

General Reference

(Appeals from Award/Order of the Small Claims Tribunal/Labour Tribunal/Minor Employment Claims Adjudication Board)

Points to Note:

1. All parties concerned in any legal litigation has a duty of submitting documents with true content and in legible form;
2. All applications must be signed by the Applicant;
3. If a director of a limited company intends to act for the company in any proceedings, he or she must before the commencement of the proceedings apply to the Registrar, High Court for leave to represent the company;
4. For obtaining further information about the Award or transcript of the proceedings at the Tribunal, the Applicant has to apply to the respective Tribunal and pay the necessary charges;
5. If the Applicant was absent in the trial, he or she can apply to the respective Tribunal within the appeal period for setting aside the Award;

Court Fees:

(A) Court of First Instance	(B) Court of Appeal
(1) <u>Application for Leave to Appeal out of time</u> Free of charge	(1) <u>Application for Leave</u>
(2) <u>Application for Leave to Appeal</u>	by Notice of Ex-parte application for Leave to appeal * (out of time) / HCMP Summons \$1,045
from Small Claims Tribunal (Form 9) \$61	
from Labour Tribunal (Form 14) \$45	
from Minor Employment Claims Adjudication Board (Form 13) \$45	(2) <u>Application for Appeal</u> \$1,045
(3) <u>Application for Review of Transfer Order</u>	by Notice of Appeal
from Small Claims Tribunal (Form 7) \$61	
(4) <u>Application for Appeal</u>	
by Notice of Originating Motion \$1,045	

7. Accounts Office

Location: Lower Ground Floor 2 (LG2), High Court Building

8. Photocopying Service (self-service):

- (1) Clerk of Court's Office, Ground Floor (G/F), High Court Building, where only Octopus Card can be used;
- (2) High Court Registry, Lower Ground Floor 1 (LG1), High Court Building, where only Octopus Card can be used; and
- (3) "Resource Centre for Unrepresented Litigants" at Room LG105, Lower Ground Floor 1, High Court Building, where either Octopus Card or coins can be used (coins \$0.10 and \$0.20 are not acceptable, and no change service is provided).

9. How to calculate the Appeal Period (re. Para 6(A) (2) above)

The 7-day appeal period should exclude those public holiday(s) and Sunday in between, and counts from the 2nd working day after posting of the Award (with reference to the date of the stamp on the envelope posting the Award).

Example (1):

If the date of the stamp is Apr 11 (Mon), the 7-day appeal period counts from Apr 13, excluding Apr 12 (Tue) (the 1st working day) and Apr 17 (Sun), making Apr 20 the last day for submission of the application for leave to appeal.

Sun	Mon	Tue	Wed	Thurs	Fri	Sat
10	11 (date of stamp)	12 (excluded)	13 (1 st day)	14 (2 nd day)	15 (3 rd day)	16 (4 th day)
17 (excluded)	18 (5 th day)	19 (6 th day)	20 (7 th day) (Last Day)	21	22	23

Example (2):

If the date of the stamp is Feb 7 (Mon), the appeal period counts from Feb 9. As it happens that Feb 9 to 11 are the Lunar New Year holidays, the 2nd working day from Feb 7 should be Feb 12 (Sat). Thus, the 7-day appeal period counts from Feb 12 (excluding Feb 8 (the 1st working day), Feb 9 – 11 (public holidays) & Feb 13 (Sun) in between), making Feb 19 the last day for submission of the application for leave to appeal.

Sun	Mon	Tue	Wed	Thurs	Fri	Sat
6	7 (date of stamp)	8 (excluded)	9 (excluded)	10 (excluded)	11 (excluded)	12 (1 st day)
13 (excluded)	14 (2 nd day)	15 (3 rd day)	16 (4 th day)	17 (5 th day)	18 (6 th day)	19 (7 th day) (Last Day)

10. Addresses & Enquiry Nos. of various Tribunals:

Small Claims Tribunal : 4/F, Wanchai Tower, 12 Harbour Road, Hong Kong (Tel: 25824084 / 25824085)

Labour Tribunal : 36 Gascoigne Road, Kowloon, Hong Kong (Tel: 26250020)

Minor Employment Claims Adjudication Board (MECAB) : 10/F, Cheung Sha Wan Government Offices,
303 Cheung Sha Wan Road, Kowloon (Tel: 29278000)