

Courts (Remote Hearing) Bill

Committee Stage

Amendments to be moved by the Chief Secretary for Administration

<u>Clause</u>	<u>Amendment Proposed</u>
2	In the definition of <i>legal representative</i> , in paragraph (b), by deleting the semicolon and substituting “; and”.
2	In the definition of <i>legal representative</i> , in paragraph (c), by deleting “and”.
2	In the definition of <i>legal representative</i> , by deleting paragraph (d).
2	In the English text, in the definition of <i>participant</i> , in paragraph (a), by deleting “preceding” and substituting “proceeding”.
2	In the definition of <i>participant</i> , in paragraph (a), by deleting subparagraph (v) and substituting— “ (v) an individual who— (A) is appointed to advise, or is involved in advising, on any matter in relation to the proceeding; (B) is appointed to assist, or is involved in assisting, the JJO presiding at the proceeding; (C) is appointed to assist, or is involved in otherwise facilitating, the conduct of the proceeding; or (D) is entitled to participate in that proceeding under an Ordinance or a practice direction issued by the court; and”.
2	In the definition of <i>remote hearing order</i> , by adding “7(3) or” before “8(1)”.
6(4)	In the English text, by deleting “proceedings” and substituting “proceeding”.

- 8(1) By adding “, and may impose any condition that the court considers appropriate” after “the proceeding”.
- 8 By adding—
“(2A) The court must inform the parties to the proceeding of a decision under subsection (1).”.
- 10 By deleting “effects” and substituting “intents”.
- 15 By deleting “effects” and substituting “intents”.
- 19(2) By deleting “effects” and substituting “intents”.
- 21(2) By deleting “effects” and substituting “intents”.
- 23 In the heading, in the English text, by adding “**to open proceeding**” after “**access**”.
- 24(1) By deleting “cause” and substituting “direct”.
- 26(5) In the definition of *courtroom*, by deleting “building” and substituting “premises specified in Schedule 2”.
- 26(5) In the definition of *protected session*, in paragraph (a), by adding “on each day of the proceeding” after “periods”.
- 26(5) In the definition of *protected session*, in paragraph (b), by adding “on each day of the proceeding” after “periods”.
- 41 By deleting the clause.
- New In Part 8, in Division 3, in Subdivision 1, by adding—
“41A. Section 83RA added
After section 83R—
Add

“83RA. Determination of application for leave to appeal

- (1) The Court of Appeal may direct that an application for leave to appeal be determined with or without a hearing.
- (2) Subsection (1) applies to an application for leave to appeal that was made, but has not yet been listed for hearing, before the relevant date as if it were made after that date.
- (3) In this section—

relevant date (有關日期) means the day on which the Courts (Remote Hearing) Ordinance (of 2025) comes into operation.”.

41B. Section 83Y amended (powers of Court of Appeal under Part IV which are exercisable by single judge)

After section 83Y(2)(ba)—

Add

“(bb) to give a direction under section 83RA;”. ”.

42 By deleting the clause.

New In Part 8, in Division 3, in Subdivision 2, by adding—

“42A. Section 33 amended (application for leave to appeal)

- (1) After section 33(2)—

Add

“(2A) An application under this section may be determined by the Court, with or without a hearing.

- (2B) Subsection (2A) applies to an application for leave to appeal that was made, but has not yet been listed for hearing, before the relevant date as if it were made after that date.”.

- (2) After section 33(3)—

Add

“(4) In this section—

relevant date (有關日期) means the day on which the Courts (Remote Hearing) Ordinance (of 2025) comes into operation.”.”.

Schedule 2 By deleting “& 31]” and substituting “, 26 & 31]”.