

**Notification for Stakeholders about General Adjournment of
Court Proceedings
from 23 March 2020 to 5 April 2020**
(position as at 22 March 2020)

(I) General Arrangements

The Judiciary has made a public announcement today (March 22) that in view of the latest public health considerations, all hearings of the courts/tribunals originally scheduled from March 23 to April 5 will generally be adjourned. The courts will however continue to handle urgent and essential hearings and/or matters during this period. This notification supersedes that issued by the Judiciary on March 20.

2. A copy of the press release is at **Annex A**.

(II) Detailed Arrangements

(A) Overall

3. The General Adjourned Period (“GAP”) will initially be extended for two weeks from March 23 to April 5. In other words, all court proceedings will generally be adjourned during these two weeks. The duration of GAP will be subject to review having regard to the prevailing public health situation.

(B) Court Proceedings

4. For court hearings originally scheduled for March 23, parties will not get any separate notification and none of them will be heard except for fresh remand cases of the Magistrates’ Courts (“MCs”). But, the courts may continue to deal with cases on paper if the presiding Judge or Judicial Officer (“JJO”) considers them to be urgent and essential court business.

5. For court hearings originally scheduled between March 24 to April 5, they will not be held, unless they are urgent and essential business as directed by the presiding JJO. A list of urgent and essential business to be handled during these two weeks is at **Annex B**. Parties will be notified if their hearings will be held as scheduled during this period.

6. MCs will continue to operate using the holiday and Saturday sittings. Please see paragraph 10 below for details of the operating MCs.

7. The duty judge system will continue to operate.

(C) **Registries**

8. All registries and accounts offices will be closed in the coming two weeks, but they will support the urgent and essential business handled through the Duty Judge system as set out at **Annex B**.

9. The Judiciary will continue to review the scope of business that may be handled by the registries. If there are such changes, notifications will be issued to the stakeholders.

(III) Detailed Arrangements for the MCs

10. The MCs will continue to adopt basically the Holiday or Saturday sitting arrangement in the light of caseload and other factors. The detailed arrangements are as follows :

- (a) 23 Mar (Monday) : Tuen Mun Magistrates' Courts will open;
- (b) 24 Mar (Tuesday) : No Magistrates' Courts will open;
- (c) 25 Mar (Wednesday) : Wests Kowloon Magistrates' Courts will open;

- (d) 26 Mar (Thursday) : No Magistrates' Courts will open;
- (e) 27 Mar (Friday) : Kwun Tong Magistrates' Courts will open;
- (f) 28 Mar (Saturday) : the usual Saturday sitting will be adopted, i.e. Eastern Magistrates' Courts, Kowloon City Magistrates' Courts and Shatin Magistrates' Courts will open;
- (g) 29 Mar (Sunday) : No Magistrates' Courts will open;
- (h) 30 Mar (Monday) : Fanling Magistrates' Courts will open;
- (i) 31 Mar (Tuesday) : No Magistrates' Courts will open;
- (j) 1 April (Wednesday) : Eastern Magistrates' Courts will open;
- (k) 2 April (Thursday) : No Magistrates' Courts will open;
- (l) 3 April (Friday) : Tuen Mun Magistrates' Courts will open;
- (m) 4 April (Saturday) : Shatin Magistrates' Courts will open; and
- (n) 5 April (Sunday) : No Magistrates' Courts will open.

11. If there are urgent and essential trials, they may be held at MC(s) other than the ones indicated above.

(IV) Contacts

12. If stakeholders have any questions about the detailed arrangements for the above matters, particularly those relating to the urgent and essential court business, please contact the following officers for the respective courts during the office hours :

(a) High Court

For urgent and essential apostilles and bankruptcy (objections to discharge applications) related matters

- Mr Kenneth Tsang, Senior Judicial Clerk I (Resource Centre) at 2825 0571
- Mr Larry Ngan, Senior Judicial Clerk II (High Court Registry) at 2825 0401

For urgent civil business for the Court of Appeal, urgent and essential criminal matters including bail-related hearings, and bankruptcy (non-commencement orders) related matters

- Ms Terri Tang, Clerk of Court at 2825 4383
- Miss Cynthia Leung, Judicial Clerk (Civil) at 2825 4672

For urgent grants of probate

- Ms Memory Wong, Chief Probate Officer at 2825 0619

(b) District Court

- Ms Clare Tsang, Chief Judicial Clerk (Courts) at 2582 4000
- Ms Anny Tam, Chief Judicial Clerk (Registry) at 2582 4200

- Mr Wing Lau, Senior Judicial Clerk II (Registry)¹ at 2582 5368
- Miss Jenny Kwok, Senior Judicial Clerk II (Registry)² at 2504 0766

(c) Family Court

- Ms Jolly Lam, Chief Judicial Clerk (Family Court) at 2582 5370

(d) Magistrates' Courts

- Ms Pauline Kwok, Senior Judiciary Executive (Magistracies) at 3916 6389

(V) Preventive Measures and Crowd Management

13. Having regard to the prevailing public health situation, despite the general adjournment of court proceedings, the Judiciary considers it necessary to continue putting in place some preventive measures and crowd management arrangements to regulate the people flow within the Judiciary premises, and avoid any gathering of crowds in confined areas including courtrooms and registry areas.

