

Rules of the High Court (Amendment) Rules 2007

The Rules of the High Court (Cap 4A)

Appendix A – FORMS

Remarks

No. 1

Writ of Summons

(O. 6 r. 1)

(Hong Kong Coat of Arms)

IN THE HIGH COURT OF HONG KONG

COURT OF FIRST INSTANCE

19, No.

Between	A.B.	Plaintiff
	AND	
	C.D.	Defendant

TO THE DEFENDANT (name)
 of
 (address)
 .

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiff in respect of the claim set out on the back.

Within (14 days) after the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Registry of the High Court the accompanying ACKNOWLEDGMENT OF SERVICE stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgment within the time stated, or if you return the Acknowledgment without stating therein an intention to contest the proceedings, the Plaintiff may proceed with the action and judgment may be entered against you forthwith ~~without further notice~~ **without further notice.**

Rule 66
 Rec 18

If you intend to make an admission, you may complete an appropriate form in accordance with the accompanying Directions for Acknowledgment of Service. [Insert this paragraph if the only remedy which the plaintiff is seeking is the payment of a liquidated amount of money or an unliquidated amount of money and the statement of claim is served with this writ].

Remarks

Issued from the Registry of the High Court this day of
19

Note:-This Writ may not be served later than 12 calendar months beginning with that date unless renewed by order of the Court.

IMPORTANT

Directions for Acknowledgment of Service are given with the accompanying form.

(Back of No. 1)

*[Statement of Claim]

The Plaintiff's claim is for

*Where words appear between square brackets delete if inapplicable.

*(Signed if statement of claim indorsed.)

(Where the Plaintiff's claim is for a debt or liquidated demand only: If, within the time for returning the Acknowledgment of Service, the Defendant pays the amount claimed and \$ for costs and, if the Plaintiff obtains an order for substituted service, the additional sum of \$, further proceedings will be stayed. The money must be paid to the Plaintiff or his Solicitor.)

THIS WRIT was issued by
of
.

Solicitors for the said Plaintiff whose address is

*(or where the Plaintiff sues in person.

THIS WRIT was issued by the said Plaintiff who resides
at

.... and (if the Plaintiff does not reside within the jurisdiction) whose address for service

is).

(L.N. 251 of 1997; 25 of 1998 s. 2)

No. 14

Acknowledgment of Service of Writ of Summons

(O. 12 r. 3)

Directions for Acknowledgment of Service

1. The accompanying form of ACKNOWLEDGMENT OF SERVICE should be detached and completed by a Solicitor acting on behalf of the Defendant or by the Defendant if acting in person. After completion it must be delivered or sent by post to the Registry of the High Court at the following address:-

2. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings MUST ALSO file a DEFENCE which must be written in either the Chinese or the English language with the registry and serve a copy thereof on the Solicitor for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words "Statement of Claim" appear at the top of the back), the Defence must be filed and served within ~~14 days~~ **28 days** after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

Rule 66
Rec 18

If a Statement of Claim is not indorsed on the Writ, the Defence must be filed and served within ~~14 days~~ **28 days** after a Statement of Claim has been served on the Defendant.

If the Defendant fails to file and serve his defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.

~~3. A STAY OF EXECUTION against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgement is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must within that time, ISSUE A SUMMONS for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by instalments or otherwise.~~

3. If the only remedy which the Plaintiff is seeking is the payment of a liquidated or unliquidated amount of money, you may admit the Plaintiff's claim in whole or in part by completing Form 16 or 16C as attached to the statement of claim.

4. A completed Form No. 16 or 16C must be filed with the Registry of the High Court and served on the Plaintiff [or the Plaintiff's solicitors] within the period for service of the Defence.

