

# Report on Class Actions

## 集體訴訟報告書

Law Reform Commission of Hong Kong  
Class Actions Sub-committee

香港法律改革委員會  
集體訴訟小組委員會



# 1. Principal Recommendations 主要建議

1. Introducing a class actions regime, starting with consumer cases (引入集體訴訟機制, 先由消費者案件開始)
2. Consumers' tortious and contractual claims in relation to goods, services and immovable property (涵蓋消費者就貨品、服務及不動產而基於合約或侵權所提出的申索)
3. Certified suitable by the court (須先由法庭核證)
4. Compatible with Alternative Dispute Resolution methods (與解決糾紛的另類辦法兼容)
5. Opt-out as default procedure (選擇退出為預設模式)  
(foreign plaintiffs (opt-in)) (外地原告人(選擇加入))



6. New regime covers public law cases upon extension (compatible with Order 53) (新機制若擴大適用範圍, 會適用於公法案件, 並與第53號命令兼容)
7. Procedural safeguards to prevent abuses (程序上的保障以防止濫用), such as security for costs (訟費保證) and adequacy of the class representative (集體代表有足夠代表性)
8. Suitable funding mechanism (合適的籌措資金機制)
9. Active case management (案件管理)
10. Legislative changes (立法的配合)



## 2. Certification by court 由法庭核證



### 3. Funding Mechanism 籌措資金機制

1. **Expanding Consumer Council's Consumer Legal Action Fund** (擴大消費者委員會的消費者訴訟基金)
2. **Establishing a class actions fund for the long term** (長遠而言, 設立集體訴訟基金)



■ Thank You 謝謝

