

L.N. 84 of 2021

Rules of the District Court (Amendment) Rules 2021

(Made by the District Court Rules Committee under section 72 of the District Court Ordinance (Cap. 336))

1. Commencement

These Rules come into operation on 1 October 2021.

2. Rules of the District Court amended

The Rules of the District Court (Cap. 336 sub. leg. H) are amended as set out in rules 3 and 4.

3. Order 65, rule 10 amended (service of process on Sunday)

Order 65, after rule 10(1)—

Add

“(1A) Paragraph (1) does not apply in relation to the service of any process under the Court Proceedings (Electronic Technology) (District Court Civil Proceedings) Rules.”.

4. Appendix A amended (forms)

(1) Appendix A, Form No. 14, under heading “*Directions for Acknowledgement of Service*”, after paragraph 1—

Add

“1A. However, a Defendant (or a Solicitor acting on behalf of a Defendant) who is a registered user or an Organization User account holder may send the Acknowledgment of Service to the Registry of the District Court by means of an e-system in accordance with the

Court Proceedings (Electronic Technology) (District Court Civil Proceedings) Rules.

Note—

For the meaning of *Organization User account holder* and *registered user*, please see rule 2 of the Court Proceedings (Electronic Technology) (District Court Civil Proceedings) Rules.”.

- (2) Appendix A, Form No. 14, under heading “**Notes for Guidance**”, paragraph 2—

Repeal

everything after “and a writ served”

Substitute

“by post or by insertion through the Defendant’s letter box, or by sending it by electronic transmission in accordance with the Court Proceedings (Electronic Technology) (District Court Civil Proceedings) Rules, is treated as having been served on the seventh day after the date of posting, insertion or sending by electronic transmission.]

(*Note: Not applicable if the defendant is a company served at its registered office.*)”.

- (3) Appendix A, Form No. 14, under heading “**Notes for Guidance**”, after paragraph 7—

Add

“7A. A Defendant (or a Solicitor acting on behalf of a Defendant) who has received a printout of a Writ of Summons issued by the District Court in electronic form may contact the Registry of the District Court to ascertain whether the Writ of Summons had been issued by quoting its document reference number. For details, please refer to the administrative instructions issued by the Judiciary Administrator.”.

Made this 25th day of May 2021.

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

H.H. Judge Justin KO

H.H. Judge Simon LEUNG

H.H. Judge Kent YEE

Simon LUI
Registrar, District Court

Hugh KAM

Amirali NASIR

Jenny FUNG

Explanatory Note

The Court Proceedings (Electronic Technology) (District Court Civil Proceedings) Rules (***Electronic Rules***) authorize the use of an e-system for certain civil proceedings in the District Court and prescribe the practice and procedure for, among other things, using electronic technology for documents that are sent to the District Court in electronic form by means of an e-system and electronic service of documents.

2. These Rules consequentially amend—
 - (a) Order 65, rule 10 of the Rules of the District Court (Cap. 336 sub. leg. H) (***RDC***) to enable process to be served on a Sunday if it is served under the Electronic Rules; and
 - (b) the Directions for Acknowledgement of Service and Notes for Guidance attached to Form No. 14 (Acknowledgment of Service of Writ of Summons) in Appendix A of the RDC.