See attached Notes for Guidance

Notes for Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgment of Service and return it to the Registry of the High Court.
- [2. For the purpose of calculating the period of 14 days for acknowledging service, a writ served on the Defendant personally is treated as having been served on the day it was delivered to him and a writ served by post or by insertion through the Defendant's letter box is treated as having been served on the seventh day after the date of posting or insertion.]
- (Note: Not applicable if the defendant is a company served at its registered office.)
3. Where the Defendant is sued in a name different from his own, the form must be completed by him with the addition in paragraph 1 of the words "sued as (the name stated on the Writ of Summons)".
4. Where the Defendant is a FIRM and a Solicitor is not instructed, the form must be completed by a PARTNER by name, with the addition in paragraph 1 of the description "partner in the firm of (.....)" after his name.
5. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN HIS OWN, the form must be completed by him with the addition in paragraph 1 of the description "trading as (.....)" after his name.
6. Where the Defendant is a LIMITED COMPANY the form must be completed by a Solicitor or by someone authorized to act on behalf of the Company, but the Company can take no further step in the proceedings without a Solicitor acting on its behalf.
7. Where the Defendant is a MINOR or a MENTAL Patient, the form must be completed by a Solicitor acting for a guardian ad litem.
8. A Defendant acting in person may obtain help in completing the form at the Registry of the High Court.
9. These notes deal only with the more usual cases. In case of difficulty a Defendant in person should refer to paragraph 8 above.

(Heading as in No. 1 to be completed by plaintiff)

RemarksACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS

If you intend to instruct a Solicitor to act for you, give him this form IMMEDIATELY.

Important. Read the accompanying directions and notes for guidance carefully before completing this form. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.

Delay may result in judgment being entered against a Defendant whereby he or his Solicitor may have to pay the costs of applying to set it aside.

see Notes 1, 3, 4 and 5. 1. State the full name of the Defendant by whom or on whose behalf the service of the Writ is being acknowledged.

2. State whether the Defendant intends to contest the proceedings (tick appropriate box)

☐ yes ☐ no

see Direction 3. 3. ~~If the claim against the Defendant is for a debt or liquidated demand, AND he does not intend to contest the proceedings, state if the Defendant intends to apply for a stay of execution against any judgment entered by the Plaintiff (tick box)~~

Rule 66
Rec 18

☐

see Directions 3 and 4.

3. If the only remedy which the Plaintiff is seeking is the payment of a liquidated amount of money or the payment of an unliquidated amount of money, state if the Defendant intends to make an admission (tick appropriate box). If yes, the Defendant may make the admission by completing Form No. 16 or 16C (as the case may be) accompanying the statement of claim.

☐ yes ☐ no

Where words appear between square brackets, delete if inapplicable.

Service of the Writ is acknowledged accordingly.

(Signed) [Solicitor] ()
[Defendant in person]

Address
for
service

Remarks

Notes as to Address for Service

Solicitor. Where the Defendant is represented by a Solicitor, state the Solicitor's place of business in Hong Kong.

Defendant in person. Where the Defendant is acting in person, he must give his residence OR, if he does not reside in Hong Kong, he must give an address in Hong Kong where communications for him should be sent. In the case of a limited company, "residence" (居所) means its registered or principal office.

(Back of page (1))

Indorsement by plaintiff's solicitor (or by plaintiff if suing in person) of his name, address and reference, if any.

(L.N. 251 of 1997; L.N. 313 of 1997; 25 of 1998 s. 2; L.N. 129 of 2000)

No. 15

Acknowledgment of Service of Originating Summons

(O. 10 r. 5)

Directions for Acknowledgment of Service

The accompanying form **1. The accompanying form** of ACKNOWLEDGMENT OF SERVICE should be detached and completed by a Solicitor acting on behalf of the Defendant or by the Defendant if acting in person. After completion it must be delivered or sent by post to the Registry of the High Court of the following address:-

Rule 66
Rec 18

2. If the only remedy which the Plaintiff is seeking is the payment of a liquidated or unliquidated amount of money, you may admit the Plaintiff's claim in whole or in part by completing Form No. 16 or 16C as attached to the originating summons.

Rule 66
Rec 18

3. A completed Form No. 16 or 16C must be filed with the Registry of the High Court and served on the Plaintiff [or the Plaintiff's solicitors] within the period for filing of the Defendant's affidavit evidence.

See over for Notes for Guidance

Remarks

[Back of page (1)]

Notes for Guidance

[As in No. 14 substituting "originating summons" for "writ of summons".]

(Heading as in No. 8 or 10 to be completed by plaintiff)

ACKNOWLEDGMENT OF SERVICE
OF ORIGINATING SUMMONS

If you intend to instruct a Solicitor to act for you, give him this form IMMEDIATELY.

Important. Read the accompanying directions and notes for guidance carefully before completing this form. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.

see Notes 1, 1. State the full name of the Defendant by whom or on whose
3, 4 and 5. behalf the service of the Originating Summons is being
acknowledged.