14. Court users who are subject to any quarantine requirement or medical surveillance of the Government should as soon as practicable apply to the court for permission of absence/inform the court with reasons for absence as appropriate.

15. The preventive and crowd management measures which will be implemented from March 23 include :

- (a) court users are required to undergo body temperature check and wear a surgical mask before they are allowed to enter and remain in the court premises. Any court user who has a fever / refuses to undergo body temperature check / does not wear a surgical mask will

be refused entry into or directed to leave the court premises;

- (b) court users entering the court premises are required to walk on the disinfectant floor mat at the entrances;
- (c) cleaning and disinfection of public areas, frequently-touched surfaces (such as door handles, lift buttons and escalator handrails) and public toilets are performed at a higher frequency as necessary;
- (d) the Canteen in the High Court Building and the Tuck Shop in the West Kowloon Law Courts Building will remain closed having regard to public health considerations;
- (e) to maintain social distancing, the seating capacity of courtrooms and lobbies are reduced by about 50%. In addition, capacity limits are set for confined areas such as registries and account offices to avoid crowding of users; and
- (f) court users are strongly advised to maintain good personal hygiene at all times and disinfect their hands frequently during their stay in the court premises. Alcohol-based handrub is provided at entrances, registries and courtrooms of all Judiciary premises.

16. Queuing and other crowd control management measures that are necessary to support the above arrangements, as well as security controls to limit the number of court users entering and remaining in the Judiciary premises, will be put in place as appropriate.

17. Court users are strongly advised to check the updated information from the Judiciary's website, and follow the advice

of the Judiciary staff and security personnel when they attend for court businesses.

(VI) Further Updates

18. The Judiciary will keep in view developments. If the Judiciary decides to introduce any further changes, we will continue to keep the stakeholders posted as soon as practicable.

19. Besides, the Judiciary will continue to post updated information, including Daily Cause Lists, messages related to the Judiciary's arrangements arising from public health considerations and advice to court users visiting the courts during this period, on the Judiciary website (www.judiciary.hk). Stakeholders are advised to check the website for updated information as necessary.

20. In particular, for the Bar Association and the Law Society, we should be grateful if you would continue to advise your members to check the website for updated information.

Judiciary Administration
22 March 2020

Announcement by Judiciary

The following is issued on behalf of the Judiciary:

Attention duty announcers, radio and TV stations:

Please broadcast the following as soon as possible and repeat it at suitable intervals:

The Judiciary today (March 22) announced that in view of latest developments in the public health situation, the General Adjourned Period (“GAP”), which has been in effect since January 29, will be extended for two week from March 23 until April 5 (Sunday), and be subject to review having regard to the prevailing public health situation. This announcement supersedes the one made on March 20.

Court Proceedings

[2.] No court proceedings will be held on March 23 (Monday) except for fresh remand cases at the Magistrates’ Courts. However, the courts may continue to deal with cases on paper if the presiding Judge or Judicial Officer considers them to be urgent and essential court business.

[3.] For court proceedings originally scheduled for March 24 (Tuesday) to April 5 (Sunday), they will generally be adjourned and will not be held unless they are urgent and essential as directed by the court. Parties will be notified if their hearings will be held as scheduled during these two weeks.

[4.] Other urgent and essential hearings will continue to be handled in accordance with the established mechanisms, including the Duty Judge system. The updated list of urgent and essential hearings and matters is uploaded onto the Judiciary website for reference of court users and the public.

[5.] The Magistrates' Courts will adopt basically the Holiday or Saturday sitting arrangement in the light of caseload and other factors. They will handle urgent and essential cases, including fresh remand cases and eight-day cases. The detailed arrangements are as follows:

March 23 (Monday)	Tuen Mun Magistrates' Courts will open
March 24 (Tuesday)	No Magistrates Courts' will open
March 25 (Wednesday)	West Kowloon Magistrates' Court will open
March 26 (Thursday)	No Magistrates Courts' will open
March 27 (Friday)	Kwun Tong Magistrates' Courts will open
March 28 (Saturday)	The usual Saturday sitting will be adopted, i.e. Eastern Magistrates' Courts, Kowloon City Magistrates' Courts and Shatin Magistrates' Courts will open
March 29 (Sunday)	No Magistrates' Courts will open
March 30 (Monday)	Fanling Magistrates' Courts will open
March 31 (Tuesday)	No Magistrates' Courts will open

April 1 (Wednesday)	Eastern Magistrates' Courts will open
April 2 (Thursday)	No Magistrates' Courts will open
April 3 (Friday)	Tuen Mun Magistrates' Courts will open
April 4 (Saturday)	Shatin Magistrates' Courts will open
April 5 (Sunday)	No Magistrates' Courts will open

Registries and Offices

[6.] Court/tribunal registries and offices will generally be closed during this period. The registries will only provide support for the handling of the above urgent and essential court hearings/matters through the Duty Judge and Duty Master systems. The Judiciary will continue to review the scope of business and make suitable announcement as appropriate.

