



REGISTRATION OF PERSONS ORDINANCE, 1960.  
(No. 18 of 1960).

**REGISTRATION OF PERSONS (RE-REGISTRATION)  
ORDER, 1963.**

In exercise of the powers conferred by section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

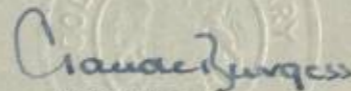
1. This Order may be cited as the Registration of Persons (Re-registration) Order, 1963. Citation.
2. Every person specified in the Schedule is required to register again in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder. Category of persons required to re-register. (18 of 1960).

SCHEDULE.

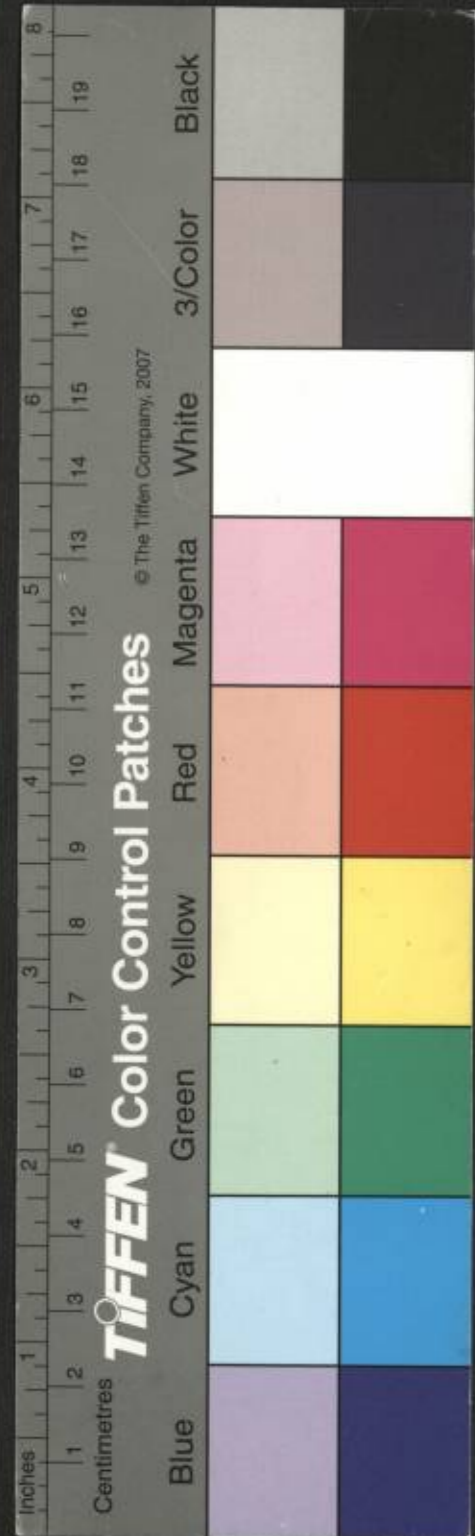
Every person being resident in Hong Kong, Kowloon or Tsuen Wan, being the holder of an Identity Card which bears a registration number in the series 650,001 to 690,000 and the family, if any, of such holder.

This Order does not apply to old Identity Cards bearing the suffix "A".

By Command,

  
Colonial Secretary.

31st December, 1962.  
(Secretariat D/RPO)



REGISTRATION OF PERSONS ORDINANCE, 1960.  
(No. 18 of 1960).

**REGISTRATION OF PERSONS (RE-REGISTRATION)  
(NO. 2) ORDER, 1963.**

In exercise of the powers conferred by section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

1. This Order may be cited as the Registration of Persons Citation. (Re-registration) (No. 2) Order, 1963.

2. Every person specified in the Schedule is required to register again in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder.

Category of persons required to re-register.  
(18 of 1960).

SCHEDULE.

Every person being resident in Hong Kong, Kowloon or Tsuen Wan, being the holder of an Identity Card which bears a registration number in the series 690,001 to 700,000 and the family, if any, of such holder.

This Order does not apply to old Identity Cards bearing the suffix "A".

By Command,



*Clara Jorges*  
Colonial Secretary.

7th January, 1963.

(Secretariat D/RPO)



REGISTRATION OF PERSONS ORDINANCE, 1960.  
(No. 18 of 1960).

**REGISTRATION OF PERSONS (RE-REGISTRATION)  
(NO. 3) ORDER, 1963.**

In exercise of the powers conferred by section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

1. This Order may be cited as the Registration of Persons Citation. (Re-registration) (No. 3) Order, 1963.

2. Every person specified in the Schedule is required to register again in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder.

Category of persons required to re-register.  
(18 of 1960).

SCHEDULE.

Every person being resident in Hong Kong, Kowloon or Tsuen Wan, being the holder of an Identity Card which bears a registration number in the series 700,001 to 710,000 and the family, if any, of such holder.

This Order does not apply to old Identity Cards bearing the suffix "A".

By Command,

  
Colonial Secretary.



14th January, 1963.

(Secretariat D/RPO)



PUBLIC HEALTH AND URBAN SERVICES ORDINANCE, 1960.  
(No. 30 of 1960).

**PUBLIC MARKET (AMENDMENT) BY-LAWS, 1963.**

In exercise of the powers conferred by section 80 of the Public Health and Urban Services Ordinance, 1960, the Urban Council has made the following by-laws—

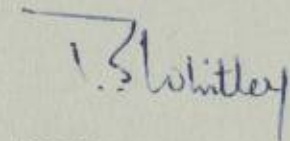
1. These by-laws may be cited as the Public Market (Amendment) By-laws, 1963. Citation.

2. By-law 13 of the Public Market By-laws, 1960, is revoked and replaced by the following by-law— Revocation and replacement of by-law 13. (G.N.A. 107/60).

"Prevention of certain persons carrying on business, etc. in public markets.  
(Cap. 148).  
(Cap. 134).

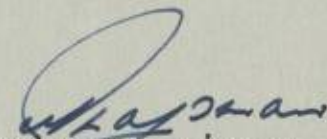
13. Where any person has been convicted of disorderly conduct, intimidation, extortion, or of any offence against any of the provisions of section 18 of the Gambling Ordinance or any of the provisions of the Dangerous Drugs Ordinance, the Director may, by notice served upon such person within ninety days after the date upon which such person was convicted or, if sentenced to imprisonment upon such conviction, after the date of his release therefrom, prohibit such person for such period, not exceeding two years from the date of the service of such notice, as shall be specified therein, from carrying on any business, or being employed in or taking part in any business, in any public market."

Made by the Urban Council this 8th day of January, 1963.



Secretary.

Approved by the Legislative Council this 23rd day of January, 1963.



Deputy Clerk of Councils.

COUNCIL CHAMBER,  
23rd January, 1963.



*Explanatory Note.*

*(This Note is not part of the by-laws, but is intended to indicate their general purport).*

The effect of these by-laws is to revoke by-law 13 of the Public Market By-laws, 1960, which gives power to prevent persons convicted of disorderly conduct, intimidation, extortion, and offences against section 18 of the Gambling Ordinance from carrying on of business in public markets, and to replace it by a new by-law containing power to prohibit any person convicted of an offence against the Dangerous Drugs Ordinance as well as the offences mentioned above. In addition provision is made in the new by-law for the serving of notice of prohibition upon the person in question within ninety days after his conviction or release from prison, in the event of his sentence being one of imprisonment, and also to restrict the maximum period in respect of which the prohibition may be imposed to a period not exceeding two years from the date of the service of the notice.

(Secretariat GR5/3231/60II)

PUBLIC HEALTH AND URBAN SERVICES ORDINANCE, 1960.  
(No. 30 of 1960).

**WELLS AND WATER STORAGE (AMENDMENT)  
BY-LAWS, 1963.**

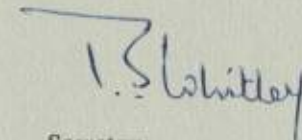
In exercise of the powers conferred by section 26 of the Public Health and Urban Services Ordinance, 1960, the Urban Council has made the following by-laws—

1. These by-laws may be cited as the Wells and Water Storage (Amendment) By-laws, 1963 and shall come into operation on the 1st day of March, 1963. Citation and commencement.
2. Paragraph (1) of by-law 6 of the Wells and Water Storage By-laws, 1961 (hereinafter referred to as the principal by-laws) is amended by the deletion of the words "at all times when the well, water storage tank or cistern is not actually in use" and the substitution therefor of the following—  

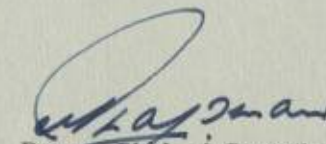
"except when the well, water storage tank or cistern is being cleaned or repaired or some other operation that cannot be carried out with such lid or cover closed is being carried out".

Amendment of by-law 6. (G.N.A. 62/61).
3. By-law 7 of the principal by-laws is amended by the deletion of paragraph (2). Amendment of by-law 7.
4. The principal by-laws are amended by the deletion of the Schedule. Deletion of Schedule.

Made by the Urban Council this 8th day of January, 1963.

  
Secretary.

Approved by the Legislative Council this 23rd day of January, 1963.

  
Deputy Clerk of Councils.

COUNCIL CHAMBER,  
23rd January, 1963.

*Explanatory Note.*

*(This Note is not part of the by-laws, but is intended to indicate their general purport).*

The purpose of these by-laws is—

- (a) to provide that wells, etc., are kept covered except when being cleaned or repaired or are undergoing some operation which necessitates the removal of the cover; and
- (b) to allow the authority to grant permission for individual wells to be used for drinking (or similar) purposes rather than to exempt a whole area. This will give better control under epidemic conditions. Permits will be issued to the existing wells in Shek O before the amendments are brought into operation.

(Secretariat GR5/3231/60II)

PUBLIC HEALTH AND URBAN SERVICES ORDINANCE, 1960.  
(No. 30 of 1960).

**FOOD BUSINESS (AMENDMENT) BY-LAWS, 1963.**

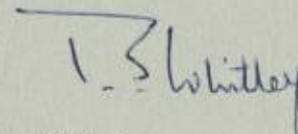
In exercise of the powers conferred by section 56 of the Public Health and Urban Services Ordinance, 1960, the Urban Council has made the following by-laws—

1. These by-laws may be cited as the Food Business (Amendment) By-laws, 1963. Citation.

2. The Second Schedule to the Food Business By-laws, 1960 is amended by the insertion, after item 14, in the first, second and third columns and as shown hereunder, of the following— Amendment of Second Schedule.

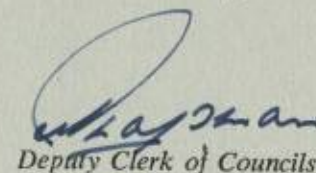
“15. Leung Fan (涼粉) or Man Tau Lo (饅頭糰) ..... —”. (G.N.A. 109/60).

Made by the Urban Council this 8th day of January, 1963.



Secretary.

Approved by the Legislative Council this 23rd day of January, 1963.



Deputy Clerk of Councils.

COUNCIL CHAMBER,  
23rd January, 1963.

*Explanatory Note.*

*(This Note is not part of the by-laws, but is intended to indicate their general purport).*

The purpose of these by-laws is to add two further articles to the list of foods, the sale of which is restricted by by-law 30 of the Food Business By-laws, 1960. The sale of these articles has hitherto been restricted under the Prevention of Cholera Regulations, 1938 but it is considered that more effective control can be exercised under the Public Health and Urban Services Ordinance, 1960, and the Food Business By-laws, 1960.

(Secretariat GR5/3231/60II)

REGISTRATION OF PERSONS ORDINANCE, 1960.  
(No. 18 of 1960).

**REGISTRATION OF PERSONS (RE-REGISTRATION)  
(NO. 4) ORDER, 1963.**

In exercise of the powers conferred by section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

1. This Order may be cited as the Registration of Persons Citation. (Re-registration) (No. 4) Order, 1963.

2. Every person specified in the Schedule is required to register again in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder.

Category of persons required to re-register. (18 of 1960).

SCHEDULE.

Every person being resident in Hong Kong, Kowloon or Tsuen Wan, being the holder of an Identity Card which bears a registration number in the series 710,001 to 725,000 and the family, if any, of such holder.

This Order does not apply to old Identity Cards bearing the suffix "A".

By Command,

  
Colonial Secretary.




21st January, 1963.

(Secretariat D/RPO)

**PROCLAMATION**

**No. 1 of 1963.**



*Robert Brown Black*

*Governor.*

BY HIS EXCELLENCY SIR ROBERT BROWN BLACK, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of Hong Kong and its Dependencies and Vice-Admiral of the same.

WHEREAS by regulation 1 of the Imported Meat and Poultry Regulations, 1962 (G.N. No. A. 23 of 1962), it is provided that the said Regulations shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette*:

NOW, THEREFORE, I, ROBERT BROWN BLACK, do hereby PROCLAIM that the said Regulations shall come into operation on the 1st day of May, 1963.

GIVEN under my hand and the Public Seal of the Colony of Hong Kong this 23rd day of January, 1963.

Published by His Excellency's Command,

*Claude Burgess*  
*Colonial Secretary.*

GOD SAVE THE QUEEN.

(Secretariat GR3/3231/60)



REGISTRATION OF PERSONS ORDINANCE, 1960.  
(No. 18 of 1960).

**REGISTRATION OF PERSONS (RE-REGISTRATION)  
(NO. 5) ORDER, 1963.**

In exercise of the powers conferred by section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

1. This Order may be cited as the Registration of Persons Citation. (Re-registration) (No. 5) Order, 1963.

2. Every person specified in the Schedule is required to register again in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder.

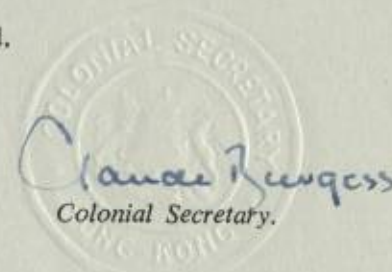
Category of persons required to re-register.  
(18 of 1960).

**SCHEDULE.**

Every person being resident in Hong Kong, Kowloon or Tsuen Wan, being the holder of an Identity Card which bears a registration number in the series 725,001 to 740,000 and the family, if any, of such holder.

This Order does not apply to old Identity Cards bearing the suffix "A".

By Command,

  
*Claude Ferguson*  
Colonial Secretary.

29th January, 1963.

(Secretariat D/RPO)

REGISTRATION OF PERSONS ORDINANCE, 1960.  
(No. 18 of 1960).

**REGISTRATION OF PERSONS (RE-REGISTRATION)  
(NO. 6) ORDER, 1963.**

In exercise of the powers conferred by section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

1. This Order may be cited as the Registration of Persons Citation. (Re-registration) (No. 6) Order, 1963.

2. Every person specified in the Schedule is required to register again in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder.

Category of persons required to re-register.  
(18 of 1960).

SCHEDULE.

Every person being resident in Hong Kong, Kowloon or Tsuen Wan, being the holder of an Identity Card which bears a registration number in the series 740,001 to 755,000 and the family, if any, of such holder.

This Order does not apply to old Identity Cards bearing the suffix "A".

By Command,

4th February, 1963.

(Secretariat D/RPO)

  
*Claudia Jungess*  
Colonial Secretary.



RESETTLEMENT ORDINANCE, 1958.  
(No. 16 of 1958).

RESETTLEMENT (AMENDMENT) REGULATIONS, 1963.

In exercise of the powers conferred by section 51 of the Resettlement Ordinance, 1958, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Resettlement (Amendment) Regulations, 1963. Citation.

2. The Resettlement Regulations, 1958, are amended in the Second Schedule by the deletion of the heading "Resettlement Factory Buildings" and all words and figures thereunder and the substitution therefor of the following— Amendment  
of Second  
Schedule.  
(G.N.A.  
49/58).

