

# Rules of the District Court (Amendment) Rules 2008

## The Rules of the District Court (Cap. 336H)

### Order 1A – OBJECTIVES

#### Remarks

#### 1. Underlying objectives (O. 1A, r. 1)

Rule 3  
Rec 2-4

The underlying objectives of these Rules are –

- (a) to increase the cost-effectiveness of any practice and procedure to be followed in relation to proceedings before the Court;
- (b) to ensure that a case is dealt with as expeditiously as is reasonably practicable;
- (c) to promote a sense of reasonable proportion and procedural economy in the conduct of proceedings;
- (d) to ensure fairness between the parties;
- (e) to facilitate the settlement of disputes; and
- (f) to ensure that the resources of the Court are distributed fairly.

#### 2. Application by the Court of underlying objectives (O. 1A, r. 2)

(1) The Court shall seek to give effect to the underlying objectives of these Rules when it –

- (a) exercises any of its powers (whether under its inherent jurisdiction or given to it by these Rules or otherwise); or
- (b) interprets any of these Rules or a practice direction.

(2) In giving effect to the underlying objectives of these Rules, the Court shall always recognize that the primary aim in exercising the powers of the Court is to secure the just resolution of disputes in accordance with the substantive rights of the parties.

#### 3. Duty of the parties and their legal representatives (O. 1A, r. 3)

The parties to any proceedings and their legal representatives shall assist the Court to further the underlying objectives of these Rules.

#### 4. Court's duty to manage cases (O. 1A, r. 4)

(1) The Court shall further the underlying objectives of these Rules by actively managing cases.

(2) Active case management includes –

- (a) encouraging the parties to co-operate with each other in the conduct of the proceedings;
- (b) identifying the issues at an early stage;
- (c) deciding promptly which issues need full investigation and trial and accordingly disposing summarily of the others;
- (d) deciding the order in which the issues are to be resolved;
- (e) encouraging the parties to use an alternative dispute resolution procedure if the Court considers that appropriate, and facilitating the use of such a procedure;
- (f) helping the parties to settle the whole or part of the case;
- (g) fixing timetables or otherwise controlling the progress of the case;
- (h) considering whether the likely benefits of taking a particular step justify the cost of taking it;
- (i) dealing with as many aspects of the case as practicable on the same occasion;
- (j) dealing with the case without the parties needing to attend at court;
- (k) making use of technology; and
- (l) giving directions to ensure that the trial of a case proceeds quickly and efficiently.