

**L.N. 25 of 2020**

## **Rules of the High Court (Amendment) Rules 2020**

(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 1 August 2020.

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

The Rules of the High Court (Cap. 4 sub. leg. A) are amended as set out in rules 3 to 9.

**3. Order 11, rule 5A amended (service of writ in the Mainland of China through judicial authorities)**

(1) Order 11, rule 5A, heading—

**Repeal**

**“of China”**

**Substitute**

**“or Macao”.**

(2) Order 11, rule 5A(1)—

**Repeal**

everything after “on a person”

**Substitute**

“in the Mainland or Macao, the writ must be served through the judicial authorities of the Mainland or Macao, as the case may be.”.

(3) Order 11, rule 5A(3)(c)—

**Repeal**

“judicial authorities of the Mainland of China”

**Substitute**

“relevant judicial authorities”.

- (4) Order 11, rule 5A(6)—

**Repeal**

“judicial authorities of the Mainland of China”

**Substitute**

“relevant judicial authorities”.

- (5) Order 11, after rule 5A(6)—

**Add**

“(7) In this rule—

*Mainland* (內地) means any part of China other than Hong Kong, Macao and Taiwan.”.

**4. Cross-heading before Order 69 amended (provisions as to proceedings of a country or place outside Hong Kong)**

Cross-heading before Order 69, Chinese text—

**Repeal**

“香港以外的國家或”

**Substitute**

“某國家或香港以外”.

**5. Order 69 heading amended (service of process from a country or place outside Hong Kong)**

Order 69, Chinese text, heading—

**Repeal**

“香港以外的國家或”

**Substitute**

“某國家或香港以外”。

**6. Order 69, rule 1 amended (definitions)**

Order 69, rule 1—

**Add in alphabetical order**

“*Mainland* (內地) means any part of China other than Hong Kong, Macao and Taiwan;”.

**7. Order 69, rule 2 substituted**

Order 69—

**Repeal rule 2**

**Substitute**

**“2. Applications (O. 69, r. 2)**

This Order applies to the service on a person in Hong Kong of any process related to civil or commercial proceedings in a court or tribunal of a country or place outside Hong Kong if the Registrar receives a written request for service—

- (a) from the Chief Secretary for Administration with a recommendation by the Chief Secretary for Administration that service should be effected;
- (b) if the court or tribunal is in a convention country—from a consular or other authority of that country;
- (c) if the court or tribunal is in the Mainland—from the judicial authorities of the Mainland; or
- (d) if the court or tribunal is in Macao—from the judicial authorities of Macao.”.

**8. Order 69, rule 3 amended (service of process)**

(1) Order 69, Chinese text, rule 3(1)—

**Repeal**

“香港以外的國家或”

**Substitute**

“，某國家或香港以外”。

(2) Order 69, Chinese text, rule 3(3)—

**Repeal**

“香港以外的國家或”

**Substitute**

“某國家或香港以外”。

(3) Order 69, Chinese text, rule 3(5)—

**Repeal**

“香港以外的國家或” (wherever appearing)

**Substitute**

“某國家或香港以外”。

(4) Order 69, rule 3(6)—

**Repeal**

“of the Mainland of China”。

**9. Order 88, rule 5A amended (action for the enforcement of charging order by sale)**

Order 88, rule 5A(2)(a), after “charging”—

**Add**

“order”.

Made this 13th day of March 2020.

The Hon. Mr. Justice  
Jeremy POON  
Chief Judge of the High Court

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

The Hon. Mr. Justice  
Anderson CHOW

José-Antonio MAURELLET, S.C.

Paul T.K. LAM, S.C.

Denis BROCK

Amirali NASIR

Phyllis WONG

Simon KWANG  
Registrar, High Court

---

### **Explanatory Note**

These Rules amend the Rules of the High Court (Cap. 4 sub. leg. A) (*principal Rules*) to—

- (a) provide for the service of judicial documents in Macao and the service in Hong Kong of judicial documents from Macao;
- (b) provide for the definition of *Mainland*; and
- (c) rectify some minor errors in the principal Rules.