

**Court Proceedings (Electronic Technology)
(Magistrates' Court) (Electronic Fees) Rules**

(Cap. 638 sub. leg. F)

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(Cap. 638, section 29)

(Enacting provision omitted—E.R. 1 of 2023)

[21 December 2022] *L.N. 190 of 2022*

Part 1

Preliminary

1. *(Omitted as spent—E.R. 1 of 2023)*

2. **Interpretation**

In these Rules—

concessionary period (寬減期) means the period of 5 years beginning on the earliest date specified under section 32(2) of the Ordinance in relation to the Magistrates' Court; (*L.N. 189 of 2022*)

court-related matter (法院相關事宜) means—

- (a) an act or matter that relates to a proceeding in the Magistrates' Court; or
- (b) a service, or other matter, made available or provided by the Magistrates' Court or a registry or an office of the Magistrates' Court;

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Rule 2

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e-fee (電子費用) means a fee that is payable under these Rules for a court-related matter that is carried out by means of an e-system;

Fees Regulations (《費用規例》) means the Magistrates (Fees) Regulations (Cap. 227 sub. leg. B);

magistrate (裁判官) has the meaning given by section 2 of the MO;

MO (《裁判官條例》) means the Magistrates Ordinance (Cap. 227).

Part 2

Application

3. Application

These Rules apply in relation to a court-related matter that is carried out by means of an e-system.

Part 3

e-fees Payable for Proceedings in Magistrates' Court

4. e-fees payable for Magistrates' Court proceedings

- (1) Subject to subrule (2), the following e-fee is payable for a court-related matter described in column 2 (*relevant matter*)—
 - (a) during a period other than the concessionary period—the MC fee for the item that bears the item number specified in column 3 opposite to the relevant matter;
 - (b) during the concessionary period—a fee of an amount equivalent to 80% of the MC fee for the item that bears the item number specified in column 3 opposite to the relevant matter.
- (2) No e-fee is payable for item 3(a) of Part 1 of the Schedule.
- (3) In this rule, a reference to a column is a reference to a column of Part 1 of the Schedule.
- (4) In this rule—

MC fee (裁判法院費用), in relation to an item, means a fee specified for the item in the scale of fees in regulation 2 of the Fees Regulations.

5. e-fees payable for appeal by way of case stated

- (1) The following e-fee is payable for a court-related matter described in column 2 (*relevant matter*)—
 - (a) during a period other than the concessionary period—the MO fee for the item that bears the item number specified in column 3 opposite to the relevant matter;

(b) during the concessionary period—a fee of an amount equivalent to 80% of the MO fee for the item that bears the item number specified in column 3 opposite to the relevant matter.

(2) In this rule, a reference to a column is a reference to a column of Part 2 of the Schedule.

(3) In this rule—

MO fee (裁判官條例費用), in relation to an item, means a fee specified for the item in section 110(4) of the MO.

6. e-fees payable for certificate of refusal to state a case

(1) The following e-fee is payable for a certificate of refusal to state a case under section 111 of the MO—

(a) during a period other than the concessionary period—a fee of an amount equivalent to the MO sum;

(b) during the concessionary period—a fee of an amount equivalent to 80% of the MO sum.

(2) In this rule—

MO sum (裁判官條例款項) means the sum specified in section 111 of the MO.

Part 4

Miscellaneous

7. Rounding rule for e-fees payable during concessionary period

- (1) A concessionary fee that is less than \$5 must be rounded to the nearest 10 cents.
- (2) A concessionary fee that is \$5 or more but less than \$10 must be rounded to the nearest 50 cents.
- (3) A concessionary fee that is \$10 or more but less than \$100 must be rounded to the nearest whole dollar.
- (4) A concessionary fee that is \$100 or more but less than \$1,000 and is not a multiplier of \$5 must be rounded to the nearest multiplier of \$5.
- (5) A concessionary fee that is \$1,000 or more but less than \$10,000 and is not a multiplier of \$10 must be rounded to the nearest multiplier of \$10.
- (6) A concessionary fee that is \$10,000 or more but less than \$100,000 and is not a multiplier of \$50 must be rounded to the nearest multiplier of \$50.
- (7) A concessionary fee that is \$100,000 or more and is not a multiplier of \$100 must be rounded to the nearest multiplier of \$100.
- (8) In this rule—
concessionary fee (寬減費用) means the e-fee payable under rule 4(1)(b), 5(1)(b) or 6(1)(b).

8. Specific fee payable instead of general fee

If an e-fee is specified specifically for a court-related matter, that

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fee is payable in substitution for and not in addition to any other general e-fee that is also payable for the matter.

Schedule

[rr. 4 & 5]

e-fees

Part 1

Fees Specified in Scale of Fees in Regulation 2 of Fees Regulations

Column 1	Column 2	Column 3
Item	Description	Corresponding item in Scale of Fees in regulation 2 of Fees Regulations
1.	For affixing the signature of a magistrate, with or without the magistrate's seal, to any statutory declaration or other document made or required for a purpose other than in or for a magisterial proceeding or matter exclusively within the duties of the office of a magistrate	1

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Column 1	Column 2	Column 3
Item	Description	Corresponding item in Scale of Fees in regulation 2 of Fees Regulations
2.	Typed copy of depositions, charges or documentary exhibits in summary cases, per page	2(a)
3.	(a) Copy of a document obtained from an e-system	3(a)
	(b) Copy and certification, per page	3(b)
4.	(a) Translation made in the magistracy of a document from Chinese into English, or vice versa, including certificate, per page	4(a)
	(b) Transcription and translation made in the magistracy, from Chinese into English, or vice versa, of a tape or recording including certificate, per page	4(b)
5.	(a) Certifying translation made outside the magistracy, from Chinese into English, or vice versa, per page	5(a)

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Schedule—Part 2

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Column 1	Column 2	Column 3
Item	Description	Corresponding item in Scale of Fees in regulation 2 of Fees Regulations
	(b) Certifying transcription made outside the magistracy, from Chinese into English, or vice versa, of a tape or recording, per page	5(b)
6.	Search in the magistracy, for each document or file referred to or required	6

Part 2

Fees Specified in Section 110(4) of MO

Column 1	Column 2	Column 3
Item	Description	Corresponding item in section 110(4) of MO
1.	Recognizance	1