*"Resettlement Factory Buildings.*

*San Po Kong Resettlement Factories—*

Ground floor	Unit of 256 sq. ft.	120
First floor	" " " " "	100
Second floor	" " " " "	85
Third floor	" " " " "	75
Fourth floor	" " " " "	65

*Tsuen Wan Resettlement Silk Factory—*

Ground floor	Unit of 256 sq. ft.	110
First floor	" " " " "	85
Second floor	" " " " "	80
Third floor	" " " " "	75

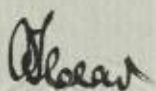
*Resettlement Factories other than above—*

Ground floor	Unit of 198 sq. ft.	75
Ground floor	Unit of 168 sq. ft.	65
First floor	Unit of 198 sq. ft.	60
Second floor	Unit of 198 sq. ft.	50
Third floor	Unit of 198 sq. ft.	45

*Factories other than above—*

Fourth floor	Unit of 198 sq. ft.	45
Penthouse	Unit of 186 sq. ft.	35
Roof top	Unit of 324 sq. ft. (covered space)	15

Roof top	Unit of 480 sq. ft. (covered space)	22
Roof top	Unit of 324 sq. ft. (open space)	10

  
Clerk of Councils.

COUNCIL CHAMBER,  
12th February, 1963.

*Explanatory Note.*

*(This Note is not part of the regulations, but is intended to indicate their general purport).*

These regulations prescribe the rents payable in respect of penthouse space in existing resettlement factories and prescribe the rents payable in respect of two new flatted factories, namely, the San Po Kong Factories and the Tsuen Wan Special Silk Factory, which will shortly become available for occupation.

(Secretariat BL4/4803/62)

REGISTRATION OF PERSONS ORDINANCE, 1960.

(No. 18 of 1960).

REGISTRATION OF PERSONS (RE-REGISTRATION)

(NO. 7) ORDER, 1963.

In exercise of the powers conferred by section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

1. This Order may be cited as the Registration of Persons Citation. (Re-registration) (No. 7) Order, 1963.

2. Every person specified in the Schedule is required to register again in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder.

Category of persons required to re-register. (18 of 1960).

SCHEDULE.

Every person being resident in Hong Kong, Kowloon or Tsuen Wan, being the holder of an Identity Card which bears a registration number in the series 755,001 to 770,000 and the family, if any, of such holder.

This Order does not apply to old Identity Cards bearing the suffix "A".

By Command,

  
Colonial Secretary.

11th February, 1963.

(Secretariat D/RPO)

ROAD TRAFFIC ORDINANCE, 1957.

(No. 39 of 1957).

ROAD TRAFFIC (PARKING AND WAITING) (AMENDMENT)  
REGULATIONS, 1963.

In exercise of the powers conferred by section 3 of the Road Traffic Ordinance, 1957, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Road Traffic (Parking and Waiting) (Amendment) Regulations, 1963. Citation.

2. Regulation 2 of the Road Traffic (Parking and Waiting) Regulations, 1958 (hereinafter referred to as the principal regulations) is amended by the insertion after the definition "Director" of the following— Amendment  
of regula-  
tion 2.  
(G.N.A.  
77/58).

"goods vehicle" includes a dual-purpose vehicle;"

3. Regulation 4 of the principal regulations is amended— Amendment  
of regula-  
tion 4.

(a) by the insertion, in paragraph (1), before the words "may revoke", of the following—

" , by the erection of appropriate signs,";

(b) by the insertion, in paragraph (2), after the word "line", of the following—

"or, in the case of a parking place the use of which is, at any time, restricted to goods vehicles, a continuous or intermittent yellow line";

(c) by the insertion in paragraph (4), after the word and figure "Number 1", of the following—

"or Number 1A".

4. Regulation 6 of the principal regulations is amended by the insertion, at the end thereof, of the following— Amendment  
of regula-  
tion 6.

"(4) No person shall park any vehicle or cause or permit any vehicle to wait or to remain in any parking place the operation of which is suspended in accordance with the provisions of paragraph (1) of regulation 4."

5. Regulation 7 of the principal regulations is revoked and replaced by the following— Revocation  
and replace-  
ment of  
regulation 7.

"Removal  
of vehicles.

7. (1) Any police officer in uniform of the rank of inspector or above may take away or cause to be taken away any vehicle which appears to have been parked or

allowed to wait or to remain in contravention of any of the provisions of regulation 3, 5, 9, 13 or 18 or paragraph (4) of regulation 6 or paragraph (5) of regulation 25:

Provided that no vehicle shall be towed away where it appears to contravene the provisions of regulation 13 unless—

- (a) a period of not less than two hours has elapsed from the time at which the vehicle first appeared to have been parked or to have remained in contravention of regulation 13; and
- (b) the parking meter erected in respect of the parking place in which the vehicle was parked or permitted to remain has been inspected and found to be free from any defect.

(2) Any vehicle taken away in accordance with the provisions of paragraph (1) may be detained by the Commissioner until either—

- (a) there is paid to the Commissioner a removal charge of fifty dollars and a storage charge of one dollar for every day after the second day during which the vehicle is detained and any parking fees incurred in respect of the period during which the vehicle was parked or allowed to wait prior to being removed; or
- (b) the vehicle is released by order of a court or magistrate in accordance with the provisions of paragraph (3).

(3) Where a vehicle is detained in accordance with the provisions of this regulation and proceedings have been taken in respect of the offence by reason of which the vehicle was taken away, the court or magistrate in such proceedings may order that the vehicle be released and in such order may require that the appropriate removal and storage charges be paid to the Commissioner before the vehicle is released.

(4) When a vehicle is detained in accordance with the provisions of this regulation the Commissioner with all reasonable despatch shall give notice in writing to the owner, if the name and address of such owner is known to him, of the detention and if such vehicle is not claimed by

the owner within three months of the date of its detention the Commissioner thereafter may sell by public auction or otherwise dispose of such vehicle and may apply—

- (a) in payment of any vehicle licence fees which may be due in respect of the vehicle;
- (b) in payment of any charges incurred in carrying out the provisions of these regulations;
- (c) in payment of any damage caused to any property of Government by the unlawful use of such vehicle;
- (d) in payment of any parking fees incurred in respect of the period during which the vehicle was parked or allowed to wait,

and any surplus remaining thereof shall be transferred to the general revenue of the Colony at the expiry of twelve months from the date of such sale or disposal if not previously claimed by the owner of the vehicle.”.

6. Regulation 11 of the principal regulations is amended—

Amendment  
of regula-  
tion 11.

(a) by the deletion, in paragraph (1), of everything after the words “the hours of” where they first appear and the substitution therefor of the following—

“8 a.m. and midnight on any day which is not a general holiday”;

(b) by the deletion of paragraph (1A) and the substitution therefor of the following—

“(1A) Every parking meter shall bear a plate or other device showing, in English and in Chinese characters—

(a) the period during which a charge is made for the use of the parking place, which period shall be within the period prescribed in paragraph (1);

Second  
Schedule. (b) the appropriate fee set forth in the Second Schedule which must be paid for the use of a parking space in the parking place, the period of time to which such fee relates and the denomination of coin to be used for the payment of such fee.”; and

(c) by the deletion of paragraph (1B).

7. Regulation 12 of the principal regulations is amended by the deletion of the word “the” where it secondly occurs and the substitution therefor of the following—

Amendment  
of regula-  
tion 12.

“a”.

Amendment  
of regula-  
tion 13.

8. Regulation 13 of the principal regulations is amended by the deletion of paragraph (1) and the substitution therefor of the following—

“(1) No person shall park or cause or permit to be parked or to remain a vehicle in a space in a parking place, in respect of which there is a parking meter during the period prescribed in the plate affixed to the parking meter in accordance with the provisions of paragraph (1A) of regulation 11, unless the parking meter is exhibiting a sign indicating that payment has been made for the use of the space in the parking place:

Provided that this paragraph shall not apply—

- (a) to a vehicle while it is being driven into the parking place and for such period thereafter as shall be necessary to enable the driver of the vehicle to comply with the provisions of paragraph (1) of regulation 12;
- (b) so as to prevent any vehicle from being driven into the parking place to enable any person to board or alight from the vehicle or to load or unload his personal baggage so long as the vehicle is permitted to wait in the parking place only for such period as may be necessary for that purpose; or
- (c) so as to prevent any goods vehicle from being driven into the parking place to deliver or collect goods or merchandise or otherwise to load or unload the vehicle at premises situate within the road if it is not reasonably practicable to load or unload the vehicle in any other road and so long as no goods vehicle shall wait for any longer period than may be necessary for such purpose and in any event for not longer than twenty minutes and the vehicle is at all times when it is in the parking place being loaded or unloaded.”

Revocation  
and replace-  
ment of  
regulation 18.

9. Regulation 18 of the principal regulations is revoked and replaced by the following—

“Maximum  
period for  
parking.

18. No motor vehicle shall be parked or allowed to wait in a parking place for more than two days.”

Amendment  
of regula-  
tion 23.

10. Regulation 23 of the principal regulations is amended in paragraph (6) by the deletion of the words “Vehicle and”.

Amendment  
of regula-  
tion 25.

11. Regulation 25 of the principal regulations is amended by the deletion of paragraph (5) and the substitution therefor of the following—

“(5) No motor vehicle shall be parked or allowed to wait in a car park for more than seven days.”

12. Regulation 30 of the principal regulations is amended by the deletion of the words and figures “paragraph (2) of regulation 7” and the substitution therefor of the following—

Amendment  
of regula-  
tion 30.

“paragraph (1) of regulation 12”.

13. Regulation 31 of the principal regulations is revoked.

Revocation  
of regula-  
tion 31.

14. The First Schedule to the principal regulations is amended by the insertion after “DIAGRAM 1” of the following—

Amendment  
of First  
Schedule.

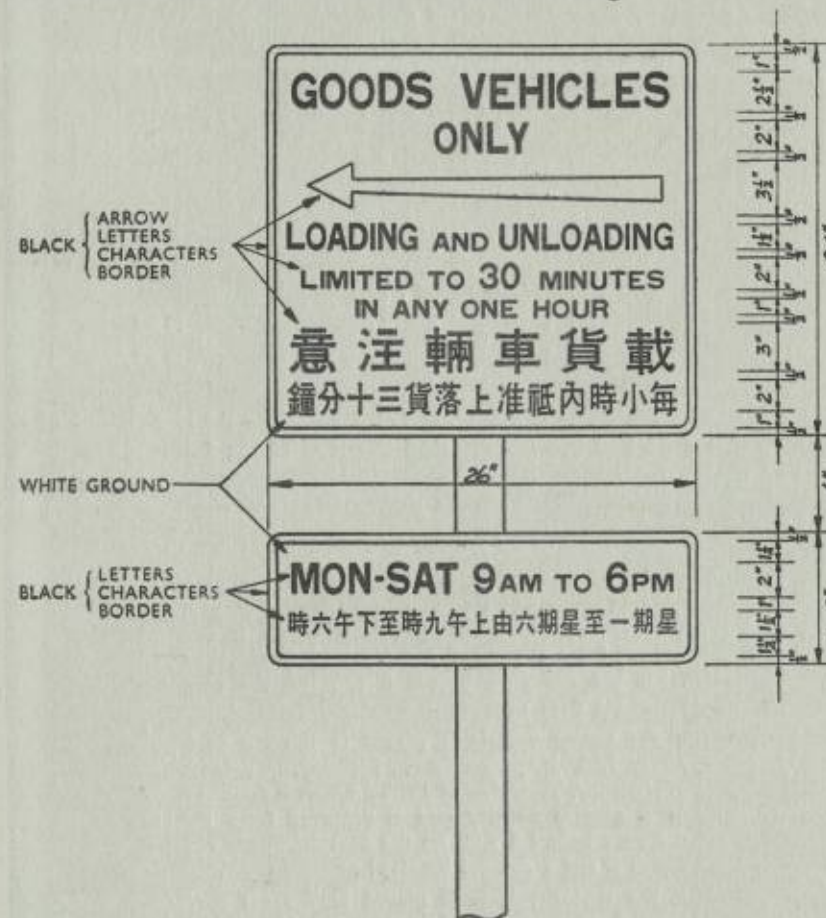


DIAGRAM 1A.

Note: In Diagram 1A the numbers and wording shall be varied to accord with the restrictions imposed.

Deletion and substitution of Second Schedule.

15. The principal regulations are amended by the deletion of the Second Schedule and the substitution therefor of the following—

"SECOND SCHEDULE. [reg. 11.]

*Fees for use of parking places.*

Item	Period of Time	Denomination of Coin
1.	$\frac{1}{4}$ Hour Meter (Dual Coin)	
	(a) 30 minutes	50 cents
	(b) each 6 minutes	10 cents
2.	1 Hour Meter (Dual Coin)	
	(a) 1 hour	50 cents
	(b) each 12 minutes	10 cents
3.	2 Hour Meter (Dual Coin)	
	(a) 2 hours	50 cents
	(b) each 24 minutes	10 cents
4.	4 Hour Meter	
	(a) 4 hours	Two 50 cent coins
	(b) 2 hours	One 50 cent coin
5.	10 Hour Meter (Dual Coin)	
	(a) each 4 hours	\$1.00
	(b) each 2 hours	50 cents".

Deletion and substitution of Third Schedule.

16. The principal regulations are amended by the deletion of the Third Schedule and the substitution therefor of the following—

"THIRD SCHEDULE. [reg. 23.]

*Fees for use of car parks.*

1. (a) If the motor vehicle is placed in the car park after 7.00 p.m. on any Monday, Tuesday, Wednesday, Thursday or Friday which is not followed by a general holiday and is removed from the car park before 8 a.m. on the next following day; or
  - (b) if the motor vehicle is placed in the car park after 7.00 p.m. on any Monday, Tuesday, Wednesday, Thursday or Friday which is followed by a general holiday and is removed from the car park before 8 a.m. on the next following day which is not a general holiday; or
  - (c) if the motor vehicle is placed in the car park after 2 p.m. on any Saturday and is removed from the car park before 8 a.m. on the next following Monday or, if the Monday is a general holiday, on the next following day which is not a general holiday—
- 20 cents per hour; minimum charge 60 cents.

2. If the motor vehicle is placed in or removed from the car park or both placed in and removed from the car park other than during the periods specified in paragraph 1—  
30 cents per hour; minimum charge \$1.00.
3. For a monthly pass \$60.00".

COUNCIL CHAMBER,  
16th February, 1963.

*W. J. O'Leary*  
Clerk of Councils.





POST OFFICE ORDINANCE.

(Chapter 98).

POST OFFICE (AMENDMENT) REGULATIONS, 1963.

In exercise of the powers conferred by section 3 of the Post Office Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Post Office (Amendment) Regulations, 1963. Citation.

2. Regulation 8 of the Post Office Regulations is amended by—
- (a) being renumbered paragraph (1) thereof;
  - (b) the deletion, at the end of sub-paragraph (b), of the word “and”;
  - (c) the deletion, at the end of sub-paragraph (c), of the full-stop and the substitution therefor of the following—  
“; and”;
  - (d) the insertion after sub-paragraph (c) of the following—  
“(d) one letter posted in Hong Kong from each candidate at any Urban Council Election addressed to each elector in Hong Kong containing matter relating only to such election and not exceeding two ounces in weight.”; and
  - (e) the insertion of the following new paragraph—  
“(2) For the purposes of sub-paragraph (d) of paragraph (1)—  
(a) a person shall not be deemed to be a candidate unless he is shown as a person validly nominated in the notice of nominations published in the *Gazette* in accordance with the provisions of the Urban Council Elections (Procedure) Regulations, 1955; but until the publication of that notice any person who declares himself to be a candidate shall be entitled to exercise the right to free postage conferred by this regulation if he furnishes the Postmaster General with such security as may be required for the payment of postage should he not subsequently be shown in such notice as a person validly nominated;

Amendment  
of regula-  
tion 8.  
(Vol. IX,  
p. 133).

(G.N.A.  
64/55).

- (b) the expression "elector" means a person who is registered as an elector in accordance with the provisions of the Urban Council Ordinance, 1955." (14 of 1955).

COUNCIL CHAMBER,  
19th February, 1963.

*Explanatory Note.*

*(This Note is not part of the regulations, but is intended to indicate their general purport).*

The purpose of these regulations is to grant to candidates for election at Urban Council Elections the right to postage free of charge of one election communication to each member of the electorate on the lines of the corresponding postal concession granted to candidates at parliamentary elections in the United Kingdom by virtue of section 79 of the Representation of the People Act, 1949.

