束
Disposed of refers to successful claims/claims dismissed/hearings concluded

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



署理小額錢債審裁處主任審裁官彭中屏先生(前排右四)與來自澳門的參觀人士會面
Acting Principal Adjudicator of the Small Claims Tribunal, Mr Pang Chung-ping, (fourth right first row), receives visitors from Macau

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。該處處理的申索主要類別有：追收欠債、追收服務費、物業毀壞要求賠償、及與貨物銷售或消費權益有關的追討。審裁處進行聆訊，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，申索人可以親自出庭，若審裁官批准，可授權他人代表（但不得為律師）出庭。

小額錢債審裁處由一位主任審裁官領導，有六位審裁官和七個審裁法庭。

該處的調查主任在審裁官的指導下，協助訴訟各方整理其爭議事項或助其協商和解，不能和解的則安排由審裁官開庭審理。

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。

登記處力求改善對公眾的服務，2001年7月起試行一個依照ISO9001品質認證標準而設計的「品質管理系統」。估計該系統可以大幅提升登記處的服務水平和效率以滿足使用者的需要，登記處達到指定的品質標準後，將可獲得ISO9001品質認證局發出的認證，其服務質素就可取得本地和國際承認。試驗計劃預計在2002年3月完成。

SMALL CLAIMS TRIBUNAL

The Small Claims Tribunal provides a simple, inexpensive and informal procedure to deal with monetary claims not exceeding HK\$50,000. The major categories of claims include debts, service charges, damage to property, sale of goods and consumer claims. Hearings are informal and are conducted mostly in Chinese. Legal representation is not allowed. Claimants may appear in person or, with the permission of the Tribunal, authorise a representative (other than a lawyer) to appear on his behalf.

The Tribunal is headed by a Principal Adjudicator and comprises six Adjudicators with seven courts in operation.

Under the guidance of an Adjudicator, the Tribunal Officer assists parties in sorting out issues and negotiating settlement. Unsettled claims will be tried by the Adjudicators in due course.

THE SMALL CLAIMS TRIBUNAL REGISTRY

The Registry of the Small Claims Tribunal handles all documents filed in connection with the claims and provides support service to the Adjudicators.

Striving to improve the quality of services rendered to the users, a pilot Quality Management System leading to the certification of ISO 9001 was launched in the Small Claims Tribunal Registry in July 2001. It is expected that the implementation of the proposed Quality Management System will significantly improve its performance and provide efficient and effective services to satisfy the needs of its users. By attaining the specific quality standards, the Registry will be able to gain local and international recognition of its performance through certification from the ISO 9001 Certification Authority. It is expected that the pilot project will be completed by March 2002.

案件量和輪候時間

由於小額錢債審裁處申索限額從港幣15 000元提升至50 000元，因此2000年的申索數量上升12%。但這個上升趨勢在2001年開始停止。因為經濟不景氣的關係，估計2002年的案件量會有溫和的增長。2001年案件的候審時間能維持在指標之內。

CASELOAD AND WAITING TIME

After a 12% increase in the caseload in 2000 due to the increase in the jurisdictional limit from HK\$15,000 to HK\$50,000, the caseload in 2001 started to level off. It is projected that the caseload in 2002 will increase moderately having regard to the unfavourable economic climate. As for the court waiting time, it is well within target in the year of 2001.

表15 小額錢債審裁處的案件量 Table 15 Caseload of the Small Claims Tribunal					
2000 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	35 066	64 348	66 645	7 351	31 408
覆核 Reviews	0	268	268	0	0
合計 Total	35 066	64 616	66 913	7 351	31 408
2001 案件數目(截至9月30日) No. of Cases (up to 30 Sept)					
	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	31 408	45 443	51 167	6 302	26 733
覆核 Reviews	0	543	543	0	0
合計 Total	31 408	45 986	51 710	6 302	26 733

☆ 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 do not include cases inactive

* 結案指申索成功/申索撤銷/聆訊結束
Disposed of refers to successful claims/claims dismissed/hearings concluded

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

表16 小額錢債審裁處案件輪候時間 Table 16 Waiting Time for Cases in the Small Claims Tribunal				
輪候時間(日) Waiting Time (Days)				
	目標 Target	2000	2001 (截至9月30日) (as at 30 Sept)	2002 (預計) (Plan)
由案件入稟日到首次聆訊日 From filing of a case to first hearing	60	42	40	60

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，或某些公開展示的物品是否屬於不雅。該審裁處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、錄影帶和激光光碟。作者、印刷人、製造商、出版商、進口商、分銷商或版權所有人，都可以將物品呈交該審裁處評定類別。

淫褻物品審裁處將物品進行臨時分類時，會由一位裁判官連同兩位或以上的審裁委員共同主持；如覆核臨時分類、或就已分類物品再作考慮，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 2001 年 9 月 30 日止，淫褻物品審裁處審裁委員會共有 111 位審裁委員。

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，又協助管理貯藏室，並安排審裁委員出席聆訊或進行分類。

案件量和輪候時間

由於 2001 年上半年所檢獲的物品數量較多，送交淫褻物品審裁處處理的物品，數量預計較 2000 年多 70%，但輪候時間一般仍然維持在指標之內。

OBSCENE ARTICLES TRIBUNAL

The Obscene Articles Tribunal has jurisdiction to determine whether an article is obscene or indecent, or whether a matter publicly displayed is indecent. It 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 submitted for determination or classification are mainly magazines, comic books, video cassette tapes, and laser discs. An author, printer, manufacturer, publisher, importer, distributor or copyright owner may submit articles to the Tribunal for classification.

