

立法會
Legislative Council

LC Paper No. CB(3) 38/03-04

Ref : CB(3)/M/OR

Tel : 2869 9205

Date : 9 October 2003

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 29 October 2003

Proposed resolution under the District Court Ordinance

I forward for Members' consideration a proposed resolution which the Chief Secretary for Administration will move at the Council meeting of 29 October 2003 under the District Court Ordinance. The President has directed that "it be printed in the terms in which it was handed in" on the Agenda of the Council.

2. The speech, in both English and Chinese versions, which the Chief Secretary for Administration will deliver when moving the proposed resolution, is also attached.

(Ray CHAN)
for Clerk to the Legislative Council

Encl.

DISTRICT COURT ORDINANCE

RESOLUTION

(Under section 73A of the District Court Ordinance
(Cap. 336))

RESOLVED that, with effect from 1 December 2003, the District Court Ordinance (Cap. 336) be amended in the provisions specified below by repealing "\$600,000" wherever it appears and substituting "\$1,000,000" -

- (a) section 32(1) and (3);
- (b) section 33(1)(b);
- (c) section 37(2)(i), (ii) and (iv); and
- (d) section 52(1)(a) and (d).

**Speech to be Delivered by the
Chief Secretary for Administration
at the LegCo Sitting on 29 October 2003**

**Resolution under the District Court Ordinance (Cap. 336)
Jurisdictional Limits of the District Court**

Madam President,

I move the Resolution standing in my name on the Agenda.

2. The purpose of the Resolution is to raise the financial limits of the civil jurisdiction of the District Court from \$600,000 to \$1 million.

3. The civil jurisdictional limits of the District Court were last increased from \$120,000 to \$600,000 in September 2000. At the time, the Administration indicated its intention to further increase the limits to \$1 million in two years' time, subject to the outcome of a review to be conducted by the Judiciary.

4. The Judiciary has completed the review. It shows that, following the last revision of the jurisdictional limits, the costs of litigation in the District Court are about one-third lower than those in the High Court. Consequently, it will reduce the financial burden on court users if civil cases involving smaller claims may be heard in the District Court. The review also indicates that the new caseload for the District Court arising from the proposed increase in the jurisdictional limits should be manageable. There is also an adequate pool of judges with extensive civil experience to cope with the additional caseload arising from the proposed new limits.

5. The Judiciary has accordingly proposed that the financial limits of the District Court should be increased from \$600,000 to \$1 million in respect of general civil cases, and equity cases where land is not involved. It has consulted the two legal professional bodies, the Civil Court Users' Committee and the Panel on Administration of Justice and Legal Services of this Council. They are content with the proposal.

6. Having considered the outcome of the Judiciary's review, the Administration now proposes that, with effect from 1 December 2003, the financial limits of the civil jurisdiction of the District Court should be increased from \$600,000 to \$1 million in respect of general civil cases and equity jurisdiction where land is not involved.

7. I invite Members to support the Resolution.