(Secretariat GR73/3231/48)

*Clerk of Councils.*

REGISTRATION OF PERSONS ORDINANCE, 1960.  
(No. 18 of 1960).

REGISTRATION OF PERSONS (RE-REGISTRATION)  
(NO. 8) ORDER, 1963.

In exercise of the powers conferred by section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

1. This Order may be cited as the Registration of Persons (Re-registration) (No. 8) Order, 1963. Citation.

2. Every person specified in the Schedule is required to register again in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder.

Category of persons required to re-register.  
(18 of 1960).

SCHEDULE.

Every person being resident in Hong Kong, Kowloon or Tsuen Wan, being the holder of an Identity Card which bears a registration number in the series 770,001 to 785,000 and the family, if any, of such holder.

This Order does not apply to old Identity Cards bearing the suffix "A".

By Command,

*Claude Young*  
Colonial Secretary.

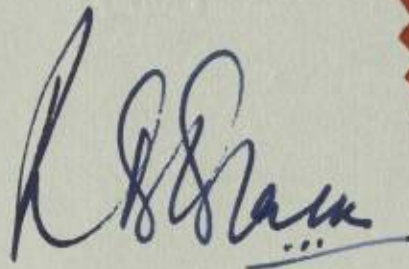
18th February, 1963.

(Secretariat D/RPO)



**PROCLAMATION**

No. 2 of 1963.



*Governor.*



BY HIS EXCELLENCY SIR ROBERT BROWN BLACK, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of Hong Kong and its Dependencies and Vice-Admiral of the same.

WHEREAS by subsection (1) of section 1 of the Boilers and Pressure Receivers Ordinance, 1962 (No. 38 of 1962), it is provided that the said Ordinance shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette*;

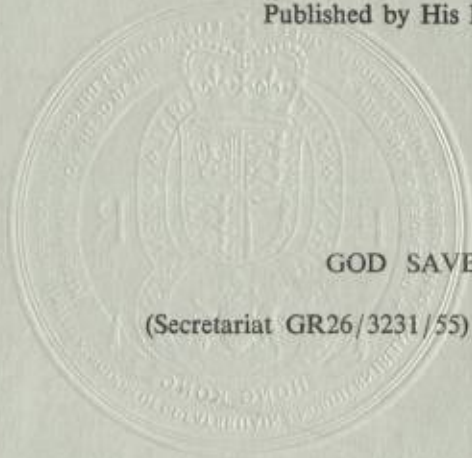
AND WHEREAS by subsection (2) of section 1 of the said Ordinance it is provided that sections 19, 20, 21 and 31 and subsection (3) of section 49 and subsection (3) of section 50 of the said Ordinance shall not come into operation until the day appointed for their commencement by the Governor by Proclamation in the *Gazette*;

AND WHEREAS by subsection (3) of section 1 of the said Ordinance it is provided that subsection (7) of section 49 of the said Ordinance shall not come into operation until the day appointed for its commencement by the Governor by Proclamation in the *Gazette*;

Now THEREFORE, I, ROBERT BROWN BLACK, do hereby PROCLAIM that the said Ordinance, with the exception of sections 19, 20, 21 and 31 and subsections (3) and (7) of section 49 and subsection (3) of section 50, shall come into operation on the 1st day of March, 1963.

GIVEN under my hand and the Public Seal of the Colony of Hong Kong this 27th day of February, 1963.

Published by His Excellency's Command,



CLAUDE BURGESS  
Colonial Secretary.

GOD SAVE THE QUEEN.

(Secretariat GR26/3231/55)

DOGS AND CATS REGULATIONS.

DOGS AND CATS (OBSERVATION AND QUARANTINE FEES) NOTIFICATION, 1963.

In exercise of the powers conferred by regulations 10(1) and 20 of the Dogs and Cats Regulations, the Governor has made the following Notification—

1. This Notification may be cited as the Dogs and Cats (Observation and Quarantine Fees) Notification, 1963. Citation.

2. In this Notification, unless the context otherwise requires— Interpretation.  
“day” means a period of 24 hours starting from the time of admission of the animal to the kennel or quarantine station.

3. The fees payable by the owner of any dog or cat whilst such animal is in the Government observation kennels or in a quarantine station shall be as follows— Fees.

- (a) a dog weighing under 25 lbs. .... \$1.50 a day or part thereof;
- (b) a dog weighing 25 lbs. and over. \$2.50 a day or part thereof;
- (c) a cat ..... \$1.00 a day or part thereof;

Provided that no fee shall be payable for—

- (i) a dog or a cat of which the owner is not known and of which no person appears to have the custody, control or care thereof;
- (ii) a dog or a cat detained under regulation 9 of the Dogs and Cats Regulations and subsequently destroyed; (Vol. X, p. 269).
- (iii) a dog or a cat reported under regulation 11 of the said regulations as being suspected of having rabies or having been in contact with a case of rabies or suspected rabies.

4. The Dogs and Cats (Observation and Quarantine Fees) Notification, 1956 is cancelled. Cancellation. (G.N.A. 34/56).

By Command,

CLAUDE BURGESS  
Colonial Secretary.

1st March, 1963.

(Secretariat FIN63/3231/49)

MARRIAGE ORDINANCE.  
(Chapter 181).

MARRIAGE ORDINANCE (AMENDMENT OF  
SECOND SCHEDULE) ORDER, 1963.

In exercise of the powers conferred by section 37 of the Marriage Ordinance, the Governor in Council has made the following Order—

1. This Order may be cited as the Marriage Ordinance (Amendment of Second Schedule) Order, 1963. Citation.

2. The Second Schedule to the Marriage Ordinance is deleted and substituted by the following— Deletion and substitution of Second Schedule. (Cap. 181, 1960 Reprint).

"SECOND SCHEDULE.

[s. 37.]

*Table of Fees.*

	\$
1. Filing and exhibition of notice of marriage .....	2
2. Certificate of notice except when issued under the proviso to section 9—	
(a) where notice of marriage was given before the 1st day of March, 1963 .....	1
(b) where notice of marriage is given on or after the 1st day of March, 1963 .....	NIL
3. Certificate of notice when issued under the proviso to section 9 .....	100
4. Search under section 27—	
(a) made during any number of successive hours not exceeding six, without the object of the search being specified .....	25
(b) for a specified entry whether the search is made by the applicant or by the Registrar on his behalf .....	2
5. Certified copy of any entry given under section 27 ... and in addition where the application is by post from outside the Colony .....	3 2

together with, where the applicant requests the copy to be sent by airmail, a sum equivalent to the airmail postage at the normal rates.

*Note:* A search fee is also payable unless the copy is being given at the same time as the original is issued or made. Where two or more copies of the same entry are applied for at the same time only one search fee is payable.

6. Certificate under section 27 of absence of any record. 20

and in addition where the application is by post from outside the Colony ..... \$ 2 together with, where the applicant requests the copy to be sent by airmail, a sum equivalent to the airmail postage at the normal rates.

Note: A search fee is also payable.

7. Special licence under section 12 .....	400
8. Marriage at the office of the Registrar .....	10
9. Celebration by the Registrar, elsewhere than in his office, of marriage by special licence or of person in articulo mortis .....	20
10. Celebration by the Registrar of Marriages under the second proviso to section 22(2A), per marriage .....	10
and in addition (to be paid proportionately by the parties being married) .....	15
	or 2
	per marriage, whichever is the greater."

*[Signature]*  
Clerk of Councils.

COUNCIL CHAMBER,  
26th February, 1963.

*Explanatory Note.*

*(This Note is not part of the Order, but is intended to indicate its general purport).*

The purpose of this Order is to replace the Second Schedule of the Marriage Ordinance, Cap. 181, by a redrafted Schedule, providing, in certain cases, for increased fees and to clarify certain ambiguities in the previous Schedule.

(Secretariat GR8/3231/55)

BOILERS AND PRESSURE RECEIVERS ORDINANCE, 1962.  
(No. 38 of 1962).

BOILERS AND PRESSURE RECEIVERS (FORMS) ORDER, 1963.

In exercise of the powers conferred by section 67 of the Boilers and Pressure Receivers Ordinance, 1962, the Registrar of Boilers and Pressure Receivers hereby makes the following Order—

1. This Order may be cited as the Boilers and Pressure Receivers (Forms) Order, 1963. Citation.

2. The forms of certificates of fitness in respect of boilers and in respect of pressure receivers (other than pressure vessels) issued under section 33 of the Ordinance shall respectively be in Forms 1 and 2 in the Schedule. Form of certificates of fitness. Schedule, Forms 1 and 2.

3. The form of application for registration of a boiler or a pressure receiver shall be in Form 3 in the Schedule. Form of application for registration. Schedule, Form 3.

SCHEDULE. [Para. 2 and 3.]

FORM 1.



BOILERS AND PRESSURE RECEIVERS ORDINANCE, 1962.  
CERTIFICATE OF FITNESS FOR A STEAM BOILER.

Registration number of boiler .....

Name of owner .....

Address of owner .....

Address of installation .....

Class or type of boiler .....

Date of construction and brief history .....

.....

Particulars of test:—

Boiler examined internally and externally and found to be or placed in a satisfactory condition. Signature ..... Date .....

Boiler mountings examined and found satisfactory. Signature ..... Date .....

\*Auxiliary equipment (including the fuel burning installation) examined and found satisfactory. Signature .....  
Date .....

\*Boiler examined under hydraulic test of ..... p.s.i. Signature .....  
Date .....

\*Miscellaneous inspections:—  
..... Signature .....  
..... Date .....

\*In accordance with section 28, the steam container connected to the boiler has been examined and the outlet therefrom found to be open and free from obstruction. Signature .....  
Date .....

I certify that I have this day examined the above boiler under pressure and I am satisfied that it is in safe working order and may be used and operated at a maximum permissible working pressure of .....

\*subject to (here insert any conditions imposed under section 33(5) of the Ordinance) .....

Date .....  
Boiler Inspector.

\* Delete if not applicable.

Note: Unless an earlier examination is required in consequence of any condition endorsed on this certificate or by other requirements of the Ordinance, this certificate is valid in accordance with section 27(a) of the Boilers and Pressure Receivers Ordinance, 1962, until ..... 19.....

FORM 2.



BOILERS AND PRESSURE RECEIVERS ORDINANCE, 1962.

CERTIFICATE OF FITNESS FOR A PRESSURE RECEIVER  
(OTHER THAN A PRESSURE VESSEL).

Registration number of pressure receiver .....  
Name of owner .....  
Address of owner .....  
Address of installation .....  
Description of pressure receiver .....  
Date of construction .....

Particulars of test:—

Pressure receiver examined internally and externally and found to be or placed in a satisfactory condition. Signature .....  
Date .....

\*Pressure receiver examined under hydraulic test of ..... p.s.i. Signature .....  
Date .....

Fittings examined and found satisfactory. Signature .....  
Date .....

I certify that I have this day examined the above pressure receiver under pressure and I am satisfied that it is in safe working order and may be used at a maximum permissible working pressure of .....

\*subject to (here insert any conditions required under section 33(5) of the Ordinance) .....

Date .....  
\* Boiler Inspector.  
\* Air Receiver Inspector.

\* Delete if not applicable.

Note: Unless an earlier examination is required in consequence of any condition endorsed on this certificate or by other requirements of the Ordinance, this certificate is valid in accordance with section 27(b) of the Boilers and Pressure Receivers Ordinance, 1962, until ..... 19.....

FORM 3.

BOILERS AND PRESSURE RECEIVERS ORDINANCE, 1962.

APPLICATION FOR REGISTRATION.

TO THE REGISTRAR

Sir,

Part I I, the undersigned, residing at .....  
hereby apply for registration of the following items in accordance with the provisions of the above Ordinance—

\*Boiler Type Date of manufacture .....  
This boiler \*is/is not one of a range of boilers.  
This boiler \*is/is not designed to be transportable from one place to another.  
This boiler is \*new/existing within the meaning of the Ordinance.

\*Steam container  
This steam container \*is/is not connected to the boiler described above.  
This steam container is \*new/existing within the meaning of the Ordinance.

\*Pressure receiver Type { steam receiver  
air receiver Date of manufacture .....  
portable gas  
generator

This pressure receiver \*is/is not designed to be transportable from one place to another.

This pressure vessel is \*new/existing within the meaning of the Ordinance.

\*Pressure Description Date of manufacture .....  
This pressure vessel is \*new/existing within the meaning of the Ordinance.

Part II The address at which the { boiler steam container pressure receiver pressure vessel } \*is/are installed—

I declare that I am the "owner" as defined in Part I of the Ordinance.

Part III Signature of applicant ..... Date .....

Note 1\* Delete if not applicable.

Note 2 Application may be made on this form for any one or more of each of the categories of appliances required to be registered. Where more than one of any of the categories are required to be registered a separate application should be made for each unit.

鍋爐及壓力容器管制條例 (即香港法例一九六二年第三十八條)

登記申請書

第一部。逕啟者，本人住在

茲依照

上述條例之規定，申請登記下列器具：

\* 鍋爐 類別： 出廠日期：

此鍋爐 \* 乃 係一列鍋爐之一。  
非

此鍋爐 \* 乃 係設計作可以隨意移動者。  
非

根據本條例之定義，此鍋爐乃屬 \* 新設 者。  
現有

\* 蒸氣瓶 此蒸氣瓶 \* 乃 係接連上述之鍋爐者。  
非

根據本條例之定義，此蒸氣瓶乃屬 \* 新設 者。  
現有

\* 壓力容器 類別 \* { 蒸氣容器 空氣容器 輕便型氣體產生機 } 出廠日期：

此壓力容器 \* 乃 係設計作可以隨意移動者。  
非

根據本條例之定義，此壓力容器乃屬 \* 新設 者。  
現有

\* 壓力器皿 式樣說明： 出廠日期：

根據本條例之定義，此壓力器皿乃屬 \* 新設 者。  
現有

第二部。上述之 { 鍋爐 蒸氣瓶 壓力容器 壓力器皿 } 乃裝置於下列之地址：

茲聲明本人乃本條例第一部定義內所稱之「物主」。

此致

登記官

第三部。

申請人簽署：

日期：

附註一 凡有 \* 符號標明之處，須將不適用者刪去。

附註二 申請登記任何一類須予登記之器具一件，或每類器具一件，得以本表格申請之。凡申請登記同一類器具超過一件者，每件須分別申請。

PCM SEDGWICK

Registrar of Boilers and Pressure Receivers.

22nd February, 1963.

(Secretariat GR26/3231/55)

REGISTRATION OF PERSONS ORDINANCE, 1960.  
(No. 18 of 1960).

REGISTRATION OF PERSONS (RE-REGISTRATION) (NO. 9)  
ORDER, 1963.

In exercise of the powers conferred by section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

1. This Order may be cited as the Registration of Persons (Re-registration) (No. 9) Order, 1963. Citation.

2. Every person specified in the Schedule is required to re-register in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder. Persons required to re-register. (18 of 1960).

SCHEDULE.

Every holder of any identity card issued before 1st June, 1960, resident in the undermentioned villages in the New Territories, and the family, if any, of such holder.

TA KWU LING SUB-DISTRICT (打鼓嶺)

<i>District Serial No.</i>	<i>Place Name</i>	<i>District Serial No.</i>	<i>Place Name</i>
1.	Ping Yeung (坪洋)	10.	Lo Shue Ling (老鼠嶺)
2.	Ping Che (坪輦)	11.	San Uk Ling (新屋嶺)
3.	Shan Kai Wat (山雞乙)	12.	Muk Wu (木湖)
4.	Tai Po Tin (大埔田)	13.	Lo Wu (羅湖)
5.	Tong Fong (塘坊)	14.	Tak Yuet Lau (得月樓)
6.	Li Uk (李屋)	15.	Muk Wu Nga Yiu (木湖瓦窰)
7.	Kan Tau Wai (簡頭圍)	16.	Heung Yuen (香園)
8.	Fung Wong Wu (鳳凰湖)	17.	Tsung Yuen Ha (松園下)
9.	Wo Keng Shan (禾徑山)	18.	Chuk Yuen (竹園)

By Command,

CLAUDE BURGESS  
Colonial Secretary.

26th February, 1963.

