

立法會
Legislative Council

LC Paper No. CB(3) 738/17-18

Ref. : CB(3)/M/OR

Tel : 3919 3300

Date : 25 June 2018

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 27 June 2018

**Proposed resolution under the District Court Ordinance and
proposed resolution and amending motion under
the Small Claims Tribunal Ordinance**

Members have been informed vide LC Paper No. CB(3) 706/17-18 that the Chief Secretary for Administration (“CS”) will move the following two proposed resolutions at the above meeting:

- (a) proposed resolution under section 73A of the District Court Ordinance (Cap. 336) (“the first proposed resolution”); and
- (b) proposed resolution under section 6 of the Small Claims Tribunal Ordinance (Cap. 338) (“the second proposed resolution”).

2. Members are invited to note that the President has given permission for Hon James TO to move the **attached amending motion** to amend CS’s second proposed resolution. The President has also directed that the amending motion be printed in the terms in which it was handed in on the Agenda of the Council.

3. As CS’s two proposed resolutions both seek to raise the civil jurisdictional limits of the District Court and Small Claims Tribunal and were scrutinized by the same subcommittee, the President has decided that at the above meeting, **a joint debate** be held on the two proposed resolutions and Mr TO’s amending motion, and then they be **voted upon one by one**.

4. To assist Members in considering the above motions, I set out the relevant proceedings under which the President will:

- (a) first call upon CS to speak on the two proposed resolutions and move the first proposed resolution, and then propose the question on the first proposed resolution;
- (b) call upon Mr TO to speak, but he may not move his amending motion at this stage;
- (c) invite the chairman of the subcommittee formed to scrutinize the two proposed resolutions to speak;
- (d) invite other Members to speak;
- (e) call upon CS to speak on Mr TO's amending motion;
- (f) put to vote the question on CS's first proposed resolution;
- (g) irrespective of whether CS's first proposed resolution is passed, invite CS to move his second proposed resolution and Mr TO to move his amending motion, and then propose and put to vote the question on his amending motion;
- (h) irrespective of whether Mr TO's amending motion is passed, call upon CS to reply and order that the debate will come to a close;
- (i) put to vote the question on CS's second proposed resolution, or CS's second proposed resolution as amended by Mr TO.

5. Members are invited to note that each Member may only speak once in the above joint debate and the speaking time limit for each Member is 15 minutes. The public officer will not be subject to any speaking time limit.

(Dora WAI)
for Clerk to the Legislative Council

Encl.

Honourable James TO Kun-sun's amending motion

**Small Claims Tribunal Ordinance
and
Rule 29(6) of the Rules of Procedure of the Legislative Council of
the Hong Kong Special Administrative Region**

Amending Motion

Resolved that the motion to be moved by the Chief Secretary for Administration under section 6 of the Small Claims Tribunal Ordinance (Cap. 338) at the Legislative Council meeting of 27 June 2018 be amended as set out in the Schedule.

Schedule

Amendment to Motion to be Moved by Chief Secretary for Administration under Section 6 of Small Claims Tribunal Ordinance

1. Schedule amended (amendments to Small Claims Tribunal Ordinance)

The Schedule—

Delete section 1

Substitute

“1. Schedule amended (jurisdiction of tribunal)

(1) The Schedule, paragraph 1—

Repeal

“\$50,000”

Substitute

“\$100,000”.

(2) The Schedule, paragraph 2(b)—

Repeal

“\$50,000”

Substitute

“\$100,000”.”.