2. State whether the Defendant intends to contest the
proceedings (tick appropriate box)

☐ yes ☐ no

Where words
appear
between
square
brackets,
delete if
inapplicable.

~~Service of the Originating Summons is acknowledged
accordingly.~~

Rule 66
Rec 18

see
Directions 2
and 3.

**3. If the only remedy which the Plaintiff is seeking is the
payment of a liquidated amount of money or the
payment of an unliquidated amount of money, state if
the Defendant intends to make an admission (tick
appropriate box). If yes, the Defendant may make the
admission by completing Form No. 16 or 16C (as the
case may be) accompanying the originating summons.**

☐ yes ☐ no

Service of the Originating Summons is acknowledged accordingly.

Notes as to Address for Service

Solicitor. Where the Defendant is represented by a Solicitor, state the Solicitor's place of business in Hong Kong.

Defendant in person. Where the Defendant is acting in person, he must give his residence OR, if he does not reside in Hong Kong, he must give an address in Hong Kong where communications for him should be sent. In the case of a limited company, “residence” (居所) means its registered or principal office.

(Back of page (1))

Indorsement by plaintiff's Solicitors (or by plaintiff if suing in person) of his name, address and reference, if any.

(L.N. 251 of 1997; 25 of 1998 s. 2)

Remarks

No. 16

Admission (liquidated amount)

(O. 13A, rr. 4(2), 5(2) & 13(2))

(Heading as in action)

Rule 66

Rec 18

Explanatory Note

1. The only claim the Plaintiff has made against you is for a liquidated amount of money. You may admit the Plaintiff's claim in whole or in part by completing this form **within 28 days** of the service of this statement of claim on you.
2. If you do not ask for time to pay, the Plaintiff will decide how much and when you should pay.
3. If you ask for time to pay, the Plaintiff will decide whether or not to accept the proposal for payment.
4. If the Plaintiff accepts your proposal for payment, the Plaintiff may request the Court to enter judgment against you.
5. If the Plaintiff does not accept your proposal for payment, the Court will decide how the payment should be made.

How to fill in this form

- Tick the correct boxes and give as much information as you can. **Then sign and date the form.** If necessary provide details on a separate sheet, add the action number and attach it to this form.
- **If you do not ask for time to pay, you need not complete sections 2 to 11.**
- If you ask for time to pay, make your offer of payment in box 11 on the back of this form.
- If you are not an individual, you should ensure that you provide sufficient details about the assets and liabilities of your firm, company or corporation to support any offer of payment made in box 11.
- You can get help to complete this form at the Registry of the High Court.

How much of the claim do you admit?
☐ I admit the full amount claimed as shown on the statement of claim **or**
☐ I admit the amount of

\$

1 Personal details

Surname

Forename

☐ Mr ☐ Mrs ☐ Miss ☐ Ms

☐ Married ☐ Single ☐ Other (specify)

Age

Address

Tel. no.

2 Dependants (people you look after financially)**Number of children in each age group**
under 11 ☐ 11-15 ☐ 16-17 ☐ 18 & over ☐
Other dependants
(give details)
3 Employment
☐ **I am employed as a**
My employer is

Jobs other than
main job (give details)

☐ **I am self employed as a**

Annual turnover is

\$

☐ **I am not in arrears with my mandatory provident fund contributions and income tax**
☐ **I am in arrears and I owe...**

\$

Give details of :

(a) contracts and

other work in hand

(b) any sums due for work done

☐ **I have been unemployed for**

years months

☐ **I am pensioner**
4 Bank account and savings
☐ **I have a bank account**
☐ The account is in credit by

\$

☐ The account is overdrawn by

\$

5 ResidenceI live in ☐ my own flat
☐ my jointly owned flat

☐ public housing estate

☐ others (please specify)

6 Income

My usual take home pay (including overtime, commission, bonuses etc)	\$	per
My pension(s)	\$	per
Others living in my home give me	\$	per
Other income (give details below)		
	\$	per
	\$	per
	\$	per
Total income	\$	per

7 Expenses

(Do not include any payments made by other members of the household out of their own income)

