

立法會
Legislative Council

Ref : CB4/SS/4/17

LC Paper No. CB(4)1254/17-18
(These minutes have been seen
by the Administration)

**Subcommittee on Proposed Resolutions under the District Court
Ordinance and the Small Claims Tribunal Ordinance**

**Minutes of the second meeting
held on Tuesday, 8 May 2018 at 10:30 am
in Conference Room 3 of the Legislative Council Complex**

Members present : Hon Holden CHOW Ho-ding (Chairman)
Hon James TO Kun-sun
Hon WONG Ting-kwong, GBS, JP

Members absent : Hon Paul TSE Wai-chun, JP
Hon Steven HO Chun-yin, BBS
Hon Dennis KWOK Wing-hang
Dr Hon Junius HO Kwan-yiu, JP
Hon Vincent CHENG Wing-shun, MH

Public Officers attending : Item I

Chief Secretary for Administration's Office

Ms Jennifer CHAN
Deputy Director of Administration 2

Judiciary Administration

Mrs Erika HUI, JP
Deputy Judiciary Administrator (Operations)

Mr David LAU
Assistant Judiciary Administrator (Development)2

Department of Justice

Miss Annet LAI
Government Counsel

Clerk in attendance : Ms Angel WONG
Chief Council Secretary (4)4

Staff in attendance : Miss Rachel DAI
Assistant Legal Adviser 2

Ms Mina CHAN
Senior Council Secretary (4)4

Ms Sandy HAU
Legislative Assistant (4)4

Action

I. Meeting with the Administration

[CSO/ADM CR 8/3221/93, LC Paper Nos. LS41/17-18, CB(4)873/17-18(02) to (05), CB(4)896/17-18(01) and CB(4)1019/17-18 (01) to (05)]

Declaration of interest

The Chairman and Mr James TO declared interest as solicitors.

Discussion

2. The Subcommittee deliberated (index of proceedings attached at **Annex**).

3. Members noted Mr James TO's letter tabled at the meeting, indicating his intention to propose amendment to the proposed resolution under the Small Claims Tribunal Ordinance (Cap. 338) ("SCTO") to raise SCT's jurisdictional limit from \$75,000 to \$100,000.

(Post-meeting note: Mr James TO's letter was issued to members vide LC Paper No. CB(4)1047/17-18 on 8 May 2018.)

4. The Administration briefed members on the proposed inclusion of the amendment to the civil jurisdictional limit of the District Court for costs-only proceedings in the proposed resolution under the District Court Ordinance (Cap. 336) ("DCO"), details of which were set out in the

Action

Administration's paper [LC Paper No. CB(4)1019/17-18(01)]. Members raised no objection to the proposed inclusion.

Invitation of public views

5. Members considered it not necessary to meet with deputations to receive views on the proposed resolutions under DCO and SCTO.

Scrutiny of the proposed resolutions

6. The Subcommittee completed scrutiny of the proposed resolutions and would not propose any amendment.

Legislative timetable

7. Members noted that the Administration intended to give fresh notice to move the proposed resolutions at a Council meeting within the current legislative session.

II. Any other business

8. There being no other business, the meeting ended at 11:23 am.

Council Business Division 4
Legislative Council Secretariat
15 June 2018

**Proceedings of the second meeting of the
Subcommittee on Proposed Resolutions under the District Court
Ordinance and the Small Claims Tribunal Ordinance
on Tuesday, 8 May 2018 at 10:30 am
in Conference Room 3 of the Legislative Council Complex**

Time marker	Speaker(s)	Subject(s) / Discussion	Action required
Agenda Item I - Meeting with the Administration			
001350-001453	Chairman Mr James TO	Opening remarks	
001454-001551	Chairman Mr James TO	Declaration of interest	
001552-002040	Chairman Administration Judiciary Administration	The Judiciary Administration's response to the issues raised at the meeting on 9 April 2018 [LC Paper No. CB(4)1019/17-18(03)]	
002041-003305	Chairman Mr James TO Judiciary Administration Administration	Mr James TO's letter regarding his proposal to amend the proposed jurisdictional limit of the Small Claims Tribunal ("SCT") from \$75,000 to \$100,000 [LC Paper No. CB(4)1047/17-18(01)] and the Administration's stance on Mr TO's proposal The Judiciary Administration undertook to closely monitor the statistics on SCT's caseload and the actual operational impact on SCT for two years upon implementation of the proposed \$75,000 limit, and conduct a review thereafter on the need to adjust SCT's jurisdictional limit, including the scenario of setting the limit at \$100,000	
003306-004344	Chairman Mr WONG Ting-kwong Administration	Discussions on whether the proposed SCT's jurisdictional limit should be raised to \$100,000 and how future reviews on jurisdictional limits should be conducted	
004345-004352	Chairman Assistant Legal Adviser 2	The Administration's written reply to Assistant Legal Adviser's letter dated 16 April 2018 [LC Paper No. CB(4)1019/17-18(05)]	
004353-004553	Chairman Administration	The Administration's briefing on its paper on "Proposed inclusion of the amendment to the civil jurisdictional limit of the District Court ("DC") for costs-only proceedings in the proposed resolution under the District Court Ordinance (Cap. 336)" [LC Paper No. CB(4)1019/17-18(01)]	

Time marker	Speaker(s)	Subject(s) / Discussion	Action required
004554-005033	Chairman Mr WONG Ting-kwong Judiciary Administration	Examination of the provisions of the proposed resolutions	
005034-005318	Chairman Judiciary Administration	The Chairman's enquiry about the mechanism for transfer of civil cases from DC to SCT	
005319-005358	Chairman Mr WONG Ting-kwong	Invitation of public views	
Agenda Item II – Any other business			
005359-005547	Chairman Administration	Legislative timetable	
005548-005653	Chairman Mr WONG Ting-kwong	Subcommittee's position on Mr James TO's proposal to raise SCT's jurisdictional limit to \$100,000	
005654-005652	Chairman	Closing remarks	

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