

MEMO

From Registrar, High Court
Registrar, District Court
Our Ref. SC 101/16/28 VI
Tel. No. 2825 4600
Fax No. 2524 4860
Date 10 January 2002

To CJC/High Court Registry
CJC/District Court Registry

Search and Inspection of Court File

At present only two categories of people are allowed to search or inspect the court file:

- (A) any of the parties to the proceedings;
- and (B) persons who have been granted leave to do so under Order 63 rule 4(1)(c) of both the Rules of High Court of the Rules of the District Court.

Most of the applications for search are done by solicitors.

2. The searches are carried out during the office hours when the Registry is open to the public but without restriction on the length of time for use. Abuses have occurred when some clerks from solicitors' firms do not return the files after use. Both the Registries of the High Court and the District Court have decided to impose administrative measures to prevent such abuses but without affecting the existing rights to search.

3. As from 4 February 2002, every search is limited to an initial period of one hour. If extension is required, the requesting party has to apply for it without the necessity of paying additional fee but such right is limited to search on the same day.

4. In any event files have to be returned to the counter at the following time:

Weekdays

Morning Session 1.00 p.m.
Afternoon Session 4.15 p.m.

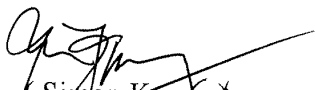
Saturdays

Only Morning Session 12 noon


Please note that the respective Registry reserves the overriding right to recall the file for use at any time if circumstances so warrant.

5. The procedure for search remains the same as before: the requesting party has to produce a duly franked praecipec to apply for search or inspection of court file. The counter clerk will endorse on the praecipec, when the file is available, the time for its return. The searcher has to return the file after use but in any event not later than the time endorsed on the praecipec unless extended as approved by the respective Registry.

6. This administration direction will take effective as from 4 February 2002.



(Simon Kwang)
Acting Registrar, District Court



(Christopher C. Chan)
Registrar, High Court