I have regular expenses as follows:		
Mortgage (including second mortgage)	\$	per
Rent	\$	per
Rates	\$	per
Gas	\$	per
Electricity	\$	per
Water charges	\$	per
Housekeeping, food, school meals	\$	per
Travelling expenses	\$	per
Children's clothing	\$	per
Maintenance payments	\$	per
Others (not court orders or credit debts listed in boxes 9 and 10)		
	\$	per
	\$	per
	\$	per
Total expenses	\$	per

8 Priority debts (This section is for arrears only. Do not include regular expenses listed in box 7.)

Rent arrears	\$	per
Mortgage arrears	\$	per
Rates arrears	\$	per
Water charges arrears	\$	per
Fuel debts : Gas	\$	per
Electricity	\$	per
Other	\$	per
Maintenance arrears	\$	per
Others (give details below)		
	\$	per
	\$	per
Total priority debts	\$	per

9 Court orders

Court Action No.	\$	per
Total court order instalments	\$	per

Of the payments above, I am behind with payments to (please list)

10 Credit debts

Loans and credit card debts (please list)

	\$	per
	\$	per
	\$	per

Of the payments above, I am behind with payments to (please list)

11 Offer of payment

- ☐ I can pay the amount admitted on
- or
- ☐ I can pay by monthly instalments of \$

If you cannot pay immediately, please give brief reasons below

12 Declaration I declare that the details I have given above are true to the best of my knowledge

Signed

Date

Position or office held
(if signing on behalf of firm or company)

No. 16A

Request for judgment (admission of liquidated amount)

(O. 13A, rr. 4(3), 9(4) & 10(2))

(Heading as in action)

- Remember to sign and date the form. Your signature certifies that the information you have given is correct.
- Return the completed form to the court.

<p><u>A The defendant has admitted the whole of my claim</u></p> <p><u>Tick only one box below and complete all the judgment details at B.</u></p> <p><input type="checkbox"/> <u>I accept the defendant's proposal for payment</u></p> <p><u>Say how the defendant intends to pay. The court will send the defendant an order to pay. You will also be sent a copy.</u></p> <p><input type="checkbox"/> <u>The defendant has not made any proposal for payment</u></p> <p><u>Say how you want the defendant to pay. You can ask for the judgment to be paid by instalments or in one payment. The court will send the defendant an order to pay. You will also be sent a copy.</u></p> <p><input type="checkbox"/> <u>I do NOT accept the defendant's proposal for payment</u></p> <p><u>Say how you want the defendant to pay. Give your reasons for objecting to the defendant's offer of payment. (Continue on the back of this form if necessary.) The court will fix a rate of payment and send the defendant an order to pay. You will also be sent a copy.</u></p>	<p><u>B Judgment details</u></p> <p><u>I would like the judgment to be paid</u></p> <p><input type="checkbox"/> (immediately)</p> <p><input type="checkbox"/> (by instalments of \$ per month)</p> <p><input type="checkbox"/> (in full by)</p> <hr style="border-top: 1px dotted black;"/> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; border-right: 1px solid black; padding: 2px;"><u>Amount of claim as admitted</u></td> <td style="width: 30%;"></td> </tr> <tr> <td style="border-right: 1px solid black; padding: 2px;"><u>Interest (if any)</u></td> <td></td> </tr> <tr> <td style="border-right: 1px solid black; padding: 2px;"><u>Period from to</u></td> <td></td> </tr> <tr> <td style="border-right: 1px solid black; padding: 2px;"><u>Rate%</u></td> <td></td> </tr> <tr> <td style="border-right: 1px solid black; padding: 2px;"><u>Court fees</u></td> <td></td> </tr> <tr> <td style="border-right: 1px solid black; padding: 2px;"><u>Solicitor's costs (if any) on issuing claim</u></td> <td></td> </tr> <tr> <td style="border-right: 1px solid black; padding: 2px; text-align: right;"><u>Sub Total</u></td> <td></td> </tr> <tr> <td style="border-right: 1px solid black; padding: 2px;"><u>Solicitor's costs (if any) on entering judgment</u></td> <td></td> </tr> <tr> <td style="border-right: 1px solid black; padding: 2px; text-align: right;"><u>Sub Total</u></td> <td></td> </tr> <tr> <td style="border-right: 1px solid black; padding: 2px;"><u>Deduct amount (if any) paid since issue</u></td> <td></td> </tr> <tr> <td style="border-right: 1px solid black; padding: 2px; text-align: right;"><u>Amount payable by defendant</u></td> <td></td> </tr> </table>	<u>Amount of claim as admitted</u>		<u>Interest (if any)</u>		<u>Period from to</u>		<u>Rate%</u>		<u>Court fees</u>		<u>Solicitor's costs (if any) on issuing claim</u>		<u>Sub Total</u>		<u>Solicitor's costs (if any) on entering judgment</u>		<u>Sub Total</u>		<u>Deduct amount (if any) paid since issue</u>		<u>Amount payable by defendant</u>	
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<u>Sub Total</u>																							
<u>Deduct amount (if any) paid since issue</u>																							
<u>Amount payable by defendant</u>																							

