

香港高等法院
司法常務官內庭用箋



REGISTRAR'S CHAMBERS
HIGH COURT
HONG KONG

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Our Ref.: SC 101/16/28 PT7

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11 February 2003

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Dear Sir,

Re: Sealing of Orders

I wish to draw your attention to the above matter. I am informed by the Registry Clerks in charge that on a number of occasions they find orders engrossed do not tally with the terms of the orders that have been approved. An omission of one or two words in an order may be fatal and completely alter its meaning and effect.

Please note that every day the Registry has to seal approximately five hundred orders. The workload is a heavy one but I can assure you that the Registry staff concerned will use their best endeavour to discharge their duties expeditiously. However, I wish to seek the full co-operation of all practitioners to ensure that the engrossments are the same as the approved drafts.

The primary responsibility of drawing up the right orders rests with those "having carriage of the orders". The existing procedure of settling draft

orders and judgments as set out in Practice Direction 16.1 is, for the ease of reference, repeated as follows:

- “ 1. Drafts will only be accepted by the judges or their clerks or in the Registry if signed personally by a solicitor.
2. If, thereafter, a solicitor disagrees with any amendment made by the judge or his clerk, he should seek an appointment before the judge.
3. If, thereafter, a solicitor disagrees with any amendment made by the Registry, he should notify the Registry and seek an appointment before the Practice Master.”

It is quite clear that a solicitor should not take the liberty of amending the approved draft without leave of the Court.

I hope that you will publish and distribute this letter to all concerned. I have asked the Registry to monitor the situation and regularly report it to me whether there is any recurrence of such event.

Yours faithfully,



(Christopher C. Chan)
Registrar

c.c. Chief Judicial Clerk (High Court Registry)