

CONTENTS

| | | |
|-----------------------------|--------------------------------------------------------------------|--------|
| <i>List of Contributors</i> | | v |
| <i>Preface</i> | | ix |
| <i>Table of Cases</i> | | i |
| <i>Table of Legislation</i> | | clxxxi |
| | | |
| Order 1 | Citation, Application, Interpretation and Forms | 1 |
| Order 1A | Objectives | 22 |
| Order 1B | Case Management Powers | 44 |
| Order 2 | Effect of Non-Compliance | 55 |
| Order 3 | Time | 63 |
| Order 4 | Assignment, Transfer and Consolidation of Proceedings | |
| | Commencement and Progress of Proceedings | 71 |
| Order 5 | Mode of Beginning Civil Proceedings in the Court of First Instance | 73 |
| Order 6 | Writs of Summons: General Provisions | 79 |
| Order 7 | Originating Summons: General Provisions | 87 |
| Order 8 | Originating and other Motions: General Provisions | 92 |
| Order 9 | Petitions: General Provisions | 94 |
| Order 10 | Service of Originating Process: General Provisions | 96 |
| Order 11 | Service of Process, etc., out of Jurisdiction | 106 |
| Order 12 | Acknowledgment of Service of Writ or Originating Summons | 132 |
| Order 13 | Failure to Give Notice of Intention to Defend | 153 |
| Order 13A | Admissions in Claims for Payment of Money | 166 |
| Order 14 | Summary Judgment | 182 |
| Order 14A | Disposal of Case on Point of Law | 201 |
| Order 15 | Causes of Action, Counterclaims and Parties | 205 |
| Order 16 | Third Party and Similar Proceedings | 251 |
| Order 17 | Interpleader | 262 |
| Order 18 | Pleadings | 269 |
| Order 19 | Default of Pleadings | 318 |
| Order 20 | Amendment | 325 |
| Order 21 | Withdrawal and Discontinuance | 344 |
| Order 22 | Offers to Settle and Payments into Court | 350 |
| Order 22A | Miscellaneous Provisions About Payments into Court | 399 |
| Order 23 | Security for Costs | 402 |
| Order 24 | Discovery and Inspection of Documents | 417 |
| Order 25 | Case Management Summons and Conference | 475 |
| Order 26 | Interrogatories | 504 |
| Order 27 | Admissions | 510 |
| Order 28 | Originating Summons Procedure | 516 |

| | | |
|-----------|------------------------------------------------------------------------------------------------------|------|
| Order 29 | Interlocutory Injunctions, Interim Preservation of Property, Interim Payments, etc. | 526 |
| Order 30 | Receivers | 599 |
| Order 31 | Sales etc of Land by Order of Court | 604 |
| Order 32 | Applications and Proceedings in Chambers | 607 |
| Order 32A | Vexatious Litigants | 633 |
| Order 33 | Place and Mode of Trial | 639 |
| Order 34 | Setting Down for Trial Action Begun by Writ | 646 |
| Order 35 | Procedure at Trial | 661 |
| Order 36 | Trials before, and Inquiries by, Master | 676 |
| Order 37 | Damages: Assessment after Judgment and Orders for Provisional Damages | 679 |
| Order 38 | Evidence | 685 |
| Order 39 | Evidence by Deposition: Examiners of the Court | 743 |
| Order 40 | Court Expert | 754 |
| Order 41 | Affidavits | 758 |
| Order 41A | Statements of Truth | 776 |
| Order 42 | Judgments and Orders | 792 |
| Order 43 | Accounts and Inquiries | 812 |
| Order 44 | Proceedings under Judgments and Orders | 817 |
| Order 44A | (HK) Prohibition Order before or after Judgment and Attachment of Property before Judgment | 823 |
| Order 45 | Enforcement of Judgments and Orders: General | 836 |
| Order 46 | Writs of Execution: General | 852 |
| Order 47 | Writs of Fieri Facias | 858 |
| Order 48 | Examination of Judgment Debtor, etc. | 871 |
| Order 49 | Garnishee Proceedings | 877 |
| Order 49B | (HK) Execution and Enforcement of Judgment for Money by Imprisonment | 892 |
| Order 50 | Charging Orders, Stop Orders, etc. | 902 |
| Order 51 | Receivers: Equitable Execution | 919 |
| Order 52 | Committal | 921 |
| Order 53 | Applications for Judicial Review | 932 |
| Order 54 | Applications for Writ of Habeas Corpus | 972 |
| Order 55 | Appeals to the High Court from Court, Tribunal or Person: General | 992 |
| Order 58 | Appeals from Masters | 1000 |
| Order 59 | Appeals to the Court of Appeal | 1008 |
| Order 60A | (HK) Appeals from Tribunals to Court of Appeal on a Question of Law other than by way of Case Stated | 1063 |
| Order 61 | Appeals from Tribunals to Court of Appeal by way of Case Stated | 1066 |
| Order 62 | Costs | 1069 |
| Order 62A | Costs Offer and Payments into Court | 1205 |
| Order 63 | The Registry | 1219 |
| Order 64 | Sittings, Vacations and Office Hours | 1225 |
| Order 65 | Service of Documents | 1231 |