I certify that the information given is correct

Signed

(Claimant)(Claimant's solicitor)(next friend)

Position or office held

(If signing on behalf of firm or company)

Date

No. 16B

Reply to part admission of liquidated amount and Request for judgment

(O. 13A, rr. 5(3) & (5), 9(4) & 10(2))

(*Heading as in action*)

- **Please tell the court what you wish to do by completing the lower half of this form and filing it in the Registry of the High Court within 14 days after the copy of the defendant's admission is served on you.**
At the same time you must serve a copy on the defendant. If you do not file this form in the Registry of the High Court within the prescribed period, your claim will be stayed. No further action will be taken by the court until the form is received.
- You must tick box A or B. If you tick box B you must also complete the details in that part and part C.
- Remember to sign and date the notice.

A ☐ I DO NOT accept the defendant's part admission

If you tick this box the claim will proceed as a defended claim.

B ☐ I ACCEPT the amount admitted by the defendant in satisfaction of my claim

Tick only **one** box and follow the instructions given.

☐ **I accept the defendant's proposal for payment**

Complete all the judgment details at C. The court will enter judgment in accordance with the offer and will send the defendant an order to pay. You will also be sent a copy.

☐ **The defendant has not made any proposal for payment**

Complete all the judgment details at C. Say how you want the defendant to pay. You can ask for the judgment to be paid by instalments or in one payment. The court will send the defendant an order to pay. You will also be sent a copy.

☐ **I do NOT accept the defendant's proposal for payment**

Complete all the judgment details at C and say how you want the defendant to pay. Give your reasons for objecting to the defendant's offer of payment. (Continue on the back of this form if necessary.) The court will fix a rate of payment and send the defendant an order to pay. You will also be sent a copy.

C Judgment details

I would like the judgment to be paid

- ☐ (immediately)
- ☐ (by instalments of \$ per month)
- ☐ (in full by)

Amount of claim as admitted

Interest (if any)

Period from
to

Rate%

Court fees

Solicitor's costs (if any) on issuing claim

Sub Total

Solicitor's costs (if any) on entering judgment

Sub Total

Deduct amount (if any) paid since issue

Amount payable by defendant

I certify that the information given is correct

Signed

(Claimant)(Claimant's solicitor)(next friend)

Position or office held

(If signing on behalf of firm or company)

Date

No. 16C

Admission (unliquidated amount)

(O. 13A, rr. 6(2), 7(2) & 13(2))

(Heading as in action)

Explanatory Note

1. The only claim the Plaintiff has made against you is for a unliquidated amount of money. You may admit the Plaintiff's claim in whole or in part by completing this form **within 28 days** of the service of this statement of claim on you.
2. You may offer a specified amount to satisfy the claim. If the amount you offer is accepted by the Plaintiff, the Plaintiff may request the court to enter judgment against you for that amount. Alternatively, the Plaintiff may request the court to enter judgment against you for an amount to be decided by the court and costs.
3. You may also ask for time to pay. If the Plaintiff does not accept your proposal for payment, the Court will decide how the payment should be made.