(Secretariat D/RPO)

**DISTRICT COURT CIVIL PROCEDURE (GENERAL)  
RULES, 1963.**

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DISTRICT COURT (CIVIL JURISDICTION AND PROCEDURE)  
ORDINANCE, 1962.

(No. 22 of 1962).

**DISTRICT COURT CIVIL PROCEDURE (GENERAL)  
RULES, 1963.**

In exercise of the powers conferred by section 48 of the District Court (Civil Jurisdiction and Procedure) Ordinance, 1962, the District Court Rules Committee has made the following rules—

**PART I.**

CITATION, COMMENCEMENT AND INTERPRETATION.

1. These rules may be cited as the District Court Civil Procedure (General) Rules, 1963, and shall come into operation on the day appointed for the commencement of the District Court (Amendment) Ordinance, 1962. Citation and commencement.  
(21 of 1962).

2. (1) In these rules, unless the context otherwise requires— Interpretation.  
“Court” means the District Court and any judge of the Court sitting in court or in chambers;

“Victoria District”, “Kowloon District” and “Fanling District” mean respectively the districts established under those names by rule 3;

“Victoria District Registry”, “Kowloon District Registry” and “Fanling District Registry” mean respectively the registries established under those names by rule 4.

(2) Any word or expression which is not defined in the Ordinance or in these rules shall have the meaning assigned to it by the Code.

**PART II.**

VENUE AND TRANSFER.

3. (1) For the purpose of venue in civil proceedings in the Court, Venue.  
the Colony shall be divided into three districts which shall be known as—

- (a) Victoria District;
- (b) Kowloon District; and
- (c) Fanling District.

(2) The boundaries and extent of each district shall be determined respectively from time to time by the Chief Justice and delineated on a map or plan signed for identification by him and lodged with the Registrar.

(3) A copy of the map or plan for the time being in force and lodged with the Registrar in accordance with paragraph (2) shall at all times be posted in a conspicuous place to which the public have access at each registry designated in rule 4.

Designations.

4. (1) The court sitting in—
- (a) the Victoria District shall be known and referred to as the Victoria District Court;
  - (b) the Kowloon District shall be known as the Kowloon District Court; and
  - (c) the Fanling District shall be known as the Fanling District Court.

(2) There shall be a district registry attached to the court sitting in each district, which shall be known and referred to as the Victoria District Registry, the Kowloon District Registry and the Fanling District Registry respectively.

Provisions relating to jurisdiction.

5. (1) An action in relation to any immovable property for ascertaining the title, ownership, user or right to possession thereof, or in relation to any mortgage or charge thereon, or to any interest of any other nature therein, or for damages for any injury thereto, or for any equitable remedy in respect thereof or restraint on the user of the same, shall be commenced in the district in which the property is situate.

(2) An action in relation to any personal property distrained on or seized shall be commenced in the district in which the process was issued.

(3) Any other action shall be commenced in the district in which the defendant has his principal place of business, if any, or if he is not carrying on business, in the district in which he resides, or if he has neither place of business nor residence in the Colony, then in the district in which the cause of action arose.

(4) Notwithstanding anything in this rule, the Registrar may, in his absolute discretion, permit any action which by this rule should be commenced in the Kowloon District to be commenced in the Fanling District or may permit any action which by this rule should be commenced in the Fanling District to be commenced in the Kowloon District.

(5) For the purpose of this rule an action shall be deemed to commence when the writ of summons therein has been sealed in the appropriate district registry.

Defendants in different districts.

6. If in any case governed by paragraph (3) of rule 5 there are in an action originally or by joinder defendants residing in or carrying on business in different districts the action may, subject to any direction by the Court, be commenced or continue in any such district.

7. (1) All proceedings in an action shall continue in the district in which the action is commenced and such action may be heard and determined therein unless and until an effective order be made to transfer the action to the Court sitting in another district or to the Supreme Court.

Continuance and transfer of actions.

(2) Subject to any directions which may be given in that behalf by the Chief Justice, a judge may, for securing the more convenient or expeditious disposal of any action or matter pending in a district in which he is for the time being sitting, order that such action or matter or any proceeding therein be transferred to another district; any such order may be made at any stage by the judge of his own motion or on the application of any party on such grounds relating either to the particular circumstances of the action or matter or to the state of the lists generally in each district as the judge may think fit.

(3) Where a judge makes an order of transfer to another district of his own motion there shall be no appeal from such order, but where such an order is made on the application of any party an appeal shall lie in accordance with the provisions for the time being applicable to proceedings in the Court.

(4) In any case in which an action has been commenced in the district other than that in which it ought to have been commenced, the judge may if he considers it just direct that the case be tried in the district in which he is for the time being sitting or may order it to be transferred to any other district.

8. (1) Notwithstanding anything contained in these rules the Court sitting in each district shall in relation to process have jurisdiction in any district.

Jurisdiction of districts in process.

(2) All process of the Court shall, irrespective of the district in which the action in which it arises is proceeding, be enforced by the Court sitting in the district where the process is to be served, delivered, executed, or otherwise carried out.

### PART III.

#### GENERAL RULES OF PRACTICE AND PROCEDURE.

##### *Application of Code of Civil Procedure and of English practice and procedure.*

9. (1) Subject to the provisions of the Ordinance and of these rules, the Code as for the time being enacted and save as it therein may otherwise be provided shall apply to proceedings in the Court as it applies to proceedings in the Supreme Court with such modifications as are necessary for that purpose.

Application of the Code to the Court.

(2) Those parts of the Code which are listed in the Schedule shall not apply to the Court or to any proceedings in the Court.

Schedule.

Limited application of English rules.

10. Subject to the provisions of the Ordinance, in all cases with respect to which no provision is made in these rules or in the Code in its application to the Court, the practice and procedure for the time being in force in the Supreme Court in England shall be deemed to be in force in the Court subject to the applicability thereof and with such modifications as the circumstances may require.

*Register of Civil Actions.*

Form of register.

11. (1) The Registrar shall cause to be kept, in respect of each district of the Court, a register to be called the "Register of Civil Actions" in the form heretofore adopted, or in such form as the Chief Justice may from time to time direct, and shall cause each such register to be maintained by proper entries therein in relation to all actions and proceedings in the Court.

(2) Every action or proceeding in each district shall be numbered in each year according to the order in which the same is commenced.

(3) Rule 5 of Order 31 of the Code shall not apply to any proceedings in the Court.

*Weekly call-over and list.*

Call-over day and list and proceedings thereon.

12. (1) Not less than once weekly, unless it is otherwise ordered by a judge or by the Registrar, upon such day, hereinafter referred to as the call-over day, as a judge or the Registrar shall from time to time appoint for the purpose, either generally or specially with respect to each district, a judge in each district shall cause to be called in open court—

- (a) all proceedings the subject of writs of summons or other process made returnable on such day;
- (b) all proceedings which, or the trial of which, shall by order have been set down for, adjourned to or made returnable on such day;
- (c) all such proceedings as the Registrar, under rule 44, may order to be called on such day;
- (d) all such interlocutory and other proceedings and matters as shall have been set down for, adjourned to or made returnable on such day; and
- (e) all such other proceedings as a judge shall, on proper notice to the parties, have required to be called on such day.

and the judge shall forthwith proceed to deal therewith in accordance with such of the powers vested in the Court by the Ordinance and these rules, or by any other enactment, as he may think appropriate in each case.

(2) Before each call-over day the Registrar shall prepare a list of the proceedings and matters to be called on such day and shall cause the same to be exhibited in a conspicuous position in or about the court building.

(3) If, when a proceeding is called, the plaintiff does not appear the Court may, if it thinks fit, strike out the proceeding from the list.

(4) Rules 7, 8, 9, 10 and 11 of Order 12 of the Code shall not apply to any proceedings in the Court.

*Indorsements of writs.*

13. No writ of summons specially indorsed with a statement of the claim made by the plaintiff, or of the remedy or relief to which he claims to be entitled, for the purpose of obtaining summary judgment thereon, shall issue in the Court, and no provision of the Code relating to specially indorsed writs shall apply to the Court except in so far as any such provision is specifically enacted in these rules.

No specially indorsed writ procedure.

14. (1) Where the plaintiff's claim is for a debt or liquidated demand only, the writ, in addition to stating in the particulars of claim the nature of the claim, the amount claimed for debt or in respect of such demand, and for any interest thereon payable by law or under any contract, express or implied, shall be indorsed with a statement that, on payment thereof and of the amount of the fixed costs allowed by the District Court Civil Procedure (Costs) Rules, 1963, within three days after service or, in the case of a writ not for service within the jurisdiction, within the time allowed for appearance, further proceedings will be stayed and the defendant will not be liable for further costs.

Indorsement for fixed costs.

(L.N. 25/63).

(2) Where the plaintiff's claim is for recovery of immovable property, the writ, in addition to stating in the particulars of claim the grounds upon which the claim is made and the arrears of rent claimed, if any, and the rate at which and period in respect of which mesne profits are claimed, shall be indorsed with a statement that, on the defendant giving up possession of the property to the plaintiff and paying the arrears of rent, if any, and the mesne profits up to the date on which possession is given up as aforesaid and the amount of the fixed costs allowed by the District Court Civil Procedure (Costs) Rules, 1963, within the period mentioned in paragraph (1), further proceedings will be stayed and the defendant will not be liable for further costs.

(L.N. 25/63).

15. Where an action for the recovery of money lent by a money-lender or for the enforcement of any agreement or security relating to any such money is brought by the lender or by an assignee of the lender, the particulars of claim shall state, in addition to any other particulars—

Indorsement in money-lender's action.

- (a) that at the time of making the loan or contract the plaintiff or, in an action by an assignee, the original assignor was a registered money-lender under the Money-lenders Ordinance;

(Cap. 163).

- (b) the date on which the loan was made, or where the action is brought on an agreement or security given in consideration of the renewal of former loans, the date on which each such loan was made;
- (c) the amount actually lent to the borrower;
- (d) the rate of interest charged on the amount actually lent;
- (e) the amounts paid by way of interest and the periods in respect of which and the dates on which each such payment was made;
- (f) the amount of principal repaid and the date or dates of payment;
- (g) every other amount paid by the borrower to the lender in respect of the loan or loans as the case may be, whether as a premium or otherwise;
- (h) the amount of principal due and unpaid; and
- (i) the amount of interest due and unpaid.

Indorsement  
for account.

16. Where the plaintiff in the first instance desires to have an account taken and no amount is claimed in the particulars the plaintiff shall be deemed to claim an amount equal to the maximum amount with respect to which the Court has jurisdiction in contract for the time being.

#### *Service.*

Service on  
infants.

17. (1) No special mode of service shall be required, as of course, with respect to a party who is an infant, but whenever it appears to the Court that any party served or to be served with a writ or other process in any proceedings is an infant of such tender years as to be unable to present his case or to give instructions therefor the Court may order that the writ or other process be served on the father or guardian of the infant or other person having the custody or control of the infant, and that in the meantime the proceedings be stayed:

Provided that unless the Court otherwise orders service made or to be made on such an infant shall be deemed good service.

(2) The provisions of this rule shall apply to interlocutory proceedings in the Court.

(3) Rule 34 of Order 2 of the Code shall not apply to any proceedings in the Court.

Service of  
proceedings  
for recovery  
of immovable  
property.

18. Where a plaintiff's claim is for the recovery of immovable property, in addition to and not in substitution for any other mode of service, a copy of the writ shall be posted in a conspicuous place on or at the entrance to the premises recovery of which is claimed.

#### *Foreign process.*

19. Rules 38 and 39 of Order 2 of the Code shall not apply to the Court.

Service of  
foreign  
process rules  
inapplicable.

#### *Summoning defendant.*

20. (1) The plaintiff shall cause a copy of the writ of summons to be served on the defendant, and, without prejudice to the provisions of rule 14, the copy of the writ of summons shall require the attendance at court of the defendant at such date and time as shall be stated therein, and shall be endorsed in manner provided by the Ordinance and by these rules.

Writ to  
require  
attendance at  
court, etc.

(2) Paragraph (1) of rule 42 of Order 2 of the Code shall not apply to any proceedings in the Court.

#### *Appearance of defendant.*

21. There shall be no mode of appearance by means of entry of appearance in the Registry in any proceedings in the Court, but in every case appearance shall be by attendance in court or in chambers, as the case may be, in person or by solicitor or counsel or by authorized representative in accordance with the provisions of the Ordinance, at the appointed day and time and all references in the Code to entry of appearance shall, in the application of the Code to the Court, be construed accordingly.

No entry of  
appearance  
in Registry.

22. Whenever a party appears by solicitor or counsel, the Court shall record the name of the solicitor appearing, or, where the party appears by counsel, the name of the instructing solicitor, and such solicitor or, where he is in partnership or is an assistant solicitor, the firm in which he is a partner or assistant, as the case may be, shall thereafter be deemed to be the solicitor on the record until notice of change of solicitor is duly filed and served in accordance with rule 26 of Order 2 of the Code:

Solicitor on  
the record.

Provided that, where the solicitor so appearing states that he appears as agent for another solicitor or firm of solicitors, the name of such other solicitor or firm of solicitors shall be recorded and such other solicitor or firm of solicitors shall thereafter be deemed to be the solicitor on the record.

23. Any party, other than the plaintiff with respect to his claim, may by himself or by his solicitor, counsel or authorized representative, state orally at the time of appearance that he appears conditionally and may require the Court to record the same, and thereupon he shall be deemed to have appeared conditionally.

Conditional  
appearance.

*Default of appearance.*

Debts and liquidated demands excluding money-lenders claims.

24. (1) Where the plaintiff's claim is for a debt or liquidated demand only, not being a claim by a money-lender or by the assignee of a money-lender for money lent, and the defendant fails to appear at the date and time appointed by the writ, the Court, upon being satisfied that the writ was duly served, may give leave to the plaintiff to apply to the Registrar to enter judgment in default of appearance.

(2) An application for entry of judgment in default of appearance pursuant to paragraph (1) shall be made by written application to the Registrar, supported by an affidavit—

- (a) verifying the claim, and exhibiting the original of any document evidencing the same, or accounting for the absence of any such documents; and
- (b) in the case of a claim for rent, declaring that the rent is not in excess of the amount recoverable by law or, as the case may be, that the premises are exempt from any law controlling the amount of the rent, and the grounds upon which the premises are so exempt.

(3) Upon such application duly supported as aforesaid the Registrar shall cause judgment to be entered for the plaintiff in the amount claimed, with costs, by indorsing the writ filed in the Registry to such effect:

Provided that the Registrar may in any case in which he so thinks fit refer the application to a judge who may make such order thereon as he thinks the justice of the case requires.

(4) If, at any time before the entry of judgment, the defendant files an affidavit—

- (a) stating that his failure to appear was not due to wilful default on his part;
- (b) verifying the cause of his failure to appear;
- (c) stating that he intends to defend the action and has a good defence thereto or has a counterclaim;
- (d) stating the grounds of the defence or counterclaim; and
- (e) giving an address for service,

the plaintiff shall not be at liberty to apply to the Registrar to enter, nor shall the Registrar enter, judgment by default pursuant to this rule but the action, on the order of the Registrar, shall be restored to the next convenient call-over day upon notice to be given by the Registrar to the parties, which notice may be given to any party by registered post addressed to him at his address for service stated in the record or to his solicitor.

(5) When an action has been restored in accordance with the provisions of paragraph (4) the Court may debar the defendant from defending the action or from prosecuting his counterclaim, as the case may be, or may give to the defendant leave to appear and to defend the action or to prosecute the counterclaim, if any, upon such terms as the Court may consider just.

(6) Where there are several defendants and any one of them makes default in appearance as aforesaid the provisions of this rule shall apply to such defendant.

25. Where the plaintiff's claim is not for a debt or liquidated demand or is by a money-lender or by the assignee of a money-lender for money lent, the provisions of paragraph (1) of rule 47, rule 48 and rule 49 of Order 2 of the Code shall apply.

Claims other than for debts and liquidated demands; and money-lenders claims.

26. Notwithstanding the provisions of rules 24 and 25, the provisions of rule 7 of Order 13 of the Code shall apply to proceedings in the Court.

Application of rule 7 of Order 13 of the Code.

