

PRACTICE DIRECTION - 37

Handing Down of Reserved Judgments in the District Court, Family Court and Lands Tribunal

1. This Practice Direction is aimed at ensuring that reserved judgments are handed down as expeditiously as is reasonably practicable having regard to the circumstances of the case, including its nature and complexity, and the other commitments of the court. It applies to all cases before the District Court including the Family Court and the Lands Tribunal.
2. For present purposes, judgments and reserved judgments include judgments reserved after oral hearings and reasons for judgment, and judgments for paper applications.
3. With effect from 5 September 2022, all reserved judgments in the District Court and the Lands Tribunal will be handed down within the timeframes set out below. The part concerning the Family Court will take effect from 9 January 2023.

A. District Court

A1. Civil cases

4. For trials and substantive applications, such as the substantive hearing of an originating summons, which last for less than 15 days, judgment will be handed down within 6 months after the conclusion of the hearing.
5. For trials and substantive applications which last for 15 days or more, judgment will be handed down within 9 months after the conclusion of the hearing.
6. For interlocutory applications, judgment will be handed down within 3 months after the conclusion of the hearing.
7. For paper applications, judgment will be handed down within 3 months after the close of the parties' submissions.

A2. Criminal cases

8. For bail applications, the court should ordinarily be able to deliver judgment at the conclusion of the hearing. If the court reserves judgment or gives judgment with reasons for judgment to be handed down, judgment or reasons for judgment will be handed down within 14 days after the conclusion of the hearing.

A3. Masters

9. While masters are expected to be able to deliver judgment at the conclusion of the hearing for a contested matter, in the event that judgment has to be reserved, the judgment will be handed down within 3 months after the conclusion of the hearing.
10. For assessment of damages, judgment will be handed down within 6 months of the conclusion of the hearing.

B. Family Court

11. Due to the special nature of the proceedings in the Family Court, and in order to give priority to children matters, some flexibility is required in fixing the time for handing down reserved judgments in the Family Court.
12. For trials and substantive applications in relation to children matters, judgment will be handed down within 6 months after the conclusion of the hearing.
13. For trials and substantive applications in relation to other proceedings, judgment will be handed down within 9 months after the conclusion of the hearing.
14. For paper applications, judgment will be handed down within 3 months after the close of the parties' submissions.

15. A masters system will be introduced in the Family Court as part of the family procedure rules review exercise. While masters are expected to be able to deliver judgment at the conclusion of the hearing for a contested matter, in the event that judgment has to be reserved, the judgment will be handed down within 3 months after the conclusion of the hearing.

C. Lands Tribunal

16. For trials and substantive applications which last for less than 15 days, judgment will be handed down within 6 months after the conclusion of the hearing.

17. For trials and substantive applications which last for 15 days or more, judgment will be handed down within 9 months after the conclusion of the hearing.

18. For interlocutory applications, judgment will be handed down within 3 months after the conclusion of the hearing.

19. For paper applications, judgment will be handed down within 3 months after the close of the parties' submissions.

D. Fixing the handing down date

20. When reserving judgment after an oral hearing, the court must at the same time fix the actual handing down date of the judgment in accordance with the timeframes set out above.

21. For paper applications or disposals, the court will notify the parties in writing of the actual handing down date once a judge has been assigned to handle the matter or immediately after the close of the parties' submissions, as the case may be.

Dated this 20th day of May 2022.

(Andrew Cheung)
Chief Justice