How to fill in this form

- Tick the correct boxes and give as much information as you can. **Then sign and date the form.** If necessary provide details on a separate sheet, add the action number and attach it to this form.
- **If you do not ask for time to pay, you need not complete sections 2 to 11.**
- **If you ask for time to pay, make your offer of payment in box 11 on the back of this form.**
- **If you are not an individual, you should ensure that you provide sufficient details about the assets and liabilities of your firm, company or corporation to support any offer of payment made in box 11.**
- **You can get help to complete this form at the Registry of the High Court.**

Part A Response to claim (tick one box only)

- ☐ I admit liability for the whole claim but want the court to decide the amount I should pay (if you tick this box, you need not complete Part B and sections 2 to 10)

OR

- ☐ I admit liability for the claim and offer to pay in satisfaction of the claim

Part B How are you going to pay the amount you have admitted? (tick one box only)

- ☐ I offer to pay on (date)

OR

- ☐ I cannot pay the amount immediately because (state reason)

AND

I offer to pay by instalments of \$ per (week)(month) starting (date)

1 Personal details

Surname

Forename

☐ Mr ☐ Mrs ☐ Miss ☐ Ms

☐ Married ☐ Single ☐ Other (specify)

Age

Address

Tel. no.

2 Dependants (people you look after financially)

Number of children in each age group

under 11 11-15 16-17 18 & over

Other dependants

(give details)

3 Employment

- ☐ **I am employed as a**

My employer is

Jobs other than

main job (give details)

- ☐ **I am self employed as a**

Annual turnover is \$

- ☐ **I am not** in arrears with my mandatory provident fund contributions and income tax

- ☐ **I am** in arrears and I owe..... \$

Give details of :

- (a) contracts and other work in hand
(b) any sums due for work done

- ☐ **I have been unemployed for**

years months

- ☐ **I am pensioner**

4 Bank account and savings

- ☐ **I have a bank account**

☐ The account is in credit by \$

☐ The account is overdrawn by \$

5 Residence

I live in ☐ **my own flat**

☐ **my jointly owned flat**

☐ **public housing estate**

☐ **others (please specify)**

6 Income

<u>My usual take home pay (including overtime, commission, bonuses etc)</u>	\$ per
<u>My pension(s)</u>	\$ per
<u>Others living in my home give me</u>	\$ per
<u>Other income (give details below)</u>	
	\$ per
	\$ per
	\$ per
<u>Total income</u>	\$ per

7 Expenses

(Do not include any payments made by other members of the household out of their own income)

<u>I have regular expenses as follows:</u>	
<u>Mortgage (including second mortgage)</u>	\$ per
<u>Rent</u>	\$ per
<u>Rates</u>	\$ per
<u>Gas</u>	\$ per
<u>Electricity</u>	\$ per
<u>Water charges</u>	\$ per
<u>Housekeeping, food, school meals</u>	\$ per
<u>Travelling expenses</u>	\$ per
<u>Children's clothing</u>	\$ per
<u>Maintenance payments</u>	\$ per
<u>Others (not court orders or credit debts listed in boxes 9 and 10)</u>	
	\$ per
	\$ per
	\$ per
<u>Total expenses</u>	\$ per

8 Priority debts *(This section is for arrears only. Do not include regular expenses listed in box 7.)*

<u>Rent arrears</u>	\$ per
<u>Mortgage arrears</u>	\$ per
<u>Rates arrears</u>	\$ per
<u>Water charges arrears</u>	\$ per
<u>Fuel debts : Gas</u>	\$ per
<u>Electricity</u>	\$ per
<u>Other</u>	\$ per
<u>Maintenance arrears</u>	\$ per
<u>Others (give details below)</u>	
	\$ per
	\$ per
<u>Total priority debts</u>	\$ per

9 Court orders

<u>Court</u>	<u>Action No.</u>	\$ per
<u>Total court order instalments</u>		\$ per

Of the payments above, I am behind with payments to (please list)

10 Credit debts

Loans and credit card debts (please list)

	\$ per
	\$ per
	\$ per

Of the payments above, I am behind with payments to (please list)

11 Declaration I declare that the details I have given above are true to the best of my knowledge**Signed**

Position or office held
(if signing on behalf of firm or company)

Date

No. 16D

Request for judgment (admission of unliquidated amount)

(O. 13A, r. 6(3))

(Heading as in action)

The defendant has admitted liability to pay the whole of my claim but has not made any proposal for payment.

I request judgment to be entered against the defendant for an amount to be decided by the court and costs.

Signed

(Claimant)(Claimant's solicitor)(next friend)

**Position or
office held**
(if signing on
behalf of firm
or company)

Date

No. 16E

Reply to admission of unliquidated amount and Request for judgment

(O. 13A, r. 7(3), (5) & (9), 9(4) & 10(2))

(*Heading as in action*)

Important notes for plaintiff

- You must tick either A or complete B and C and return the form to the Registry of the High Court within 14 days after the copy of the defendant's admission is sent to you.
At the same time you must send a copy to the defendant. If you do not return the form within the prescribed period, your claim will be stayed. No further action will be taken by the court until the form is received.
- Remember to sign and date the notice.