The Tribunal is presided by a Magistrate, who sits with two or more adjudicators for interim classification purposes and at least four adjudicators at full hearings to review the interim classification of articles, or to reconsider previously classified articles. As at September 30, 2001, there are a total of 111 adjudicators on the panel.

THE OBSCENE ARTICLES TRIBUNAL REGISTRY

The Registry of the Obscene Articles Tribunal is responsible for processing the applications for classification and determination. It also assists in manning the repository and arranging adjudicators to attend court hearings and classification.

CASELOAD AND WAITING TIME

As more articles were seized in the first half of 2001, it is projected that the number of articles referred to the Tribunal for determination will increase by 70% in 2001 as compared to that of 2000. However, the target waiting time is generally met in 2001.

☆ 承接往年的物品指訴訟進行中所涉的物品，並不包括中止訴訟所涉的物品
Articles brought forward from previous years refer to articles in progress and do not include articles inactive

* 結案指審裁處已裁定物品是否淫褻或不雅/經評定類別/雙方同意不需作出決定或評定/已覆核/已重新考慮
Disposed of refers to articles determined/classified/not required to be determined or classified with consent by both parties/reviewed/reconsidered

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

	2000 物品數目 No. of Articles				
	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	18 649	163 422	180 245	0	1 826
就呈交的物品評定類別 Articles for classification	31	2 704	2 728	0	7
就決定或類別評定進行覆核 Articles for review	0	21	20	0	1
就決定或類別評定重新考慮 Articles for reconsideration	0	1	1	0	0
合計 Total	18 680	166 148	182 994	0	1 834

	2001 物品數目(截至9月30日) No. of Articles (up to 30 Sept)				
	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	1 826	227 190	216 260	0	12 756
就呈交的物品評定類別 Articles for classification	7	2 501	2 500	0	8
就決定或類別評定進行覆核 Articles for review	1	9	8	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	1 834	229 701	218 769	0	12 766

	目標 Target	輪候時間(日) Waiting Time (Days)		
		2000	2001 (截至9月30日) (as at 30 Sept)	2002 (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	21	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	29	31	35
由收到申請至重新考慮 From receipt of application to reconsideration	35	20	28	35

死因裁判法庭

死因裁判法官調查在本港發生須予報告的死亡個案。若有人於官方羈留期間死亡，或原訟法庭發出死因聆訊指令，又或律政司司長要求進行死因聆訊，死因裁判法庭必須對有關事件進行死因聆訊。

進行死因聆訊的主要目的是就某宗死亡案件查明導致死亡的情況。法庭可在其認為適當的情況下，提出建議以防止類似的致命事件重演。

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。

死因裁判法庭登記處

死因裁判法庭登記處負責處理並保存在該法庭聆訊的案的所有有關文件和紀錄。登記處的電腦化過程 2000 年 2 月已經開始。

案件量和輪候時間

估計 2001 年死因裁判法庭的案件量會保持穩定，案件的後審時間一般都在指標之內。

CORONER'S COURT

Coroners are empowered to investigate reportable deaths occurring in Hong Kong. An inquest must be held in respect of deaths in official custody, 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. If appropriate, the Court may make recommendations to prevent a repetition of the fatality under investigation.

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

THE CORONER'S COURT REGISTRY

The Registry of the Coroner's Court is responsible for handling and maintaining records and documents of cases heard in the courts. The Registry in the Coroner's Court has been computerised since February 2000.

CASELOAD AND WAITING TIME

It is estimated that the caseload of the Coroner's Court will remain steady in 2001. The target waiting time in 2001 can generally be met.

表 19 Table 19		死因裁判法庭的案件量 Caseload of the Coroner's Court				
		2000 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	6	44	41	0	9
	無陪審團 Without jury	21	140	143	0	18
合計 Total		27	184	184	0	27
		2001 案件數目(截至9月30日) No. of Cases (up to 30 Sept)				
		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	9	55	42	0	22
	無陪審團 Without jury	18	71	74	0	15
合計 Total		27	126	116	0	37
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	2000	2001 (截至9月30日) (as at 30 Sept)	2002 (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滿之日 (以較後日期為準)到聆訊日 From receipt by the Coroner of a completed death report or the expiry of the period prescribed for the receipt of any representation (whichever date is later) to hearing		42	41	42	42	

☆ 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 do not include cases inactive

* 結案指死因研訊結束
Disposed of refers to death inquests concluded

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