

**L.N. 175 of 2015**

**Rules of the High Court (Amendment) (No. 3) Rules  
2015**

(Made by the Rules Committee of the High Court under section 54 of  
the High Court Ordinance (Cap. 4))

**1. Commencement**

These Rules come into operation on the day on which the  
Legal Practitioners (Amendment) Ordinance 2012 (22 of 2012)  
comes into operation.

**2. Rules of the High Court amended**

The Rules of the High Court (Cap. 4 sub. leg. A) are amended  
as set out in rule 3.

**3. Order 81, rule 5 amended (enforcing judgment or order against  
firm)**

(1) Order 81, rule 5(2)—

**Repeal**

“rule 6 and to the next following paragraph”

**Substitute**

“paragraphs (3) and (6) and rule 6”.

(2) Order 81, rule 5(4)—

**Repeal**

“Where”

**Substitute**

“Subject to paragraph (6), where”.

(3) Order 81, after rule 5(5)—

**Add**

“(6) Execution to enforce a judgment or order given or made against a firm that is a limited liability partnership may not issue against a member of the firm unless—

(a) the member admitted in the pleading in the proceedings that the member is a partner not protected under Part IIAAA of the Legal Practitioners Ordinance (Cap. 159) from liability for the partnership obligation in respect of which the proceedings are brought; or

(b) the member is adjudged to be such a partner—

(i) in the proceedings; or

(ii) on an application for leave to enforce the judgment or order.

(7) In paragraph (6)—

***limited liability partnership*** (有限法律責任合夥) has the meaning given by section 7AA(1) of the Legal Practitioners Ordinance (Cap. 159);

***partnership obligation*** (合夥義務) has the meaning given by section 7AA(1) of the Legal Practitioners Ordinance (Cap. 159).”.

Made this 14th day of July 2015.

The Hon. Mr. Justice  
Andrew CHEUNG  
Chief Judge of the High Court

The Hon. Mr. Justice Johnson  
LAM V.P.

The Hon. Mr. Justice Thomas AU

Stewart WONG, S.C.

Liza Jane CRUDEN

Nigel FRANCIS

Brian GILCHRIST

Herbert LI

LUNG Kim-wan  
Registrar, High Court

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### **Explanatory Note**

These Rules amend rule 5 of Order 81 of the Rules of the High Court (Cap. 4 sub. leg. A), mainly by adding a new paragraph (6). The new paragraph (6), as read with the definitions in the new paragraph (7), provides to the effect that where a judgment or order is given or made against a firm that is a limited liability partnership, execution to enforce it may not issue separately against a member of the firm who is protected under Part IIAAA of the Legal Practitioners Ordinance (Cap. 159) from liability for the partnership obligation.