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GOVERNMENT SECRETARIAT
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HONG KONG

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來函編號 Your Ref.:

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30 June 2005

The Hon Margaret Ng
Chairman
Panel on Administration of Justice and Legal Services
Legislative Council Building
8 Jackson Road
Hong Kong

Dear Margaret,

**Panel on Administration of Justice and Legal Services
Enforcement of court judgments in civil cases**

Thank you for your letter of 11 March 2005.

We gather from the Home Affairs Bureau that the issue of enforcement of maintenance orders has been a subject of regular discussion at the Panel on Home Affairs since 2000. The Bureau recently updated the Panel on the follow-up action pursuant to the Interest and Surcharge on Arrears of Maintenance Ordinance 2003 which came into effect on 1 May 2005. The Ordinance provides for two new measures that enable the imposition of interest and surcharge on arrears of maintenance to address the difficulties encountered by payees in collecting maintenance payments. Furthermore, we are given to understand that the Labour Tribunal and related cases are also receiving close attention of the LegCo Panels and the Economic Development and Labour Bureau, in conjunction with the Judiciary Administrator, will continue to discuss with Members on issues pertaining to the enforcement of court judgments in labour cases.

On the proposal for a review of the effectiveness of enforcing court judgments in civil cases, and for the purpose of obtaining the information referred to in your letter, we have written to the Judiciary Administrator to seek the Judiciary's assistance and advice. The Judiciary Administrator informed us that, after consideration, the Chief Justice is of the view that this subject should not be referred to the Law Reform Commission for consideration, as it is not a law reform issue, and this view is shared by the Secretary for Justice.

Please take this as an interim reply. When we can have the benefit of the Judiciary's further advice and information relating to the enforcement of court judgments set out in your letter, we will keep you informed.

Yours sincerely,



(Ms CHANG King-yiu)
Director of Administration

c.c. Judiciary Administrator
Secretary for Home Affairs
Secretary for Economic Development and Labour