*Parties—infants.*

27. (1) An infant shall not, as of course, sue by next friend, or appear or defend by guardian *ad litem*, but the Court may so order upon it appearing to the Court that the infant is unable of himself properly to present his case, or defend the action, or give instructions therefor.

Actions by and against infants.

(2) Rule 17 of Order 3 of the Code shall not apply to any proceedings in the Court.

(3) Paragraph (2) of rule 16 of Order 3 of the Code shall not, in so far as it relates to infants, apply to any proceedings in the Court.

(4) The provisions of this rule shall apply to the trial of any action in the Court and to interlocutory proceedings in respect of any such action.

*Third party procedure.*

28. The Court, if it thinks fit, may give leave to any party to issue and serve a third party notice upon an oral application made *ex parte* and without notice, and paragraph (2) of rule 32 and rules 42 and 43 of Order 3 of the Code shall, in their application to the Court, be construed accordingly.

Application for leave.

29. (1) A third party notice shall be made returnable at an appointed day and time, and shall be served not less than three clear days before such appointed day.

Service of notice.

(2) Paragraph (2) of rule 33 of Order 3 of the Code shall not apply to any proceedings in the Court.

Appearance.

**30.** (1) Appearance to a third party notice shall be in the manner prescribed by rule 21 for appearance to a writ of summons and the provisions of rules 24, 25 and 26 shall apply in default of appearance to a third party notice.

(2) Rule 35 of Order 3 of the Code shall not apply to any proceedings in the Court.

*Pleadings.*

Pleadings necessary only when ordered.

**31.** Subject to the provisions of section 33 of the Ordinance relating to notice of a special defence, and to rule 35, pleadings shall not be required, as of course, in the Court, but shall only be necessary where the Court makes an order therefor, and the Code shall, in its application to the Court, have effect accordingly.

Pleadings by letter.

**32.** (1) The Court may by order permit any pleading to be in the form of a letter addressed to the Court, a copy thereof being served on the opposite party.

(2) These rules and the Code, in their application to the Court, shall apply to pleadings so ordered and to orders therefor as they apply to formal pleadings and to orders therefor, and all references in these rules and in the Code, in their application to the Court, to the filing of pleadings shall be construed accordingly:

Provided that where a pleading by letter has been ordered by the Court no objection shall be taken to any pleading by letter which, in the opinion of the Court, is sufficiently explicit.

(3) Unless otherwise expressly stated, an order for delivery of any pleading shall be deemed to be an order for delivery of a formal pleading.

Admissions by infants.

**33.** The exception as to infants contained in rule 8 of Order 5 of the Code shall not apply to any proceedings in the Court unless the Court otherwise directs.

Time for delivery of pleadings.

**34.** (1) Every pleading shall be filed and delivered within such time as the Court shall order.

(2) The Court may, whether before or after the time limited for the delivery of any pleading, extend the time allowed therefor on such terms as to costs, payment into court, giving security, or otherwise as it thinks fit.

(3) Rules 32 and 33 of Order 5 of the Code shall not apply to any proceedings in the Court.

**35.** The provisions of the Code relating to the form and contents of statements of claim shall apply to the form and contents of the particulars of the plaintiff's claim required to be endorsed on the writ of summons, except so far as the Court may see fit otherwise to allow. Particulars of claim.

*Default of defence.*

**36.** (1) Where a defence has been ordered and the defendant does not deliver a defence within the time allowed for that purpose, then— Default of defence.

(a) where the plaintiff's claim is for a debt or liquidated demand only, the provisions of rules 56A and 56B of Order 5 of the Code shall apply, to enable the plaintiff to require the Registrar to enter judgment in the Registry in default of defence, with costs, by indorsing the writ filed in the Registry to such effect, subject, in the case of proceedings against the Crown, to the provisions of rule 56C of the said Order, and subject, in the case of a claim by a money-lender or by the assignee of a money-lender for money lent, to the provisions of the said rule 56A;

(b) in all other cases the provisions of rule 5 of Order 13 of the Code shall apply.

(2) Notwithstanding the provisions of this rule the provisions of rule 7 of Order 13 of the Code shall apply to any proceedings in the Court.

*Further particulars and amendment of pleadings.*

**37.** (1) Whenever it appears to the Court that the particulars of the plaintiff's claim— Further particulars.

(a) do not comply with any requirement of these rules;

(b) do not adequately disclose a cause of action;

(c) fail to aver facts which if proved would establish the jurisdiction of the Court; or

(d) are otherwise insufficient,

the Court may of its own motion order that the particulars be amended in such manner as it shall direct or that further or better particulars be filed and delivered within a limited period.

(2) Any such order may be made on such terms as to staying or dismissing the proceedings and as to costs and otherwise as the Court shall think fit to impose.

(3) If a party requires further or better particulars of an opponent's case he may, at any time before the Court has fixed a date for the trial, give notice to the opponent specifying what further particulars he

requires, and the opponent shall, within five days of the service of the notice, file such further particulars as may properly be required and within the same time deliver a copy thereof to the party requiring the particulars.

(4) If the notice is not complied with, the Court, before or at the trial, if it is satisfied that the party requiring the particulars is thereby prejudiced, may order that—

- (a) further or better particulars be filed and delivered;
- (b) all proceedings be stayed until the order has been obeyed;
- (c) the action be dismissed or that the defendant be debarred from defending, as the case may be, unless the order is obeyed within such further time as the Court may allow,

and the Court may make such order as to costs as it thinks fit.

(5) This rule shall apply to a counterclaim and to third party proceedings in the same manner as it applies to an action with such modifications as are necessary.

(6) Rule 5 of Order 5 of the Code shall not apply to any proceedings in the Court.

38. The Court may in any particular case dispense with compliance with the requirements of rule 7 of Order 6 of the Code if it is satisfied that any amendment such as is referred to in that rule has been sufficiently communicated to the other party and to the Court.

Dispensing with filing and service of amended pleading.

#### *Discovery of documents.*

39. (1) The Court may, of its own motion but subject to any proper claim of privilege, make such order for discovery of documents, including the mode of discovery, as it may consider necessary or desirable and the provisions of rule 19 of Order 7 of the Code shall apply to any failure to comply with the provisions of any such order.

(2) Nothing in this rule shall prevent the adoption by any party of the formal procedure prescribed by the Code with reference to discovery of documents.

#### *Inspection of documents.*

40. (1) The Court may, of its own motion but subject to any proper claim of privilege, order any party to produce any relevant document in his possession or under his control for inspection by any other party and may order that any such inspection shall take place in the presence of an officer of the Court and the provisions of rule 19 of Order 7 of the Code shall apply to any failure to comply with the provisions of any such order.

Informal order for inspection.

(2) Any party who fails to comply with any such order shall not, except with the leave of the Court, be permitted to rely at the trial of the action on any document mentioned in the order.

(3) Nothing in this rule shall prevent the adoption by any party of the formal procedure prescribed by the Code with reference to discovery and inspection of documents.

#### *Interlocutory proceedings.*

41. The Court may, if it thinks fit, permit any interlocutory application or opposition thereto to be made orally and without the filing of an affidavit or other preliminary formality, in court or in chambers.

Informal applications, etc.

#### *Date of trial.*

42. (1) In any proceedings in the Court, it shall not be necessary to issue a summons to set down a cause for trial but the cause shall be tried at the date and time appointed by the writ of summons or other process or at such date and time as may be appointed by the Court.

Summons to set down and notice of trial not necessary.

(2) In any proceedings in the Court, it shall not be necessary for any party to give notice of trial to any other party or to the Court except where the Court so orders.

(3) The provisions of rules 1, 2 and 3 of Order 12 of the Code shall not apply to any proceedings in the Court.

#### *Postponement of trial.*

43. In any proceedings in the Court it shall not be necessary to issue a summons applying for the postponement of a trial and an application to postpone the trial of any action may be made orally and without any preliminary formality so long as proper notice of such application has been given to the other party in such proceedings and rules 4, 5 and 6 of Order 12 of the Code shall, in their application to the Court, be construed accordingly.

Summons to postpone not necessary.

44. On the application of any party to any proceedings, made not less than two clear days before the next call-over day and on notice to the opposite party, the Registrar may have the proceedings restored to and included in the list for such call-over day for any purpose of which the Registrar may approve.

Restoring to call-over list.

#### *Trial.*

45. Rules 12 to 19 inclusive of Order 12 of the Code (which relate to the mode of trial of actions) shall not apply to the Court.

Rules of Code relating to mode of trial not to apply.

Notes of evidence.

46. (1) It shall not be necessary for the judge in any proceedings in the Court to make a verbatim note of the oral evidence adduced but it shall be sufficient if he records the substance thereof in so far as it appears to him to be relevant.

(2) Rule 11 of Order 13 of the Code shall not apply to any proceedings in the Court.

(3) Rule 13 of that Order shall not apply to any proceedings in the Court unless in any case the judge otherwise orders.

Objection to evidence.

47. Paragraph (1) of rule 14 of Order 13 of the Code shall apply to proceedings in the Court as if the following proviso were added thereto—

“Provided that the Court may in its discretion reserve its decision as to the admissibility of evidence to which objection is taken and in the meantime admit the evidence without prejudice to its power ultimately to reject the same or any part thereof in determining the cause.”

Indorsement of documents.

48. The Court or the Registrar, in any case in which judgment is to be entered *ex parte* or without a trial on the merits, may require production of any document, of whatsoever nature, relevant to the cause of action, subject to any proper claim of privilege, and may cause any such document to be marked as an exhibit in the proceedings.

#### Adjournments.

Adjournment on terms.

49. The power of the Court to grant an adjournment on terms shall extend to imposing terms requiring the payment of money into court or the giving of security, whatever the nature of the claim or counterclaim, if any, and the Court may order that, in default of compliance with any terms imposed, the claim or counterclaim shall be dismissed or the party in default shall not be permitted to prosecute his claim or counterclaim or to defend, as the case may be.

#### Evidence.

No letters of request, etc. in the Court.

50. The Court shall not have power to issue any commission, request or order to examine witnesses abroad, and accordingly rule 3 of Order 14 of the Code shall not apply to the Court.

Documents produced from proper custody.

51. Where a document, which, if it were duly proved, would be admissible in evidence, is produced to the Court from proper custody, it shall be admitted without further proof if—

- (a) in the opinion of the Court it appears genuine; and
- (b) no objection is taken thereto,

and, if the admission of any document so produced is objected to, the Court may adjourn the hearing for proof of the document, and, if it is proved, the party objecting shall pay the costs occasioned by the objection, unless the Court otherwise orders.

52. There shall be no procedure in the Court for obtaining evidence in the Colony for use in a foreign tribunal, and accordingly rule 10 of Order 14 of the Code shall not apply to the Court.

No procedure for obtaining evidence for foreign tribunal.

53. (1) The Court may accept shop-books, account-books, invoices, delivery notes, sold-notes, bought-notes, indents, receipts, counterfoil-receipts, and other like books, documents and business records as *prima facie* evidence of the contents thereof and of the transactions to which they purport to relate if such books, documents or records appear to the Court to be genuine and are produced from custody which appears to the Court to be proper custody.

Admissibility of shop-books, etc.

(2) Where any such book, document or record, or any entry therein, is endorsed with or bears a signature or “chop” purporting to be that of any party, or his employee or agent, the Court may presume, until the contrary is proved, that the signature or “chop” is that of such party, employee or agent.

54. (1) The Court may admit—

- (a) any document purporting to be issued by a bank and purporting to show the state of the account of any party or person with the bank;
- (b) any document purporting to be issued by a bank and purporting to state the reason for the dishonour of any cheque,

Bank accounts, etc. to be *prima facie* evidence.

as *prima facie* evidence of the truth of the contents thereof.

(2) Where any cheque purports to be drawn or endorsed in the name or under the “chop” of any party or person the Court may presume it to have been drawn or endorsed by such party or person unless the contrary is proved.

(3) For the purposes of this rule the word “bank” shall have the meaning assigned to it by section 2 of the Banking Ordinance.

(Cap. 155).

55. The Court may admit any delivery note, entry in a delivery book or other record prepared by a person employed as a common or private carrier, or otherwise employed or engaged to deliver goods, or by his servant or agent, and purporting to record the delivery of goods to any party, or to the premises of any party, as *prima facie* evidence of due delivery notwithstanding that the note, entry or record is not, or is not proved to be, signed or “chopped” or otherwise acknowledged by or on behalf of such party.

Delivery by transport contractors, etc.

Certified translations.

**56.** Notwithstanding any rule of practice the Court may dispense with a certified translation of any document adduced in evidence and not being in the English language.

Office copies.

**57.** (1) Any document or matter to which this rule applies may, unless the Court otherwise directs, be proved by the production of an office copy.

(2) This rule applies to the following—

(a) an occupation permit issued by the Building Authority under section 137 of the Buildings Ordinance;

(b) an occupation permit issued by the Building Authority under section 12 of the Buildings Ordinance, 1955;

(c) an entry in the register of deeds and documents maintained by the Land Officer under the New Territories Ordinance; and

(d) a document of title, an agreement for the grant, exchange or surrender of land, and any other document relating to land, in the custody of the Land Office established by the Land Registration Ordinance.

(3) For the purposes of this rule—

(a) “office copy” means a document purporting to be a copy or extract from the original and purporting to be certified by the proper officer as a true copy or extract;

(b) “proper officer” means any officer of a Government department appearing to the Court to be authorized to certify the copy or extract; and

(c) it shall not be necessary to prove the signature, official character or authority of any such officer or to give further proof of the contents of the document or matter sought to be proved under this rule by office copy.

(4) On any office copy of an occupation permit such as is referred to in sub-paragraph (a) or sub-paragraph (b) of paragraph (2), the proper officer may endorse a statement specifying the premises to which the permit relates; and the provisions of this rule relating to office copies shall apply to any such statement.

Landlord and Tenant Ordinance; building plans, etc. (Cap. 255, 1953 Reprint).

**58.** (1) Where, in any proceedings before the Court, the question whether or not any building is an entirely new building within the meaning of the Landlord and Tenant Ordinance is in issue the Court may, for determining the issue, admit in evidence, and have regard to, any official records.

(2) The Court may draw inferences from such records and the circumstances in which they were made or deposited, and, in particular, may infer that any building to which such records relate was duly constructed in accordance therewith.

(3) For the purpose of this rule—

(a) the expression “official records” includes any plan, drawing, sketch, specification, bill of quantities, file, writing or other record maintained by, deposited with, or in the custody of, or appearing to be maintained by, deposited with, or in the custody of, the Building Authority or any Government Department or public officer;

(b) “Building Authority” means the Building Authority under the Buildings Ordinance, 1955.

(68 of 1955, 1960 Reprint).

#### *Injunctions.*

**59.** (1) In any proceedings in which an injunction has been or might have been claimed, a plaintiff may, before or after judgment, apply for an injunction to restrain the defendant from—

Application for an injunction and damages in lieu.

(a) the repetition or continuance of the wrongful act or breach of contract complained of; or

(b) the commission of any wrongful act or breach of contract of a like kind, relating to the same property or right or arising out of the same contract,

and the Court, in addition to giving judgment for such damages and costs as the plaintiff may be entitled to, may grant the injunction on such terms as may be just.

(2) An application under this rule may be made—

(a) before the hearing of the action or matter; or

(b) at or immediately after the hearing, in which case the order shall be included in the judgment; or

(c) after judgment, on notice and supported by affidavit.

#### *Orders for instalments, etc.*

**60.** (1) Where a judgment has been given or an order made for the payment of any sum by instalments or otherwise, and it appears to the Court that the person liable under the judgment or order is unable to pay the sum ordered to be paid at the time or by the instalments ordered, the Court, on the application of such person made on notice, may order that the amount unpaid under the judgment or order be paid by instalments, or, if already payable by instalments, by the same or smaller instalments, and may from time to time vary such order.

New order for payment on application of judgment debtor.

(2) This rule shall apply to any judgment given by the Court pursuant to rule 8 of Order 15 of the Code.

New order for earlier payment on application of judgment creditor.

**61.** (1) If it appears to the Court that the person liable under any judgment or order for payment by instalments is able to pay the sum ordered to be paid either in one sum or by larger instalments than those ordered, the Court, on the application of the person entitled to enforce the judgment or order made on notice, may order the amount unpaid to be paid in one sum, or by larger instalments than those previously ordered, and may from time to time vary such order.