Preventive and crowd management measures

[7.] The Judiciary will continue to put in place appropriate preventive and crowd management measures for the health protection of all people who are required to enter and remain in the court premises for urgent and essential business. Court users are required to have their body temperature taken and wear a surgical mask before they are allowed to enter and remain in the court premises.

[8.] To support the above arrangements, necessary queuing and other crowd management measures, as well as security controls to limit the number of court users entering and remaining in the Judiciary premises, will be put in place as appropriate. To

maintain social distancing, the seating capacity of courtrooms and lobbies are reduced by about 50 per cent. In addition, capacity limits are set for confined areas such as registries and offices to avoid crowding of users.

[9.] Parties, legal representatives and other court users are reminded that they should not come to the Judiciary premises to attend court proceedings or conduct businesses at court registry/office if they are subject to quarantine requirement or medical surveillance of the Government. Court users who are subject to any quarantine requirement or medical surveillance of the Government should as soon as practicable apply to the court for permission of absence or inform the court with reasons for absence as appropriate.

[10.] Information on the detailed arrangements will be provided and uploaded onto the Judiciary website. Court users are strongly advised to check the updated information on the Judiciary website, and follow the advice of the Judiciary staff and security personnel when they attend court premises for court business.

[11.] For enquiries regarding general arrangements on the court businesses during the period, the following hotlines are being operated from Monday to Friday 10am to 1pm and 2pm to 4pm:

- General Information: 2869 0869
- Court of Final Appeal: 2123 0123
- High Court: 2523 2212
- Probate: 2840 1683
- District Court: 2845 5696
- Family Court: 2840 1218
- Lands Tribunal: 2771 3034
- Labour Tribunal: 2625 0020
- Small Claims Tribunal: 2877 4068
- Magistrates' Courts: 2677 8373

[12.] The Judiciary will continue to post updated information, including Daily Cause Lists, messages related to the Judiciary's arrangements arising from public health considerations, and advice to court users visiting the courts, on the Judiciary website (www.judiciary.hk). Court users are advised to check the website for updated information as necessary.

***Urgent and Essential Hearings/Matters to be Handled by the
Courts for the Weeks of March 23 and 30***

The urgent and essential hearings and/or matters which may be handled from March 23 to April 5 include the following :

(a) *For Civil Cases in the Court of Appeal (“CA”), Court of First Instance (“CFI”), District Court (“DC”) and Family Court (“FC”) :*

- (i) Judges will continue to deal with urgent and essential court businesses, including processing them on paper. Judges may also deal with appeals or applications listed to be heard during the General Adjourned Period (“GAP”) if they are of the view that the proceedings come within the scope of urgent and essential businesses. For these appeals and applications, specific directions will be given to the parties in good time to enable the parties to prepare for the hearings;

Duty Judge System

- (ii) urgent matters or hearings before the HC, the DC and the FC, including those relating to the specialist lists, will be dealt with by the respective Duty Judges (“Duty Judge system”);
- (iii) with the support of duty master(s), the Duty Judge system will also cover the following urgent filing matters :

- (1) urgent applications to file originating documents at these courts where the limitation period for a

cause of action under the Limitation Ordinance (Cap. 347) may expire during the adjourned period. For such urgent applications for filing, the handling solicitor shall provide a certificate explaining the need for urgent filing;

- (2) urgent non-contentious matters, namely, urgent application and collection of apostilles and urgent grants of probate; and
- (3) filing of documents relating to the urgent bankruptcy-related proceedings set out in (b) below;
- (iv) if a party or his/her legal representative considers that any matter has become urgent because of the court's continued general adjournment, they may consider using the Duty Judge system to bring such matters to the attention of the court. The party concerned should provide a certificate explaining the urgency of the matter. They should also provide the essential and key documents to enable the court to decide whether the matter is really urgent and essential which should be handled during GAP on an exceptional basis;
- (v) during GAP, parties or legal representatives may submit documents to the Duty Judges through the following email addresses, which will be open until the end of GAP or further notice :
 - (1) For HC : hcdutyjudge@judiciary.hk
 - (2) For DC : dcdutyjudge@judiciary.hk
 - (3) For FC: fcdutyjudge@judiciary.hk

