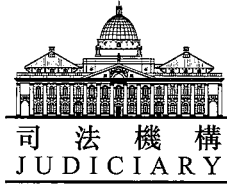


高等法院
司法常務官內庭用箋



Registrar's Chambers
The High Court

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本函檔號 Our Ref.: JUD RHC 6-20/1 Pt 2

13 September 2021

Mr C M Chan
President
The Law Society of Hong Kong
3/F, Wing On House
71 Des Voeux Road Central
Hong Kong

Dear *C. M.*,

Re: Arrangement for Monday Morning Hearing for Insolvency Cases

The Hon Madam Justice Linda Chan, the Judge in charge of Companies and Bankruptcy List, has directed that the attached memo concerning Monday morning hearing for winding-up and bankruptcy petitions be-circulated amongst members of the Law Society.

Yours sincerely,

(Andy Ho)
Registrar, High Court

c.c. The Hon Madam Justice Linda Chan
Master Lai

Monday morning for Winding-up and Bankruptcy petitions

1. With effect from 4 October 2021¹, the same Judge will hear all the winding-up petitions and bankruptcy petitions on Monday, which will be listed as follows:
 - 1.1. Winding-up petitions will be listed at 9:30 am;
 - 1.2. Creditor's bankruptcy petitions will be listed at 10:00 am; and
 - 1.3. Non-commencement order in bankruptcy proceedings and self-bankruptcy petitions will be listed at 10:30 am.
2. To ensure that the parties lodge their hearing bundles and skeleton arguments in good time, with effect from 29 September 2021, at the callover hearing before Master on Wednesday, if the petitions are adjourned to the next Monday before a Judge, Master will give the following Standard Directions on the petitions.
3. If the Petitioner is represented and intends to seek substantive order from the Judge, the following directions shall be complied with:
 - 3.1. The Petitioner shall lodge with the Court, via e-Lodgment platform, electronic bundles together with skeleton arguments (not exceeding 10 pages) and list of authorities (if any) (prepared in accordance with the requirements set out in the "Directions on Electronic Bundles and Skeleton Arguments" annexed hereto) by 10:00 am on Thursday, and serve such documents on the Respondent at the same time;
 - 3.2. The hearing bundle shall include (a) the petition, (b) the substantive affirmations² filed by the parties unless the Respondent has raised issue on the service of the petition, (c) any essential exhibits which the parties consider should be read by the Judge, and (d) any summons issued by the parties;

¹ For the petitions already scheduled to be heard before a Judge, the date and time of the hearing remain unchanged.

² That is, affirmations which deal with the merit of the petition.

- 3.3. The Respondent (if represented) shall lodge with the Court, via e-Lodgment platform, and serve on the Petitioner at the same time, his skeleton arguments (not exceeding 8 pages) and list of authorities (if any) by 10:00 am on Friday;
 - 3.4. Individual judge(s) may call for the lodgment of paper bundles; and
 - 3.5. Any party who failed to comply with the above time limits may result in an adjournment of the petition and the party in default may be ordered to pay the costs wasted (if any) to the other party irrespective of the merit of the petition.
4. If the Petitioner is represented and intends to seek directions on the further conduct of the petition, the following directions shall be complied with:
 - 4.1. The Petitioner shall lodge with the Court, via e-Lodgment platform, his skeleton arguments (not exceeding 3 pages) setting out the proposed directions and, if they go beyond the usual directions for filing evidence, the reasons for seeking such directions, together with a draft Order, by 10:00 am on Thursday, and serve such documents on the Respondent at the same time; and
 - 4.2. The Respondent (if represented) shall lodge with the Court, via e-Lodgment platform, and serve on the Petitioner at the same time, his skeleton arguments (not exceeding 2 pages) setting out his response on the Petitioner's proposed directions by 10:00 am on Friday.

Directions on Electronic Bundles and Skeleton Arguments

- (1) PDF file(s) should be lodged with the Court via e-Lodgment platform at <https://e-services.judiciary.hk/elodge/hc/>
- (2) The PDF file(s) must be identical to the paper bundle(s) used by the parties. Each page of the electronic bundle in a PDF file should be numbered in ascending order and match with the corresponding page number printed on the paper bundle.
- (3) For Index page(s), it should be given the page number starting from “0-” as the prefix. For example, an index of three pages can be numbered as “0-1”, “0-2” and “0-3” before starting with bundle page 1.
- (4) All PDF file(s) should have been processed by Optical Character Recognition (OCR) to make text searchable and for ease of annotation.
- (5) The PDF file(s) should have PDF bookmarks containing Index of the electronic bundle indicating the pages they are referring to.
- (6) For Exhibits, a brief description together with exhibit number should be included.
- (7) The Skeleton Arguments should use at least 14 fronts and with normal page margins (i.e. 2.54 cm on top, bottom, right and left of page).
- (8) Skeleton Arguments (in both PDF and WORD formats) and List of Authorities should be submitted in one PDF file, with each item separated by a PDF bookmarks describing the authorities. (All page references in Skeleton Arguments should be in the form of [Bundle/Tab/Page], eg [A/3/25]).