

**立法會**  
**Legislative Council**

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Tel : 3919 3300

Date : 5 August 2021

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

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**Council meeting of 1 September 2021**

**Proposed resolution under the Costs in Criminal Cases Ordinance**

The Chief Secretary for Administration will move the proposed resolution in **Appendix 1** under section 22 of the Costs in Criminal Cases Ordinance (Cap. 492) at the above meeting. The President has directed that the proposed resolution be printed in the terms in which it was handed in on the Agenda of the Council.

2. The speech which the Chief Secretary for Administration will deliver when moving the proposed resolution is in **Appendix 2**.

(Miranda HON)  
for Clerk to the Legislative Council

Encls.

**Costs in Criminal Cases Ordinance**

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**Resolution**

(Under section 22 of the Costs in Criminal Cases Ordinance (Cap. 492))

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**Resolved** that the Costs in Criminal Cases (Amendment) Rules 2021, made by the Chief Justice on 25 May 2021, be approved.

## Costs in Criminal Cases (Amendment) Rules 2021

(Made by the Chief Justice under section 22 of the Costs in Criminal Cases Ordinance (Cap. 492) with the approval of the Legislative Council)

**1. Commencement**

These Rules come into operation on 1 October 2021.

**2. Costs in Criminal Cases Rules amended**

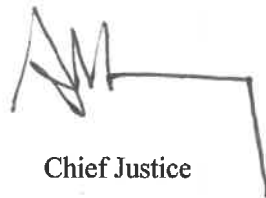
The Costs in Criminal Cases Rules (Cap. 492 sub. leg. A) are amended as set out in rule 3.

**3. Rule 10 amended (fees)**

Rule 10(2)(a)—

**Repeal**

“Civil Procedure”.



Chief Justice

25 May 2021

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## Explanatory Note

These Rules amend the reference to the title of the District Court Civil Procedure (Fees) Rules (Cap. 336 sub. leg. C) in rule 10(2)(a) of the Costs in Criminal Cases Rules (Cap. 492 sub. leg. A) in consequence of the amendment made to that title by the District Court Civil Procedure (Fees) (Amendment) Rules 2021.

**Speech by the Chief Secretary for Administration  
at the meeting of the Legislative Council on 1 September 2021**

Costs in Criminal Cases Ordinance (Cap. 492)  
Costs in Criminal Cases (Amendment) Rules 2021

Mr President,

I move that the Resolution standing in my name on the Agenda be passed to seek the approval of the Legislative Council (“LegCo”) for the Costs in Criminal Cases (Amendment) Rules 2021 made by the Chief Justice of the Court of Final Appeal under section 22 of the Costs in Criminal Cases Ordinance (Cap. 492).

2. The Judiciary has been proactively developing by phases an integrated court case management system (“iCMS”) under the Information Technology Strategy Plan (“ITSP”) so as to provide court users with an option to transact court business by electronic means. The ITSP is being implemented in two phases. The first phase consists of two stages. In Stage 1 of Phase I, the iCMS is being implemented in the District Court and the Summons Courts of the Magistrates’ Courts. For the remaining courts and tribunals, the iCMS is planned to be implemented under Stage 2 of Phase I and Phase II.

3. The Court Proceedings (Electronic Technology) Ordinance (Cap. 638) was enacted on 17 July 2020 to provide an overall legislative framework to enable court-related documents to be handled in electronic form, eventually covering all levels of court. Cap. 638 also provides that the Chief Justice of the Court of Final Appeal may specify by

subsidiary legislation the detailed court and operational procedures for the use of electronic mode.

4. The Judiciary tabled nine sets of subsidiary legislation relating to Stage 1 of Phase I of the ITSP at the LegCo in June 2021. They were passed by the LegCo on 7 July 2021. In particular, the Judiciary has expanded the scope of the District Court Civil Procedure (Fees) Rules (Cap. 336C) to cover fee items relating to criminal proceedings, which are currently charged on an administrative basis. The title of Cap. 336C is also amended to “District Court (Fees) Rules” accordingly. These amendments will come into operation on 1 October 2021.

5. Since the title of Cap. 336C is referred to in the Costs in Criminal Cases Rules (Cap. 492A), in the light of the aforesaid amendment to the title of Cap. 336C, minor amendments are proposed in the Costs in Criminal Cases (Amendment) Rules 2021 made by the Chief Justice of the Court of Final Appeal to incorporate the new title of Cap. 336C into Cap. 492A for the sake of clarity.

6. I invite Members to approve the Resolution.

-Ends-