

**立法會**  
**Legislative Council**

LC Paper No. LS68/13-14

**Paper for the House Committee Meeting  
on 27 June 2014**

**Legal Service Division Report on  
Subsidiary Legislation Gazetted on 20 June 2014**

**Tabling in LegCo** : Council meeting of 25 June 2014

**Amendment to be made by** : 2nd Council meeting in the next session (or the 1st Council meeting after 21 days from that 2nd Council meeting if extended by resolution)

**Rules of the High Court (Amendment) Rules 2014** **(L.N. 94)**

Under rule 1B of Order 49B of the Rules of the High Court (Cap. 4A), the Court of First Instance (CFI) may order the imprisonment of a judgment debtor for a period not exceeding 3 months if the CFI is satisfied, following the examination of the judgment debtor conducted under Order 48, that the conditions specified in rule 1B are fulfilled. Under rule 2 of Order 49B, when a judgment debtor is committed to prison in execution of the judgment, the CFI will fix whatever monthly allowance (the Allowance) it may think sufficient for his support and maintenance, not exceeding \$660 per diem, which shall be paid by the judgment creditor to the Commissioner of Correctional Services.

2. L.N. 94 is made by the Rules Committee of the High Court under section 54 of the High Court Ordinance (Cap. 4) to amend rule 2 of Order 49B to increase the Allowance by 10% to \$725 per diem.

3. L.N. 94 will come into operation on 28 November 2014.

4. According to paragraphs 4 and 5 of the LegCo brief issued by the Security Bureau in June 2014 (File Ref: SEC 9/6/10), the revision is made with a view to achieving full cost recovery gradually for providing the service. The details of the cost computation in respect of the Allowance are set out at Annex B of the LegCo Brief.

5. As advised by the Clerk to the Panel on Security (the Panel), an information paper provided by the Administration on the proposal to revise the support and maintenance allowance payable under rule 2 of Order 49B of Cap. 4A was circulated to the Panel vide LC Paper No. CB(2)1062/13-14(01)) on 14 March 2014, and no comment on the paper has been received from members.

6. No difficulties have been identified in the legal and drafting aspects of L.N. 94.

Prepared by

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