A ☐ I DO NOT accept the amount offered by the defendant in satisfaction of my claim. I wish judgment to be entered for an amount to be decided by the court.

The court will refer the court file to a judge for directions for management of the case. You and the defendant will be sent a copy of the court's order.

B ☐ I ACCEPT the amount admitted by the defendant in satisfaction of my claim

Tick only **one** box and follow the instructions given.

☐ **I accept the defendant's proposal for payment**

Complete all the judgment details at C. The court will enter judgment in accordance with the offer and will send the defendant an order to pay. You will also be sent a copy.

☐ **I do NOT accept the defendant's proposal for payment**

Complete all the judgment details at C and say how you want the defendant to pay. Give your reasons for objecting to the defendant's offer of payment. (Continue on the back of this form if necessary.) The court will fix a rate of payment and send the defendant an order to pay. You will also be sent a copy.

C Judgment details

I would like the judgment to be paid

- ☐ (immediately)
- ☐ (by instalments of \$ per month)
- ☐ (in full by)

Enter amounts as shown

Amount of offer

Court fees entered on claim

Solicitor's costs (if any) on issuing claim

Solicitor's costs (if any) on entering judgment

Sub Total

Deduct amount (if any) paid since issue

Amount payable by defendant

\$	

I certify that the information given is correct

Signed

(Plaintiff)(Plaintiff's solicitor)(next friend)

Position or office held

(If signing on behalf of firm or company)

Date

Remarks

No. 17

Notice to be indorsed on copy of counterclaim

(O. 15 r. 3(6))

To X. Y.

~~Take notice that, within [14 days]~~ **1. Take notice that, within [28 days]** after service of this defence and counterclaim on you, counting the day of service, you must acknowledge service and state in your acknowledgment whether you intend to contest the proceedings. If you fail to do so or if your acknowledgment does not state your intention to contest the proceedings, judgment may be given against you without further notice.

Rule 66
Rec 18

2. If the only remedy which the Plaintiff is seeking is the payment of a liquidated or unliquidated amount of money, you may admit the Plaintiff's claim in whole or in part by completing Form 16 or 16C as attached to the statement of claim.

3. A completed Form No. 16 or 16C must be filed with the Registry of the High Court and served on the Plaintiff [or the Plaintiff's solicitors] within the period for service of the Defence.

IMPORTANT

Directions for Acknowledgment of Service are given with the accompanying form.
(L.N. 251 of 1997)

No. 23

Rule 88
Rec 38-43, 132

Notice of payment into court

(O. 6 r. 2; O. 22 rr. 1, 2)

(Heading as in action)

~~Take notice that~~

The defendant has paid \$ into court.

The said \$ is in satisfaction of (the cause of action) (all the causes of action) in respect of which the plaintiff claims (and after taking into account and satisfying the above named defendant's cause of action for

..... in respect of which he counterclaims).

or

Remarks

The said \$ is in satisfaction of the following causes of action in respect of which the plaintiff claims, namely, (and after taking into account as above).

or

Of the said \$, \$ is in satisfaction of the plaintiff's cause(s) of action for (and after taking into account as above) and \$ is in satisfaction of the plaintiff's cause(s) of action for (and after taking into account as above).

Dated the day of 19

(L.N. 251 of 1997)

No. 24

Notice of acceptance of money paid into court

(O. 22 r. 3)

(Heading as in action)

Take notice that the plaintiff accepts the sum of \$ paid in by the defendant C.D. in satisfaction of the cause(s) of action in respect of which it was paid in and in respect of which the plaintiff claims (against that defendant) (and abandons the other causes of action in respect of which he claims in this action).

Dated the day of 19

No. 86A

Rule 157
Rec 144-148

Notice of application for leave to apply for Judicial Review

(O. 53 r. 3)

No.

IN THE HIGH COURT OF HONG KONG
COURT OF FIRST INSTANCE

Applicant

Notice of Application for leave to apply for Judicial Review (O. 53, r. 3)
This form must be read together with Notes for Guidance obtainable from the Registry.
To the Registrar, High Court, Hong Kong.