(2) When a judgment has been given or order made for the payment of any sum and execution thereon has been stayed, whether on due payment of instalments or otherwise, and it appears to the Court at any time to be desirable so to do, the Court may by order raise the stay of execution either with immediate effect or otherwise and on such terms as it thinks fit.

(3) This rule shall apply to any judgment given by the Court pursuant to rule 8 of Order 15 of the Code.

*Action by employees for wages.*

Judgment to record separate findings in action in which persons unite as plaintiffs.

**62.** Where by virtue of section 24 of the Ordinance two or more persons unite as plaintiffs in one action against another person, the judgment shall record as separate findings the relief to which any plaintiff, or the defendant as against any plaintiff, is adjudged entitled.

Hereafter for execution purposes such separate findings may be proceeded upon severally or jointly to the extent of the relief adjudged due thereby.

*Action for recovery of immovable property.*

Appearance by person in possession not named as a defendant.

**63.** Any person not named as a defendant in an action for the recovery of immovable property who is desirous of defending the action may enter an appearance in accordance with the provisions of rule 21 at the time appointed by the writ, or at the trial, or at any weekly call-over day at which the cause is called, or after judgment on any call-over day and, by order of the Court, may be joined as a defendant without preliminary or other formality, and rules 3, 4 and 5 of Order 22 of the Code, in their application to the Court, shall have effect accordingly.

Rules as to relief against forfeiture inapplicable.

**64.** Rules 9, 10, 11 and 12 of Order 22 of the Code shall not apply to the Court.

*Appeals to the Full Court.*

Certain rules as to procedure on appeal inapplicable.

**65.** Rules 1, 2 and 3 of Order 29 of the Code shall not apply to appeals from the Court.

**66.** Rule 9 of the said Order 29 (relating to a jury on a new trial) shall not apply to appeals from the Court. No jury on a new trial.

*Charitable trusts.*

**67.** Rules 14, 15 and 16 of Order 30 of the Code shall not apply to the Court. Rules as to charitable trusts inapplicable.

*Summary application for limiting shipowner's liability.*

**68.** Rule 8 of Order 31 of the Code shall not apply to the Court. No proceedings for limiting shipowner's responsibility.

*Commissioners for oaths.*

**69.** The Registrar shall have authority to administer any oath and take affidavit required for any purpose connected with the business of the Court. Registrar authorized to administer oaths.

*Forms.*

**70.** Subject to such amendments therein as are necessary to adapt the same to the Court, and to the provisions of the Ordinance, the forms for the time being prescribed by or under rule 23 of Order 31 of the Code shall be the forms in use in the Court: Adoption of form in Schedule to Code.

Provided that a judge of the Court may allow such departures from any prescribed form as he may think fit in any particular case.

**PART IV.**

**MISCELLANEOUS.**

**71.** These rules shall have effect in relation to the Crown subject in all respects to the provisions of the Crown Proceedings Ordinance, 1957, and to the provisions of the Code respecting proceedings by or against the Crown. Application to the Crown. (18 of 1957).

**72.** These rules shall apply, so far as practicable, to any proceedings pending in the Court on the day on which these rules come into operation, and save as aforesaid the practice and procedure in force in the Court immediately before that day shall continue to apply to such proceedings. Pending proceedings.

**73.** The District Court Civil Procedure (Interim) Rules, 1953, are revoked. Revocation. (G.N.A. 32/53).

## SCHEDULE.

[rule 9.]

*Provisions of the Code of Civil Procedure  
inapplicable to the District Court.*

<i>Order</i>	<i>Code Rule</i>	<i>Subject</i>	<i>Reference in these rules</i>
2	34	Service on infants	17(3)
2	38 & 39	Foreign process	19
2	42(1)	Service and return of writ	20(2)
3	17	Appearance by infants	27(2)
3	33(2)	Third party notice	29(2)
3	36	Appearance	30(2)
5	5	Further and better particulars	37(6)
5	32 & 33	Time for delivery of pleadings	34(3)
12	1, 2 & 3	Setting down cause for trial	42(3)
12	7, 8, 9, 10 & 11	General trial list and trial paper	12(3)
12	12, 13, 14, 15, 16, 17 & 19	Mode of trial—jury	45
13	11	Notes of evidence	46(2)
14	3	Letter of request	50
14	10	Evidence for use in a foreign tribunal	52
22	9, 10, 11 & 12	Relief against forfeiture	64
29	1, 2 & 3	New trial	65
29	9	Jury on new trial	66
30	14, 15 & 16	Charitable trusts	67
31	5	Cause Book	11(3)
31	8	Proceedings for limiting shipowner's liability	68

*Dated the 8th day of March, 1963.*

*Michael Goff*  
Chief Justice.

*Judge of the District Court.*

*Judge of the District Court.*

*Judge of the District Court.*

*Judge of the District Court.*

*of the Bar Association of  
Hong Kong.*

*of the Incorporated Law Society of  
Hong Kong.*

*Registrar, Supreme Court.*

(Secretariat GR20/3231/52)

**DISTRICT COURT CIVIL PROCEDURE (COSTS) RULES, 1963.**

**ARRANGEMENT OF RULES.**

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DISTRICT COURT (CIVIL JURISDICTION AND PROCEDURE)  
ORDINANCE, 1962.

(No. 22 of 1962).

**DISTRICT COURT CIVIL PROCEDURE (COSTS) RULES, 1963.**

In exercise of the powers conferred by section 48 of the District Court (Civil Jurisdiction and Procedure) Ordinance, 1962, the District Court Rules Committee has made the following rules—

1. These rules may be cited as the District Court Civil Procedure (Costs) Rules, 1963, and shall come into operation on the day appointed for the commencement of the District Court (Amendment) Ordinance, 1962.

Citation and commencement.  
(21 of 1962).

2. (1) In these rules, unless the context otherwise requires—  
“Court” means the District Court and any judge of the District Court sitting in court or in Chambers;

Interpretation.

“Scale” means a Scale of Costs established by rule 3;

(2) For the purposes of these rules, a folio shall be calculated as seventy-two words, each figure being counted as one word.

3. (1) The Scales of Costs in the First Schedule shall have effect for the purpose of regulating the costs of proceedings in the Court subject to and in accordance with these rules and the directions contained in such Scales.

Scales of Costs.  
First Schedule.

(2) The Second Schedule hereto shall have effect for the purpose of showing the total amount of costs which shall in the several cases to which that Schedule applies, be allowed to the solicitor for the plaintiff or judgment creditor without taxation, unless the judge otherwise orders.

Second Schedule.

(3) (a) Where in an action or matter costs are awarded on Scale I, the costs may be fixed and allowed by the Registrar without taxation.

(b) Where the solicitor for a party is entitled to tax his costs on Scale II, III or IV, but informs the Registrar that he does not claim costs in excess of the appropriate amount shown in the Third Schedule hereto, such costs may be allowed by the Registrar without taxation.

Third Schedule.

(4) No costs, except disbursements, shall be allowed where the claim is for a sum of money not exceeding fifty dollars.

4. (1) Subject to rules 5, 6, 7 and 10, the Scale of Costs in an action for the recovery of a sum of money only shall be determined—

Recovery of money.

(a) as regards the costs of the plaintiff, by the amount recovered; and

(b) as regards the costs of the defendant, by the amount claimed; and

(c) as regards costs payable to a third party, by the amount claimed against him; and

(d) as regards costs payable by a third party, by the amount recovered against him.

(2) This rule shall not apply to actions under the equity jurisdiction of the court or actions in which the title to hereditaments comes in question.

5. (1) Subject to paragraph (2), rule 2 shall apply to a counterclaim as it applies to a claim.

Counterclaim.

(2) Where in one action a claim for a sum of money only and a counterclaim for a sum of money only are tried—

(a) if the plaintiff is awarded costs on both claim and counterclaim, the costs shall be on the Scale applicable to the amount which he recovers on the claim, but if such amount is less than the counterclaim, the costs subsequent to the filing of the counterclaim shall be on the Scale applicable to the amount of the counterclaim; and

(b) if the defendant is awarded costs on both claim and counterclaim, the costs shall be on the Scale applicable to the amount which he recovers on the counterclaim or the amount of the plaintiff's claim, whichever is the larger, but the costs prior to the filing of the counterclaim shall be on the Scale applicable to the amount of the claim:

Provided that the costs of work done solely in connexion with the claim shall be on the Scale applicable to the claim and the costs of work done solely in connexion with the counterclaim shall be on the Scale applicable to the counterclaim.

6. (1) Where money in court is accepted in satisfaction of the cause of action in respect of which it was paid, and another cause of action remains to be tried, then the costs subsequent to the date of the payment into court shall, unless the Court or the Registrar otherwise directs, be determined by the amount recovered or claimed in respect of the cause of action remaining to be tried.

Where money paid into court.

(2) Where money is paid into court without a denial of liability or without a plea of tender, and the plaintiff does not accept it in satisfaction of his claim or of the cause or causes of action in respect of which it was paid, the costs incurred after the date of the payment into court shall be on the Scale which would have been applicable if no money had been paid into court, or on such lower Scale as the Court or the Registrar may determine having regard to any saving of expense effected by reason of the payment into court.

(3) Paragraph (2) shall apply where money is paid to the plaintiff in satisfaction or on account of the plaintiff's claim as it applies where money is paid into court.

Action transferred from Supreme Court.

7. Where proceedings have been transferred from the Supreme Court to the Court and the amount remaining in dispute at the date on which the proceedings are transferred is less than the amount originally claimed, the costs incurred after that date shall, subject to the provisions of the Ordinance, be taxed on the Scale and be subject to the rules applicable to the costs of an action commenced in the Court to recover the amount so remaining in dispute.

Interpleader.

8. The costs in interpleader proceedings, under an execution or otherwise, shall be taxed on such Scale as the judge shall award.

Garnishee proceedings.

9. The Scale of Costs in garnishee proceedings shall be determined—

- (a) as regards the costs of the judgment creditor, by the amount recovered against the garnishee; and
- (b) as regards the costs of the garnishee or the judgment debtor, by the amount claimed by the judgment creditor in the garnishee proceedings.

Difficult questions, etc.

10. Notwithstanding anything contained in these rules, in any proceedings in which the judge certifies that a difficult question of law or a question of fact of exceptional complexity is involved, he may award costs on such Scale as he thinks fit.

Other proceedings.

11. In any proceedings to which rules 4, 5, 7, 8 and 9 do not apply, the judge may award costs on such Scale as he thinks fit.

Allowance and disallowance.

12. (1) The judge may in any action or matter direct the Registrar to allow or disallow on taxation any item in the Scales of Costs.

(2) Subject to any direction of the judge, no item in the Scales of Costs shall be allowed on taxation if the Registrar is of opinion that it was not necessary to do the work or incur the expense to which the item relates.

Counsel.

13. (1) No fee for counsel shall be allowed on taxation unless the judge certifies that the case is fit for counsel.

(2) Where a party appearing by counsel is awarded costs, but the costs of employing counsel are not allowed, he may be allowed such costs as he might have been allowed if he had appeared by a solicitor and not by counsel.

14. (1) There may be allowed in respect of the attendance of parties, and, whether or not the same have been paid before taxation, of witnesses, such reasonable amounts as the Registrar thinks fit.

Compensation to parties and witnesses and miscellaneous.

(2) Where costs are taxed on Scale II, III or IV and no provision is made in the Scale with respect to any particular matter the Registrar may allow reasonable costs therefor on taxation.

FIRST SCHEDULE. [rule 3(1).]

Scales of Costs.

1. There shall be four Scales namely Scale I, Scale II, Scale III and Scale IV.

2. The Scale of Costs applicable to a sum of money only shall be as follows—

Sum of money		Scale applicable
Exceeding \$50	but not exceeding \$200	Scale I
" \$200	" \$500	Scale II
" \$500	" \$2,000	Scale III
" \$2,000		Scale IV

3. Reference in the Scales to Counsel is in all cases subject to rule 13 hereof.

SCALE I.

(Actions exceeding \$50 but not exceeding \$200).

- 1. Instructions for claim, counterclaim or other proceedings including letter before action and preparing writ or other originating process, attending issuing and service ..... \$8.00  
(Note: No copies for service will be allowed)
- 2. Instructions to defend including drawing defence or other answer and attending and entering ..... \$4.00
- 3. Substituted service—
  - (a) if service by solicitor, to include attendances, making appointments to serve summons, preparing and attending to swear and file affidavits and to obtain order, and the fees paid for oaths ..... \$20.00
  - (b) if service by Bailiff, for attendances to request steps to be taken and to obtain order ..... \$10.00
- 4. Plaintiffs' or defendants' solicitor preparing for and attending trial with or without counsel per diem ..... \$25.00  
(Note: Where counsel is not instructed and the judge who heard the action or matter is satisfied from the nature of the case or the conduct of the proceedings that a higher charge is justified, this item may be increased to a sum not exceeding \$50 per diem.)

5. Attending at court or in chambers on any application to judge in the course of or relating to the proceedings, including notice and service, and brief where counsel is instructed—	
(a) without counsel .....	\$4 to 25
(b) with counsel .....	\$4 to 10
6. Drawing brief for counsel per folio .....	50¢
7. Counsel's brief fee per diem .....	\$40 to 100
8. Refresher per diem .....	\$40.00
9. Attending to hear judgment .....	\$6.00
10. Attending taxation (including all costs connected therewith) .....	\$5.00
11. Attending to serve any notice or document other than a writ ...	\$4.00
12. Drawing and engrossing notice to produce, notice to admit, summons for review or to set aside judgment, including copies, service and attending the Registry therewith .....	\$5.00
13. Receiving any of the above notices and advising thereon .....	\$4.00
14. Necessary disbursements for counsel fees, advertisements and certified translations .....	—

SCALES II, III AND IV.