| | | |
|------------|----------------------------------------------------------------------------------|------|
| Order 66 | Paper, Printing, Notices and Copies | 1246 |
| Order 67 | Change of Solicitor | 1248 |
| Order 68 | Official Shorthand Note | 1258 |
| Order 69 | Service of Process from a Country or Place Outside Hong Kong | 1262 |
| Order 70 | Obtaining Evidence for Foreign Courts, etc. | 1264 |
| Order 71 | Reciprocal Enforcement of Foreign Judgments | 1270 |
| Order 71A | Reciprocal Enforcement of Mainland Judgments | 1287 |
| Order 71B | Certified Copies of Judgments Given by Court of Final Appeal and High Court | 1300 |
| Order 72 | (HK) Particular Proceedings | 1304 |
| Order 73 | Arbitration Proceedings | 1313 |
| Order 74 | (Repealed L.N. 343 of 1989) | 1348 |
| Order 75 | (HK) Admiralty Proceedings | 1348 |
| Order 76 | Contentious Probate Proceedings | 1405 |
| Order 77 | Proceedings by and against the Crown | 1416 |
| Order 78 | District Court Proceedings Transferred or Removed to the Court of First Instance | 1423 |
| Order 79 | Tribunal Proceedings Transfer or Removal to the Court of First Instance | 1427 |
| Order 80 | Disability | 1429 |
| Order 81 | Partners | 1448 |
| Order 82 | Defamation Actions | 1459 |
| Order 83A | (HK) Money Lenders' Actions | 1464 |
| Order 84A | (HK) Actions arising out of Hire-purchase or Conditional Sale Agreements | 1468 |
| Order 85 | Administration and Similar Actions | 1472 |
| Order 86 | Actions for Specific Performance etc: Summary Judgment | 1479 |
| Order 87 | Debenture Holders' Actions: Receiver's Register | 1483 |
| Order 88 | Mortgage Actions | 1486 |
| Order 89 | Proceedings between Husband and Wife | 1504 |
| Order 90 | Proceedings concerning Minors | 1505 |
| Order 92 | Lodgment, Investment, etc. of Funds in Court | 1510 |
| Order 93 | The Variation of Trusts Ordinance | 1513 |
| Order 95 | The Bills of Sale Ordinance and Bankruptcy Ordinance | 1514 |
| Order 100 | The Trade Marks Ordinance | 1518 |
| Order 102 | The Companies Ordinance | 1521 |
| Order 103 | The Registration of Patents Ordinance: The Patents Acts 1949 to 1961 and 1977 | 1530 |
| Order 106 | Proceedings Relating to Solicitors: The Legal Practitioners Ordinance | 1536 |
| Order 113 | Summary Proceedings for Possession of Land | 1550 |
| Order 114 | (HK) Commissioners for Oaths | 1554 |
| Order 115 | Drug Trafficking (Recovery of Proceeds) Ordinance (Cap. 405) | 1556 |
| Order 115A | (HK) Mutual Legal Assistance in Criminal Matters Ordinance (Cap. 525) | 1570 |

