

L.N. 186 of 2022

Court Proceedings (Electronic Technology) (District Court Criminal Proceedings) (Amendment) Rules 2022

(Made by the Chief Justice under section 26 of the Court Proceedings (Electronic Technology) Ordinance (Cap. 638))

1. Commencement

These Rules come into operation on 21 December 2022.

2. Court Proceedings (Electronic Technology) (District Court Criminal Proceedings) Rules amended

The Court Proceedings (Electronic Technology) (District Court Criminal Proceedings) Rules (Cap. 638 sub. leg. D) are amended as set out in rule 3.

3. Rule 2 amended (interpretation)

(1) Rule 2, definition of *closure time*, paragraph (b)—

Repeal

“; or”

Substitute a semicolon.

(2) Rule 2, definition of *closure time*, paragraph (c)(ii)—

Repeal the semicolon

Substitute

“; or”.

(3) Rule 2, definition of *closure time*, after paragraph (c)—

Add

“(d) any time during which the office is directed under Order 64, rule 1 or 2 of the Rules of the District Court (Cap. 336 sub. leg. H) to be closed;”.

(4) Rule 2—

Repeal the definition of *judicial officer*

Substitute

“*judicial officer* (司法人員) means—

- (a) the Registrar of the District Court;
- (b) a deputy registrar of the District Court;
- (c) an assistant registrar of the District Court;
- (d) a temporary registrar of the District Court;
- (e) a temporary deputy registrar of the District Court; or
- (f) a temporary assistant registrar of the District Court;”.

Andrew CHEUNG
Chief Justice

30 September 2022

Explanatory Note

These Rules amend the definitions of *closure time* and *judicial officer* in the Court Proceedings (Electronic Technology) (District Court Criminal Proceedings) Rules (Cap. 638 sub. leg. D) (*Cap. 638D*).

2. Cap. 638D provides for the treatment of a document sent, or a payment made, to the District Court by means of an e-system (i.e. a designated information system) in respect of a criminal proceeding where the document or payment is received during the relevant court office's closure time (as defined by rule 2 of Cap. 638D) that is not a time during which the office is open for the proceeding to which the document or payment relates. Rule 3 amends the definition of *closure time* in that rule 2 so that the closure time of a court office also includes any time during which the office is directed under Order 64, rule 1 or 2 of the Rules of the District Court (Cap. 336 sub. leg. H) to be closed.
3. Rule 3 also amends the definition of *judicial officer* in that rule 2.