Remarks

Name, address and description of applicant	
Judgment, order, decision or other proceeding in respect of which relief is sought	

Relief Sought

Name and address of applicant's solicitors; or, if no solicitors acting, the address for service of the applicant	
Signed	Dated

Grounds On Which Relief is Sought
(If there has been any delay, include reasons here)

Note: Grounds must be supported by an affidavit which verifies the facts relied on.

(L.N. 251 of 1997; 25 of 1998 s. 2)

No. 86A

**Notice of application for leave to
apply for Judicial Review**

(O. 53 r. 2A(2))

No.....

**IN THE HIGH COURT OF HONG KONG
COURT OF FIRST INSTANCE**

Applicant

**Notice of Application for leave to
Apply for Judicial Review (O. 53, r 2A(2))**

Remarks

This form must be read together with Notes for Guidance obtainable from the Registry.

To the Registrar, High Court, Hong Kong.

<u>Name and description of applicant</u>	
<u>Judgment, order, decision or other proceeding in respect of which relief is sought</u>	
<u>Relief Sought</u>	
<u>Name, address and description of interested parties</u>	
<u>Name and address of applicant's solicitors, or, if no solicitors acting, the address for service of the applicant</u>	
<u>Signed</u>	<u>Dated</u>

Grounds On Which Relief is Sought
(If there has been any delay, include reasons here).

Made this day of 2007.

No. 107

Rule 62
Rec 10 to 16

~~Application for order for continued
detention of seized property~~

(O. 115 r. 24)

IN THE HIGH COURT OF HONG KONG
COURT OF FIRST INSTANCE

IN THE MATTER OF
THE DRUG TRAFFICKING (RECOVERY
OF PROCEEDS) ORDINANCE (CAP 405)

BETWEEN

[]

Applicant

and

[]

Respondent

NOTICE OF MOTION

TAKE NOTICE that the High Court of Hong Kong will be moved before the
Honourable Mr.

Justice
on day, the day
of at o'clock in the
noon or so soon thereafter as the Applicant can be heard by the Applicant FOR
ORDERS THAT
[here set out relief]

AND that the costs of and incidental to this application may be paid
by

Dated the day of 19

(Sd.)

The address for service of the
Applicant,,
is Hong Kong.
(L.N. 296 of 1996; 25 of 1998 s. 2)

No. 109

Rule 62
Rec 10 to 16

**Application under Part III of the Prevention of
Bribery Ordinance**

(O. 119 r. 4)
IN THE HIGH COURT OF HONG KONG
COURT OF FIRST INSTANCE

IN THE MATTER OF THE PREVENTION
OF BRIBERY ORDINANCE (CAP 201)

BETWEEN Applicant

[] Respondent
and
[]

NOTICE OF MOTION

Remarks

TAKE NOTICE that the High Court of Hong Kong will be moved before the
Honourable Mr.
Justice
on day, the day
of at o'clock in
the noon or so soon thereafter as the Applicant
can be heard by the Applicant FOR ORDERS THAT-

[here set out orders sought]

AND that the costs of and incidental to this application may be paid
by

.....

Dated the day of 19

(Sd.)

The address for service of the
Applicant,

is

..... Hong Kong.
(L.N. 222 of 1997; 25 of 1998 s. 2)
(Enacted 1988)

No. 110

Rule 100
Rec 52-60,62

**Notice of application for leave to institute
or continue proceedings in court**

(O. 32A r. 2)

No.....

IN THE HIGH COURT OF HONG KONG
COURT OF FIRST INSTANCE

Applicant

Notice of Application for leave to
institute or continue proceedings in court
(O. 32A, r. 2)

Remarks

<u>To the Registrar, High Court, Hong Kong.</u>	
<u>Name and address of applicant</u>	
<u>Title and reference number of the proceedings in which the order under section 27(2) of the High Court Ordinance (Cap. 4) was made</u>	
<u>Order sought</u>	
<u>Previous applications for leave which the applicant has made under section 27 of the High Court Ordinance (Cap. 4), and the results of those applications</u>	
<u>Signed</u>	<u>Dated</u>

Grounds On Which Leave is Sought

Note:—Grounds must be supported by the affidavit evidence on which the applicant relies in support of his application.