Item No.	Details of items	Scale II	Scale III	Scale IV
<i>Taking Instructions.</i>				
1.	(1) To sue or defend; or	} \$4 to 10	} \$4 to 15	} \$6 to 25
	(2) To counterclaim or oppose counterclaim; or			
	(3) To interplead or to claim or oppose claim in interpleader proceedings; or			
	(4) To file or oppose an originating application or petition, or third-party notice, or application to set aside a judgment or for review; or			
	(5) To take or oppose garnishee proceedings; or			
	(6) To appeal or oppose an appeal to a Court; or			
	(7) For preparing any document or making or opposing any application not otherwise provided for, where in the opinion of the Registrar the document or application, and instructions therefor, were necessary			
<i>Particulars of Claims, etc.</i>				
2.	Preparing particulars of claim or originating application, petition, or process for entry of appeal to the			

Item No.	Details of items	Scale II	Scale III	Scale IV
	Court, or particulars of counterclaim, or third-party notice; preparing defence (to claim or counterclaim), answer or reply if ordered .....	\$4 to 15	\$4 to 25	\$6 to 40
	<i>(Note: This item includes copies and is only to be allowed where the document is signed by the solicitor.)</i>			

*Preparation of Documents.*

3.	Preparing any necessary document not otherwise provided for, and all necessary copies thereof, including instructions to counsel to settle any pleadings or other document or to advise on merits before action brought .....	\$2 to 4	\$3 to 6	\$4 to 6
	Per folio beyond five .....	75¢	75¢	75¢

*Copies.*

4.	For copies of documents (including brief) not otherwise provided for which the Registrar considers necessary:			
	Per folio .....	40¢	40¢	40¢
	<i>(Note: Half the charge to be allowed for carbon copies.)</i>			

*Perusing.*

5.	Any document not otherwise provided for which the Registrar is satisfied justifies a charge for perusal:			
	Per folio .....	75¢	75¢	75¢

*Preparing for Trial.*

6.	Preparing for trial of action or matter .....	\$25 to 75	\$40 to 150	Such sum as is fair and reasonable in all the circumstances, not exceeding \$300.
	<i>(Note: This item is intended to cover the work of preparing for trial not otherwise provided for, namely considering facts, evidence and law, preparation of notes of facts or argument, interviewing witnesses and taking proofs of their evidence, preparing and serving notices to produce and admit documents, and to admit facts, perusing such notices and correspondence, and, where counsel is instructed, instructions for and drawing brief, and attending counsel therewith.)</i>			

Item No.	Details of items	Scale II	Scale III	Scale IV
<i>Attendances.</i>				
7.	At court on trial of action or matter for each five hour day—			
	(a) without counsel—not exceeding .....	\$50	\$100	\$200
	(b) with counsel—not exceeding ...	\$25	\$ 35	\$ 50
8.	At court where trial is adjourned without hearing for want of time or upon payment of the costs of the day—			
	(a) without counsel .....	\$15	\$ 20	\$ 30
	(b) with counsel .....	\$10	\$ 15	\$ 20
9.	At court or in chambers on any application to judge in the course of or relating to the proceedings, including notice and service, and brief where counsel is instructed—			
	(a) without counsel .....	\$4 to 25	\$6 to 40	\$10 to 60
	(b) with counsel .....	\$4 to 10	\$6 to 15	\$10 to 20
	(Notes to items 6, 7, 8 and 9— <i>Note 1:</i> These items also apply to an arbitration, inquiry or reference, but item 6 may only be allowed once in the same proceedings. If the reference or inquiry was directed at the trial and the reference or inquiry began on the same day, item 7 may only be allowed once in respect of that day. <i>Note 2:</i> In proceedings transferred from the Supreme Court item 6 includes instructions for brief in the Supreme Court or any charge in lieu thereof.)			
10.	To lodge papers, when proceedings transferred to the Court, including preparation of all necessary documents .....	\$15	\$15	\$15
11.	On examination of witness under rule 9 of Order 7, rule 2 of Order 14 or rule 1 of Order 17 of the Code for each hour .....	\$10	\$15	\$20
12.	Where in consequence of anything done by the opposite party during the proceedings, attendance on the client is necessary to advise or receive instructions, for each attendance not otherwise provided for .....	\$ 5	\$6 to 10	\$6 to 15
13.	(a) To obtain or give any necessary and proper consent or admission .....	\$10	\$10	\$10

Item No.	Details of items	Scale II	Scale III	Scale IV
	(b) Upon the opposite party, for each attendance not otherwise provided for .....	\$10	\$10	\$10
	(c) To arrange for attendance of a witness without subpoena ...	\$ 5	\$ 5	\$ 5
	(d) On counsel in conference in chambers where counsel's fee allowed under item 28 (to include appointing conference)	\$10	\$15	\$30
	( <i>Note to items 12 and 13 (a) and (b)</i> —If the attendance is by telephone half of the charge is to be allowed. <i>Note to item 13(c)</i> —Only one charge is to be allowed where only one attendance is necessary to arrange for more than one witness.)			
14.	At court to hear a deferred judgment or on further consideration pursuant to rule 56 of Order 30 of the Code or on entry of judgment on award or report—			
	(a) without counsel .....	\$15	\$20	\$30
	(b) with counsel .....	\$10	\$15	\$20
15.	At court or in chambers on hearing of application for payment by instalments or for stay of execution if costs allowed by judge and for each attendance where the hearing is not concluded on the day on which it is commenced—			
	(a) without counsel .....	\$15	\$15	\$15
	(b) with counsel .....	\$10	\$10	\$10
16.	On deponent being sworn to an affidavit .....	\$ 5	\$ 5	\$ 5
	( <i>Note:</i> This charge may be allowed where the solicitor or his clerk is the deponent.)			
17.	To deliver any document pursuant to any District Court Rule .....	\$ 5	\$ 5	\$ 5
18.	Any attendance at the Registry, not otherwise provided for, which the Registrar is satisfied justifies a charge .....	\$ 5	\$ 5	\$ 5
<i>Service.</i>				
19.	Of any document required to be served personally including copy ...	\$5 to 10	\$5 to 10	\$5 to 12
20.	Of any document authorized to be served by post, including copy ...	\$ 2	\$ 2	\$ 2

Item No.	Details of items	Scale II	Scale III	Scale IV
	(Notes to items 19 and 20— <i>Note 1:</i> Where any two or more documents to be served on the same party have been or could have been served together, one charge only for service is to be allowed. <i>Note 2:</i> Where two or more parties have been or could have been served together, one charge only for service is to be allowed. <i>Note 3:</i> Where two or more defendants were served at the same address, only one charge is to be allowed under item 19. <i>Note 4:</i> These items are not to be allowed where item 21(a) is applicable.)			
21.	Substituted service— (a) if service by solicitor, to include attendances, making appointments to serve summons, preparing and attending to swear and file affidavits and to obtain order, and the fees paid for oaths ..... (b) if service by Bailiff, for attendances to request steps to be taken and to obtain order	\$20	\$20 to 30	\$25 to 50
22.	For process out of the jurisdiction, to include drawing, copying, attending to swear and file all affidavits and to obtain order, and the fees paid for oaths ..... <i>Letters, etc.</i>	Such sum as the Registrar thinks reasonable.		
23.	Letter before action .....	\$ 5	\$ 5	\$ 5
24.	Letters in lieu of attendances which could properly be allowed under items 12, 13, 17 and 18 .....	\$ 5	\$ 5	\$ 5
25.	Circular letters .....	\$ 2	\$ 2	\$ 2
	<i>Taxation of Costs.</i>			
26.	(a) For taxation of the costs of the action or matter, to include preparing bill, all necessary copies and notice, service, obtaining appointment to tax and attending taxation ..... (b) For any other taxation, to include preparing bill, all necessary copies and notice, service, obtaining appointment to tax and attending taxation .....	\$15	\$20	\$25
		\$10	\$10 to 15	\$15 to 20

Item No.	Details of items	Scale II	Scale III	Scale IV
	<i>Disbursements: Fees to Counsel.</i>			
27.	With brief on trial or hearing .....	\$75 to 150	\$100 to 300	\$200 to 800
28.	On conference in chambers or elsewhere, if the fee was marked on the brief when delivered, or in the opinion of the Registrar the conference was necessary .....	\$25	\$50	\$50
29.	And for leading counsel if case certified fit for more counsel than one .....	—	\$75	\$75
30.	(a) Where trial or hearing of action is not concluded on day on which it is commenced or is adjourned for want of time or on payment of the costs of the day, for each day or part of day on which it is continued ..... (b) With brief on application in the course of or relating to proceedings; with brief on an examination of witnesses under rule 9 of Order 7, rule 2 of Order 14 or rule 1 of Order 17 of the Code .....	\$70 to 100	\$70 to 150	\$100 to 175
31.	(a) For settling any document which in the opinion of the Registrar is proper to be settled by counsel ..... (b) For advising on evidence ..... (c) For advising on merits before action brought .....	\$50	\$50 to 75	\$75 to 100
	(Note: Items 31(b) and (c) may be allowed only if the advice is given in writing and in the opinion of the Registrar it was proper to obtain it. <i>Notes to items 27, 28, 29, 30 and 31—</i> <i>Note 1:</i> These items apply to an inquiry or reference. <i>Note 2:</i> Fees to counsel are not to be allowed unless the payment of them is vouched by the signature of counsel.)	\$50	\$50 to 75	\$75 to 100
	<i>Plans, photographs, etc.</i>			
32.	For plans, drawing, charts, photographs or models for use at the trial, which in the opinion of the judge or Registrar it was reasonable to obtain .....	The sum actually and reasonably paid.		

Item No.	Details of items	Scale II	Scale III	Scale IV
	<i>Miscellaneous.</i>			
33.	(a) For obtaining any documentary evidence or police reports or statements from the police which in the opinion of the judge or Registrar it was reasonably necessary to obtain for the purpose of the action or matter, and ..... (b) for an advertisement in pursuance of an Order for substituted service by advertisement .....	The sum actually and reasonably paid.		
34.	For oaths .....	Sum paid, unless included in another item.		
35.	For postages, carriage and transmission of documents, a sum not exceeding .....	\$ 5	\$ 5	\$ 5
	<i>Translations.</i>			
36.	Certified translations, including attending for and obtaining certificate, per folio .....	\$ 1	\$ 1	\$ 1

SECOND SCHEDULE. [rule 3(2).]

*Fixed Costs.*

PART I.

*Writs and Garnishee Summonses.*

1. Tables I and II hereunder show the amount to be entered on the writ or summons in respect of solicitor's charges—
  - (a) in an action for the recovery of a sum of money for the purpose of paragraph (1) of rule 14 of the District Court Civil Procedure (General) Rules, 1963 and of Part II of this Schedule; or
  - (b) in garnishee proceedings for the purpose of rule 45 of Order 17 of the Code; or
  - (c) in an action for the recovery of property, including land, with or without a claim for a sum of money, for the purpose of rule 14 of the said rules or of Part II of this Schedule.
2. The amounts entered in accordance with Tables I and II hereunder shall be increased by—
  - (a) a sum equal to the appropriate court fees;
  - (b) \$10 for every defendant after the first defendant;
  - (c) such amount as may be assessed by the Registrar in the case of substituted service.
3. Tables I and II hereunder shall not apply where the writ is to be served out of the jurisdiction.

TABLE OF FIXED COSTS.

TABLE I.

*Writ for sum of money or garnishee summonses.*

Scale	Sum of Money		On Writ		On Garnishee Summonses	
	Exceeding	But Not Exceeding	Where Service is not by a Solicitor	Where Service is by a Solicitor	Where Service is not by a Solicitor	Where Service is by a Solicitor
I	\$50	\$200	\$10	\$15	\$10	\$15
II	\$200	\$500	\$30	\$35	\$20	\$30
III	\$500	\$2,000	\$40	\$50	\$20	\$30
IV	\$2,000	—	\$50	\$60	\$40	\$50

TABLE II.

*Writ for recovery of property, including land.*

- |   |      |
|---|------|
| (a) Where service is not by a solicitor ..... | \$40 |
| (b) Where service is by a solicitor .....     | \$50 |

PART II.

*Judgment.*

The amount to be included in the judgment in respect of the plaintiffs' solicitor's charges shall be the amount entered on the writ and in addition the amount shown below under the Scale applicable to the proceedings—

	Scale I	Scale II	Scale III	Scale IV or Recovery of Property, including Land
1. Where judgment is entered or given—				
(a) in default of appearance (including affidavit and attendances);				
(b) in default of defence; or				
(c) upon the defendants' admission or consent, or summarily .....	\$15	\$20	\$30	\$40
2. Where judgment is upon a trial <i>ex parte</i> —				
(a) where no defence has been filed ...	\$25	\$35	\$40	\$60
(b) where a defence has been filed ...	\$35	\$50	\$60	\$80

*Note:*

1. Where the judgment is for part of the claim, the Scale shall be determined by reference to the amount of such part.
2. Subject to any order as to costs, where the plaintiff's solicitor has necessarily attended court more than once, a further sum of \$10 shall be allowed in respect of each such additional attendance.

## PART III.

*Executions.**Fixed Costs on the Issue of Execution to Enforce a Judgment or Order.*

Where execution is issued against a judgment debtor or garnishee for the purpose of enforcing a judgment or order obtained against him the following fixed costs shall be allowed to the judgment creditor's solicitor and be entered on the writ of execution.

<i>Amount for which execution issued</i>	<i>Amount of fixed costs</i>
Exceeding \$50 but not exceeding \$200 .....	\$15
Exceeding \$200 but not exceeding \$500 .....	\$25
Exceeding \$500 but not exceeding \$2,000 .....	\$40
Exceeding \$2,000 .....	\$70

## THIRD SCHEDULE.

[rule 3(3)(b).]

*Assessment of Costs.*

The amounts which, pursuant to rule 3(3)(b) may be allowed by the Registrar where the solicitor for a party in whose favour costs have been awarded desires them to be assessed without taxation, in addition to—

- (i) court fees,
  - (ii) allowances to witnesses, and
  - (iii) such sum as shall be assessed by the Registrar for substituted service,
- are as follows—

## TABLE.

<i>Scale</i>	<i>Amount of assessed costs</i>
Scale II (exceeding \$200 but not exceeding \$500) .....	\$ 50 to 100
Scale III (exceeding \$500 but not exceeding \$2,000) .....	\$ 75 to 200
Scale IV (exceeding \$2,000) .....	\$150 to 300

*Dated the 8th day of March, 1963.*



*Chief Justice.*

*Judge of the District Court.*

*Judge of the District Court.*

*Judge of the District Court.*

*Judge of the District Court.*

*of the Bar Association of Hong Kong.*

*of the Incorporated Law Society of Hong Kong.*

*Registrar, Supreme Court.*

(Secretariat GR20/3231/52)

DISTRICT COURT (CIVIL JURISDICTION AND PROCEDURE)  
ORDINANCE, 1962.

(No. 22 of 1962).

**DISTRICT COURT CIVIL PROCEDURE (FEES) RULES, 1963.**

In exercise of the powers conferred by section 48 of the District Court (Civil Jurisdiction and Procedure) Ordinance, 1962, the District Court Rules Committee has made the following rules—

1. These rules may be cited as the District Court Civil Procedure (Fees) Rules, 1963, and shall come into operation on the day appointed for the commencement of the District Court (Amendment) Ordinance, 1962. Citation and commencement. (21 of 1962).
2. For the purposes of these rules, a folio shall be calculated as seventy-two words, each figure being counted as one word. Folio.
3. The fees specified in the Schedule shall be payable in respect of all proceedings taken in any action or matter whatsoever in the Court whenever commenced, save where express provision is made by any other enactment in respect of any particular form of proceedings. Fees. Schedule.
4. Save where otherwise provided in the Schedule, the fees therein specified shall be payable either by adhesive stamps or by causing the relevant document to be franked with the amount of the relevant fee. Payment of fees.
5. Where, in relation to any particular proceedings in the Court, a fee is specified in the Schedule, that fee shall be payable in substitution for and not in addition to any general fee specified in the Schedule. Saving of special fee.
6. Where by reason of the amendment of any claim, counterclaim, originating application or petition, the fee payable on such document is increased, the amount of such increase shall be payable by the party at whose instance the document is amended. Amendment of document.
7. The Registrar may reduce, remit or defer payment of any fee specified in the Schedule as he may think fit in any particular case and shall, in every case where he exercises this power, endorse on the relevant document a note of such reduction, remission or deferment and of the reason therefor. Power of Registrar.
8. These rules shall apply to all proceedings by or against the Crown. Application to the Crown.
9. The District Court Civil Procedure (Fees) Rules, 1955 are revoked. Revocation. (G.N.A. 136/55).

