

小額錢債審裁處條例(第 338 章)
Small Claims Tribunal Ordinance (Chapter 338)

基於法律論點而提出的上訴許可申請書
APPLICATION FOR LEAVE TO APPEAL ON POINT OF LAW

申索書編號: 200__年第__號
Claim No. _____ of 20 __

Between

申索人 Claimant(s)

及 and

被告人 Defendant(s)

呈原訟法庭:

本人(a) _____ 是此宗申索的其中一方,
現依據 [小額錢債審裁處條例] 第 28 條,申請上訴許可,就審裁官 _____ 於
200__年__月__日對此宗申索作出的*裁斷/命令提出上訴。

本人擬提出上訴的理由是 --

*該項*裁斷/命令在法律論點上有錯,因為 - (b)

1. _____
2. _____
3. _____
4. _____

*該項*裁斷/命令超越審裁處的司法管轄權範圍,因為 - (C)

1. _____
2. _____
3. _____
4. _____

日期: 200...年.....月.....日

TO THE COURT OF FIRST INSTANCE:

I, (a)....., a party to this claim, pursuant to section 28 of the Small Claims Tribunal Ordinance, do hereby apply for leave to appeal against the *award/order by, _____, Adjudicator, made in respect of this claim on the _____ day of _____ 200_____.

The grounds on which I desire to appeal are that *the *award/ order is erroneous in point of law in that – (b)

1. _____
2. _____
3. _____
4. _____

*the *award/order is outside the jurisdiction of the tribunal in that --- (c)

1. _____
2. _____
3. _____
4. _____

日期: 200__ 年 月 日
Dated this _____ day of _____ 200_____

(申請人簽署)
(Signature of Applicant)

(d) 遞交日期: 200__ 年 月 日
(d) Lodged this _____ day of _____ 200_____

Registrar, High Court
高等法院司法常務官

*請將不適用者刪去。

*Delete whichever is not applicable.

- 註 :
- (a) 填上申請上訴許可的一方的全名。
 - (b) 列明有關的法律論點。
 - (c) 列明理由。
 - (d) 本申請書須於以下時間內向高等法院司法常務官遞交 ----
 - (i) 書面裁斷或命令送達提出此項申請的一方的日期後 7 天內;或
 - (ii) 如該一方在上述期限內向審裁處要求解釋作出裁斷或命令的理由,則在該等理由送達該一方的日期後 7 天內。

- Note:
- (a) Insert full name of the party making the application for leave to appeal.
 - (b) Set out the point of law in question.
 - (c) Set out the reasons.
 - (d) This application must be lodged with the Registrar, High Court, within ---
 - (i) 7 days after the date on which the written award or order is served on the party making this application; or
 - (ii) if within that period the party applies to the tribunal for the reasons for the award or order, 7 days after the date on which the reasons are served on him.

須親自往香港金鐘道 38 號地下高等法院書記主任辦事處遞交此表格。

This form has to be filed in person to the Clerk of Court's Office on the G/F of the High Court Building, 38 Queensway, Hong Kong.