| | | |
|------------|------------------------------------------------------------|------|
| Order 116 | (HK) Organized and Serious Crimes Ordinance (Cap. 455) | 1576 |
| Order 117 | (HK) Organized and Serious Crimes Ordinance (Cap. 455) | 1579 |
| Order 118 | (HK) Interpretation and General Clauses Ordinance (Cap. 1) | 1588 |
| Order 119 | (HK) Prevention of Bribery Ordinance (Cap. 201) | 1588 |
| Order 120 | (HK) Charitable Trusts | 1590 |
| Order 121 | Child Abduction and Custody Ordinance (Cap. 512) | 1593 |
| Appendices | | 1597 |
| Index | | 1745 |

TABLE OF CASES

References are to paragraph numbers

| | |
|---------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| 1638 Ltd v Power Cycles Ltd [2007] 3 HKC 306 | [29.1.62] |
| A v A, Re A [2002] EWHC 611 (Admin/Fam), [2002] 2 FCR 481, [2002] 2 FLR 274..... | [115.7.1] |
| A v B [1984] 1 All ER 265..... | [67.1.4] |
| A v C [1981] 1 QB 956..... | [29.1.81] |
| A v C (No 2) [1981] 1 QB 961 | [29.1.76] |
| A v R [2010] 3 HKC 67 | [73.3.3], [73.10.6] |
| A & B v C HCMP 2261/2006 (A Cheung J; 06.07.2007)..... | [11.9.1] |
| A Barrister (Wasted Costs Order) (No 4 of 1992), Re [1994] The Times, 15 March (CA)..... | [62.8B.7] |
| A Barrister (Wasted Costs Order) (No 4 of 1993), Re [1995] The Times, 21 April (CA)..... | [62.8B.7] |
| A Co v B Co [2002] 2 HKC 497..... | [7.2.2], [15.4.24], [15.4.29], [15.4.30], [29.1.45] |
| A Co v B Co [2002] 2 HKC 508B | [15.4.38] |
| A Committee of Inquiry ex p A Barrister, Re [1990] 1 HKLR 216 (CA)..... | [53.1.5] |
| A Company, Re [1930] 1 Ch 138..... | [45.5.2] |
| A Crompton Ltd v Customs and Excise [1974] AC 405..... | [24.2.26] |
| A Ltd v Z [1982] 1 All ER 556 (CA)..... | [52.6.3] |
| A Marine Court Investigation, Re [1987] HKLR 549 | [53.3.6] |
| A Solicitor, Re [1936] 1 KB 523..... | [62.32.3] |
| A Solicitor, Re [1961] 1 Ch 491 | [106.2.5] |
| A Solicitor, Re [1988] 2 HKLR 137 (CA)..... | [106.1.8], [106.11.2], [106.13.1] |
| A Solicitor, Re CACV 1218/2001 (Rogers VP, Le Pichon & Yuen JJA; 30.09.2002)..... | [59.10.11] |
| A Solicitor v Law Society of HK [2007] 4 HKC 165..... | [62.33.3], [62.33.6] |
| A Solicitor v Law Society of Hong Kong [1995] 1 HKC 834 (CA)..... | [59.1.3], [106.11.2] |
| A Solicitor v Law Society of Hong Kong [1998] 2 HKC 88 (CA)..... | [59.5.2] |
| A Solicitor v Law Society of Hong Kong [2004] 1 HKLRD 214 | 59.2A.11] |
| A Solicitor v Law Society of Hong Kong [2005] 4 HKC 290 (CA)..... | [106.1.7] |