## SCHEDULE.

[rule 3]

*Writs of summons, subpoenas, and appearances.*

1. (a) Writ of summons, petition or other originating process (including service, setting down and hearing)—	\$
where the claim does not exceed \$500 .....	2.00
where the claim exceeds \$500 but does not exceed \$2,000 ...	5.00
where the claim exceeds \$2,000 .....	10.00
for the recovery of land .....	10.00
in any other action or proceeding .....	10.00
(b) On entering an appeal .....	10.00
2. Concurrent or renewed writ of summons (including service, setting down and hearing) .....	3.00
3. Interpleader summons (including service, hearing and order)—	
where the value of the property claimed does not exceed \$500 .....	2.00
where the value of the property claimed exceeds \$500 but does not exceed \$2,000 .....	5.00
where the value of the property claimed exceeds \$2,000 ...	10.00
<i>Note: The value shall be estimated by the plaintiff, subject to the power of the Registrar to re-value.</i>	
4. Subpoena and copy including service, each witness—	
where the claim does not exceed \$500 .....	1.00
where the claim exceeds \$500 but does not exceed \$2,000 ...	2.00
where the claim exceeds \$2,000 .....	3.00
in any other action or proceeding (other than on the order of a judge or registrar) .....	3.00

*Writs of execution, etc.*

5. (a) Any writ of execution (including service) for enforcement of a judgment debt—	
where the amount for which execution issues does not exceed \$500 .....	3.00
where the amount exceeds \$500 but does not exceed \$2,000 ...	5.00
where the amount exceeds \$2,000 .....	15.00
(b) any other form of execution .....	10.00
6. Prohibitory order or garnishee order and copy (including service)	
Each additional copy .....	3.00
7. Warrant before judgment for arrest of a defendant or for attachment of property, including service .....	10.00
8. Writ of foreign attachment and copy, including service .....	10.00
Settling and filing bond .....	4.00
Certificate of dissolution of foreign attachment on satisfaction of the judgment .....	5.00
Registrar's order for seizure of property .....	5.00
9. Application for appointment of receiver by way of equitable execution .....	15.00

10. On application for a charging order under section 25 of the Partnership Ordinance or application by a partner to redeem or purchase .....	\$ 15.00	(Cap. 38).
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*Summons, Application, Order, etc.*

11. Issuing judge's summons, summons, filing <i>ex parte</i> application or notice of motion, including service when necessary .....	6.00
12. Application or notice to restore .....	1.00
13. Application for review .....	6.00
14. Drawing up and filing any decree or order not hereinbefore referred to, including copy .....	4.00
Each additional copy .....	2.00
15. On lodging with the Registrar an order of the Supreme Court transferring an action, counterclaim or matter from that Court to the District Court, or directing the trial of an issue in the District Court .....	10.00

*Pleadings, issues, references, etc.*

16. Filing any pleading and sealing copy inclusive of signature of Registrar .....	5.00
17. Filing any amended pleading and sealing copy inclusive of signature of Registrar .....	3.00
18. Filing any special case .....	10.00
19. Filing any issue .....	12.50
20. Order of reference for taking of accounts, etc. and filing same .....	15.00
21. Order of reference to arbitration and filing same .....	7.50
22. Application to file award in court, when arbitration has been without the intervention of the court .....	7.50
23. Notice of equitable or special defence (including service) .....	5.00
<i>Note: Where pleadings by letter are ordered, no fees are payable thereon.</i>	

*Taking evidence, affidavits, etc.*

24. Administering any oath or taking any declaration in the Registry .....	1.00
25. Filing any affidavit or declaration .....	1.00
26. Administering any oath or taking any declaration outside the Registry (other than oath or declaration of a debtor in prison) .....	10.00
27. Marking every exhibit attached to any affidavit or declaration ...	0.25
28. For every witness examined <i>de bene esse</i> by the judge, Registrar or other officer, in the court house, including oath, per day or part of a day .....	15.00
29. For every witness examined <i>de bene esse</i> by the judge, Registrar or other officer outside the court house, including oath, per day or part of a day .....	25.00
30. Attendance of any Government officer to produce or prove in the District Court any record or document called by any party other than the Crown .....	10.00

31. Attendance of any Government officer to give any other evidence in the District Court— \$
- When called as an expert ..... To be fixed by the Registrar from time to time at his discretion.
- When not called as an expert—
- Per hour or portion of an hour of attendance in court, in chambers or in the Registry..... 10.00
- Note:* The above fees Nos. 30 and 31 are to be paid to the Registrar of the District Court in cash.

*Copies, translations, receipts, searches.*

32. Copy of any document (including pleadings) made in the Registry and certifying same, per folio ..... 0.75
33. Translation of any document made in the Registry and certificate per folio ..... 1.50
34. Certifying translation made elsewhere, per folio ..... 0.75
35. Every receipt for a document or documents ..... 0.75
36. Every search in the Registry, for each register, file or document referred to or required ..... 2.00
- Note:* Translations ordered by a judge may be made without fee if a judge or the Registrar shall so order.

*Bailiff's Expenses.*

37. Possession money, for each man in possession, per diem (to be paid in cash) ..... 5.00
38. Transportation or conveyance expenses, accordance to distance and time (to be paid in cash) ..... In the discretion of the Registrar.

*Certificates.*

39. Any certificate of a judge, Registrar or other officer of the Court not hereinbefore referred per folio of the document certified (Minimum fee—\$4.00) ..... 0.25

*Taxation of Costs.*

40. Signing every appointment to tax a bill of costs ..... 2.00
41. Taxing every bill—
- If the bill does not exceed \$500 ..... 3.00
- For every \$100 or part of \$100 charged in excess of the first \$500 ..... 1.50
42. On an application to the judge to review a taxation ..... 4.00

*Miscellaneous.*

43. Approving, settling and/or filing any bond ..... \$ 4.00
44. Filing any notice or document not hereinbefore referred to ..... 1.00
45. Sealing any document not hereinbefore referred to ..... 2.50
46. Settling any notice, document or advertisement, per folio ..... 0.50
47. Amending (and service when necessary) any writ, document, etc. (except amendment of the return date on any writ or other proceeding, for which no fee is payable) ..... 3.00
48. Any other matter or proceeding not hereinbefore referred to ... Such fee as may be determined by the Registrar in his discretion not exceeding \$10.

*Dated the 8th day of March, 1963.*

*Michael Bogan*

*Chief Justice.*

*Judge of the District Court.*

*Judge of the District Court.*

*Judge of the District Court.*

*Judge of the District Court.*

*of the Bar Association of Hong Kong.*

*of the Incorporated Law Society of  
Hong Kong.*

(Secretariat GR20/3231/52)

*Registrar, Supreme Court.*

**STAMP ORDINANCE.**

(Chapter 117).

**STAMP (BANK AUTHORIZATION) ORDER, 1963.**

In exercise of the power vested in me by section 15 of the Stamp Ordinance, I hereby make the following Order—

**ORDER.**

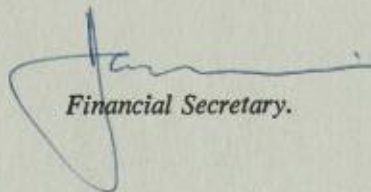
1. This Order may be cited as the Stamp (Bank Authorization) Citation Order, 1963.

2. The bank specified in the Schedule to this Order is hereby authorized to compound for the payment of duty on unstamped cheques subject to the conditions stated in paragraphs (a), (b) and (c) of subsection (1) of section 15 of the Ordinance.

Specified bank authorized to compound for the payment of certain duty.

**SCHEDULE.**

Wing Hang Bank, Ltd.

  
*Financial Secretary.*

9th March, 1963.

(Secretariat FIN18/2321/49)

REGISTRATION OF PERSONS ORDINANCE, 1960.  
(No. 18 of 1960).

REGISTRATION OF PERSONS (RE-REGISTRATION)  
(NO. 10) ORDER, 1963.

In exercise of the powers conferred by section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

1. This Order may be cited as the Registration of Persons Citation. (Re-registration) (No. 10) Order, 1963.

2. Every person specified in the Schedule is required to register again in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder.

Category of persons required to re-register.  
(18 of 1960).

SCHEDULE.

Every person being resident in Hong Kong, Kowloon or Tsuen Wan, being the holder of an Identity Card which bears a registration number in the series 785,001 to 800,000 and the family, if any, of such holder.

This Order does not apply to old Identity Cards bearing the suffix "A".

By Command,



12th March, 1963.

(Secretariat D/RPO)

REGISTRATION OF PERSONS ORDINANCE, 1960.  
(No. 18 of 1960).

REGISTRATION OF PERSONS (RE-REGISTRATION)  
(NO. 11) ORDER, 1963.

In exercise of the powers conferred by section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

1. This Order may be cited as the Registration of Persons Citation. (Re-registration) (No. 11) Order, 1963.

2. Every person specified in the Schedule is required to register again in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder.

Category of persons required to re-register. (18 of 1960).

SCHEDULE.

Every person being resident in Hong Kong, Kowloon or Tsuen Wan, being the holder of an Identity Card which bears a registration number in the series 800,001 to 815,000 and the family, if any, of such holder.

This Order does not apply to old Identity Cards bearing the suffix "A".

By Command,



Colonial Secretary.



18th March, 1963.  
(Secretariat D/RPO)

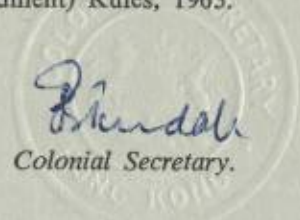


SUPREME COURT ORDINANCE.

(Chapter 4).

It is hereby notified that, pursuant to section 37(6)(d) of the Supreme Court Ordinance, the rules of court specified hereunder, which have been certified under the hand of the Chief Justice, have been received by His Excellency the Governor and are published:—

Supreme Court Fees (Amendment) Rules, 1963.



*Richard*  
Colonial Secretary.

18th March, 1963.

SUPREME COURT ORDINANCE.

(Chapter 4).

**SUPREME COURT FEES (AMENDMENT) RULES, 1963.**

In exercise of the powers conferred by section 37 of the Supreme Court Ordinance, the Rules Committee, hereby make the following rules—

1. These rules may be cited as the Supreme Court Fees (Amendment) Rules, 1963. Citation.

2. The First Schedule to the Supreme Court Fees Rules, 1955 is amended by the deletion in item 59 of the fee "5.00" and the substitution therefor of the fee "8.00". Amendment of First Schedule.

Dated the 21st day of February, 1963.



*Michael 460*  
Chief Justice.

Senior Puisne Judge.



*Puisne Judge.*

*Puisne Judge.*

*Puisne Judge.*

*Acting Puisne Judge.*

*DAZ Wright*  
Member.

*[Signature]*  
Member.

Pursuant to section 37(6)(d) of the Supreme Court Ordinance I hereby certify that the foregoing rules have been made by the requisite quorum of the Rules Committee under and by virtue of section 37(6) of that Ordinance.

*Michael Boy*  
Chief Justice.

(Secretariat GR39/2961/46)

LAND REGISTRATION ORDINANCE.  
(Chapter 128).

LAND REGISTRATION FEES (AMENDMENT)  
REGULATIONS, 1963.

In exercise of the powers conferred by section 27 of the Land Registration Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Land Registration Fees (Amendment) Regulations, 1963 and shall come into operation on the 1st day of April, 1963. Citation and commencement.

2. The Schedule to the Land Registration Fees Regulations, 1957, is amended— Amendment of the Schedule. (G.N.A. 104/57).

(a) by the revocation of Item 6 and its replacement by the following—

“6. A search in the Land Office—  
For each record produced ..... \$1:

Provided that where more than 100 records relating to the same sub-divided building or proposed building are produced at the same time the maximum fee payable shall be ..... \$100.”

(b) by the substitution of a colon for the full stop at the end of paragraph (1) of Item 9 and the addition thereto of the following—

“Provided that where the folio of a Land Office register is a record card the fee shall be as follows—

For verifax reproduction of two sides of the same record card in a sub-division register ... \$3.”

*[Signature]*  
Clerk of Councils.

COUNCIL CHAMBER,  
26th March, 1963.

*Explanatory Note.*

*(This Note is not part of the regulations, but is intended to indicate their general purport.)*

The purpose of these regulations is to amend the search fee payable in the Land Office so as to provide that for each document, register, memorial or bound volume of memorials produced a fee of \$1 is payable. A maximum fee of \$100 is payable in respect of the records relating to any one sub-divided building.

The opportunity has been taken to make provision for a reduced fee to be paid for the verifax reproduction of two sides of a record card relating to a flat in a sub-divided building.

(Secretariat BL8/741/52)



## DISTRICT COURT ORDINANCE, 1953.

(No. 1 of 1953).

**DISTRICT COURT CIVIL PROCEDURE (FEES) (AMENDMENT)  
RULES, 1963.**

In exercise of the power conferred by section 22(3) of the District Court Ordinance, 1953, the District Court Rules Committee hereby make the following rules—

1. These rules may be cited as the District Court Civil Procedure Citation, (Fees) (Amendment) Rules, 1963.
2. The Schedule to the District Court Civil Procedure (Fees) Rules, 1955 is amended by the deletion in item 37 of the figures "5.00" and the substitution therefor of the following—  
"8.00".

Amendment  
of Schedule.  
(G.N.A.  
136/55).

*Dated the 21st day of February, 1963.*

*Michael Boyer*  
Chief Justice.

Registrar.

District Judge.

District Judge.

District Judge.

*Acting District Judge.*

*Acting District Judge.*

*Acting District Judge.*

*Member.*

*Member.*

(Secretariat GR3/3231/53)

REGISTRATION OF PERSONS ORDINANCE, 1960.  
(No. 18 of 1960).

REGISTRATION OF PERSONS (RE-REGISTRATION) (NO. 12)  
ORDER, 1963.

In exercise of the powers conferred by section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

1. This Order may be cited as the Registration of Persons (Re-registration) (No. 12) Order, 1963. Citation.

2. Every person specified in the Schedule is required to re-register in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder. Persons required to re-register.  
(18 of 1960).

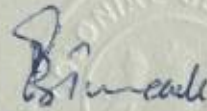
SCHEDULE.

Every holder of any identity card issued before 1st June, 1960, resident in the undermentioned villages in the New Territories, and the family, if any, of such holder.

TUEN MUN SUB-DISTRICT (屯門)

District Serial No.	Place Name	District Serial No.	Place Name
1.	Chung Uk (鐘屋村)	16.	Tai Lam Chung (大柘涌)
2.	Fu Tei (虎地村)	17.	Tin Fu Tsai (田夫仔)
3.	Ho Tin (河田村)	18.	To Yuen Wai (桃園圍)
4.	Kei Lun Wai (鯉麟圍)	19.	Tseng Tau Wai (井頭圍)
5.	Lam Tei (藍地村)	20.	Tsing Chuen Wai (青磚圍)
6.	Leung Tin (良田村)	21.	Tsing Shan Keuk (青山脚)
7.	Nai Wai (泥圍)	22.	Tsing Shan Tsuen (青山村)
8.	Po Tong Ha (寶塘下)	23.	Tsz Tin Tsuen (紫田村)
9.	Sam Shing Hui (三聖圩)	24.	Tuen Mun San Hui (屯門新圩)
10.	San Hing Tsuen (新慶村)	25.	Tuen Tsz Wai (田子圍)
11.	San Tsuen (新村)	26.	Yeung Siu Hang (楊小坑)
12.	San Wai Tsai (新圍仔)		
13.	Shun Fung Wai (順風圍)		
14.	Siu Hang (小坑)		
15.	So Kun Wat (掃管窰)		

By Command,

  
Colonial Secretary.

26th March, 1963.

(Secretariat D/RPO)

REGISTRATION OF PERSONS ORDINANCE, 1960.  
(No. 18 of 1960).

REGISTRATION OF PERSONS (RE-REGISTRATION)  
(NO. 13) ORDER, 1963.

In exercise of the powers conferred by section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

1. This Order may be cited as the Registration of Persons Citation, (Re-registration) (No. 13) Order, 1963.

2. Every person specified in the Schedule is required to register again in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder.

Category of  
persons  
required to  
re-register.  
(18 of 1960).

SCHEDULE.

Every person being resident in Hong Kong, Kowloon or Tsuen Wan, being the holder of an Identity Card which bears a registration number in the series 815,001 to 830,000 and the family, if any, of such holder.

This Order does not apply to old Identity Cards bearing the suffix "A".

By Command,

26th March, 1963.

(Secretariat D/RPO)



PROBATION OF OFFENDERS ORDINANCE, 1956.

(No. 57 of 1956).

**PROBATION OF OFFENDERS (AMENDMENT) RULES, 1963.**

In exercise of the powers conferred by section 12 of the Probation of Offenders Ordinance, 1956, the Governor in Council has made the following rules—

1. These rules may be cited as the Probation of Offenders (Amendment) Rules, 1963. Citation.

2. The Probation of Offenders Rules, 1958 (hereinafter referred to as the principal rules) are amended by the addition after rule 25 of the following new rule—

Addition of  
new rule  
25A.  
(G.N.A.  
3/58).

\*Leave of  
absence.

**25A.** (1) The superintendent of an approved institution, or any member of his staff duly authorized by him, may at any time grant to a probationer, who is required to reside in the approved institution, leave of absence from the approved institution—

- (a) for any period not exceeding twelve hours where such absence is in accordance with the purpose of the probation order and the conditions thereof; and
- (b) with the prior permission of the probation officer who has been entrusted with the supervision of the probationer, for any period for the purpose of employment or training, including any course of instruction or participation in any other activities outside the boundaries of the institution, whether or not such activities are conducted by a member of the staff of the institution.

(2) A probationer who is granted leave of absence shall proceed directly from the institution to such place as he may be directed by the superintendent or by a duly authorized member of his staff, and, if so directed, shall reside at such place.

(3) A probationer, who, without reasonable cause, fails to return to the institution before the expiry of his period of leave of absence or who leaves a place of employment or training or the place to which he has been directed by the superintendent or by a member of his staff, shall be deemed to be absent without leave and to have failed to comply with the conditions of residence.”.