Parties and legal representatives are reminded to :

- (1) contact the Duty Judges concerned by telephone before emailing their documents; and
- (2) refrain from telephoning the Duty Judges after office hours (i.e. from 9 a.m. to 1 p.m. and from 2 p.m. to 5 p.m. from Mondays to Fridays), unless it is really necessary;

Urgent applications to the CA

- (vi) urgent applications to the CA may be made through the Clerk of Court;
- (vii) documents may be submitted through the email address : hcdutyjudge@judiciary.hk. Parties and legal representatives are reminded to contact the Clerk of Court by telephone before emailing their documents;

Other Arrangements

- (viii) though no hearings will generally be held during GAP, individual Judges and Judicial Officers (“JJOs”) will, as far as possible, review their cases originally listed to be heard during GAP and the following two weeks, whether represented ones or not, to see if they can be suitably disposed of on paper. These cases are primarily interlocutory applications and substantive applications not involving any witnesses. If paper disposal is possible, the JJO concerned will give case management directions on paper. If not, the case will be re-fixed;

- (ix) the special one-way “no-reply” email accounts to enable electronic submission of documents to the court for specified purposes, including lodging documents, submissions and authorities etc. with the court to facilitate paper disposal, will continue to be available for use until further notice. Parties and legal representatives are reminded that JJOs will not use the email accounts to communicate with parties, which will continue to be through conventional means such as fax;
- (x) as generally no hearing will be held during GAP, if any party insists on having an oral hearing, the hearing will have to be re-fixed with listing appointments to be given by the court;
- (xi) where parties have reached agreement on matters that can be properly dealt with by consent, the court will also make orders by consent;
- (xii) for decisions or judgments made on paper during GAP, or where it is justified on grounds of urgency, the court may issue sealed orders. Requests for sealed orders may be made to the JJO who makes the order in question. Parties may attach a draft order to their written submission;

(b) *For Civil Cases in the CFI :*

The following urgent bankruptcy-related applications :

- (i) urgent applications under section 30A of the Bankruptcy Ordinance (Cap. 6) by the trustee in bankruptcy or creditor of the bankrupt for the

suspension of the bankrupt's discharge from bankruptcy;

(ii) urgent objections to discharge applications not yet filed but with imminent dates of discharge of bankruptcy, and urgent applications for non-commencement orders under section 30AB of Cap. 6 not yet filed but with imminent deadlines for filing; and

(iii) urgent applications under section 42 of Cap. 6 by the debtors for validation orders;

(c) *For Criminal Cases in the CA :*

urgent bail applications;

(d) *For Criminal Cases in the CFI :*

(i) urgent bail applications and bail reviews; and

(ii) part-heard jury proceedings as directed by the presiding Judge.

(e) *For Criminal Cases in the CFI and DC :* urgent cases in which the defendants are remanded in custody pending sentence and the hearings of which fall under either of the following categories :

(i) the hearing date falls between March 23 and April 3; or

(ii) the case was originally adjourned to a hearing date during the period of January 29 to March 22.

(f) *For the Magistrates' Courts ("MCs") :*

- (i) fresh remand cases;
- (ii) person remanded in custody who has the legal rights to appear before a Magistrate to review his/her remand situation and either of the following conditions is met (referred to as "eight-day cases" hereafter) :
 - (1) the return date falls between March 23 and April 3; or
 - (2) the case was originally adjourned to a date during the period of January 29 to March 20;
- (iii) urgent cases relating to sentencing in which the defendants are remanded in custody and the hearings of which fall under either of the following categories :
 - (1) the hearing date falls between March 23 and April 3; or
 - (2) the case was originally adjourned to a hearing date during the period of January 29 to March 20; and
- (iv) urgent and essential trials as directed by the presiding Magistrate.

(g) For the Juvenile Court :

- (i) urgent cases concerning care and protection orders with either of the following conditions being met :
 - (1) the return date falls between March 23 and April 3; or
 - (2) the case was originally adjourned to a date during the period of January 29 to March 20.
- (ii) urgent and essential trials as directed by the presiding Magistrate.

(h) For the Coroner's Court : the following categories of urgent matters :

- (i) paper applications for waivers for autopsy;
- (ii) issuing urgent certificates of order authorizing burial/cremation of body;
- (iii) handling urgent cases with pathologist's recommendation for autopsy;
- (iv) issuing urgent certificate of the fact of death and documents for the removal of bodies outside jurisdiction; and
- (v) urgent and essential proceedings as directed by the presiding Coroner.

2. The courts will also hand down decisions and judgments that are ready. As usual, the courts will give sufficient notice to the relevant parties of the cases.

3. For the DC and MCs, the relevant Judges and Magistrates will continue to perform, as appropriate, their statutory duties relating to urgent applications for search warrants and applications under the Mental Health Ordinance (Cap. 136).