

L.N. 1 of 2024

**District Court (Fixed Costs in Matrimonial Causes)
(Amendment) Rules 2024**

(Made by the District Court Rules Committee under section 72 of the District Court Ordinance (Cap. 336))

1. Commencement

These Rules come into operation on 1 March 2024.

2. District Court (Fixed Costs in Matrimonial Causes) Rules amended

The District Court (Fixed Costs in Matrimonial Causes) Rules (Cap. 336 sub. leg. F) are amended as set out in rules 3, 4 and 5.

3. Rule 9 added

After rule 8—

Add

“9. Transitional provision for District Court (Fixed Costs in Matrimonial Causes) (Amendment) Rules 2024

(1) If, in relation to a matrimonial cause—

- (a) a decree described in Part I of the pre-amended Table is made before the commencement date; and
- (b) a notice of election is given to the Registrar on or after that date,

then, the costs specified in the pre-amended Rules in respect of the decree continue to apply in relation to the decree as if the Amendment Rules had not been made.

(2) If, in relation to a matrimonial cause—

(a) an attendance described in Part II of the pre-amended Table takes place before the commencement date; and

(b) a notice of election is given to the Registrar on or after that date,

then, the costs specified in the pre-amended Rules in respect of the attendance continue to apply in relation to the attendance as if the Amendment Rules had not been made.

(3) If, in relation to a matrimonial cause—

(a) a Court order allowing substituted service described in Part IV of the pre-amended Table is granted before the commencement date; and

(b) a notice of election is given to the Registrar on or after that date,

then, the costs specified in the pre-amended Rules in respect of the service continue to apply in relation to the service as if the Amendment Rules had not been made.

(4) In this rule—

Amendment Rules (《修訂規則》) means the District Court (Fixed Costs in Matrimonial Causes) (Amendment) Rules 2024;

commencement date (實施日期) means the date on which the Amendment Rules come into operation;

pre-amended Rules (《原有規則》) means these rules as in force immediately before the commencement date;

pre-amended Table (原有列表) means the Table of Fixed Costs in the First Schedule as in force immediately before the commencement date.”.

4. First Schedule amended (fixed costs)

(1) First Schedule—

Repeal

“rule 3]”

Substitute

“rr. 3, 4, 5, 6 & 9 & 2nd Sch.]”.

(2) First Schedule, English text, paragraph 1, definition of *Table*—

Repeal the full stop

Substitute a semicolon.

(3) First Schedule, Chinese text, paragraph 1, definition of *條例*—

Repeal

“章)。”

Substitute

“章) ; ”.

(4) First Schedule, paragraph 1—

Add in alphabetical order

“*half-day hearing* (半日聆訊), in relation to a financial dispute resolution hearing or children’s dispute resolution hearing, means a hearing held at any time during either of the following periods of a day—

- (a) from 9:30 a.m. to 1 p.m.;
- (b) from 2:30 p.m. to 4:30 p.m.;

whole-day hearing (整日聆訊), in relation to a financial dispute resolution hearing or children’s dispute resolution hearing, means a hearing held at any time during both of the following periods of a day—

- (a) from 9:30 a.m. to 1 p.m.;
- (b) from 2:30 p.m. to 4:30 p.m.”.

- (5) First Schedule, paragraph 3—

Repeal

everything after “Table” and before “include”

Substitute

“apply in relation to a children’s appointment, first appointment, financial dispute resolution hearing, children’s dispute resolution hearing and any other hearing in respect of matters of custody, access or ancillary relief, where separate attendance is required, and”.

- (6) First Schedule, paragraph 4A—

Repeal

everything after “The” and before “of a”

Substitute

“costs specified in Part IV of the Table apply in relation to the substituted service, and the dispensing with service.”.

- (7) First Schedule, Table of Fixed Costs, Part I, item 1(a)—

Repeal

“8,800”

Substitute

“9,500”.

- (8) First Schedule, Table of Fixed Costs, Part II, item 2—

Repeal

“respect of the hearing of a question of”.

- (9) First Schedule, Table of Fixed Costs, Part II, item 2(a), before “either”—

Add

“a children’s appointment, or a hearing in respect of matters of”.

- (10) First Schedule, Table of Fixed Costs, Part II, item 2(a)—

Repeal

“4,200”

Substitute

“10,000”.

- (11) First Schedule, Table of Fixed Costs, Part II, item 2(b), before “ancillary”—

Add

“a first appointment, or a hearing in respect of matters of”.

- (12) First Schedule, Table of Fixed Costs, Part II, item 2(b)—

Repeal

“5,000”

Substitute

“10,000”.

- (13) First Schedule, Table of Fixed Costs, Part II, item 2(c)—

Repeal

“custody, access and ancillary relief or ancillary relief and either custody or access”

Substitute

“a children’s appointment and first appointment, or a hearing in respect of matters of custody, access and ancillary relief”.

- (14) First Schedule, Table of Fixed Costs, Part II, item 2(c)—

Repeal

“8,400”

Substitute

“15,000”.

- (15) First Schedule, Table of Fixed Costs, Part II, after item 2(c)—

Add

“(d) a financial dispute resolution	7,000
hearing or children’s dispute resolution hearing	(half-day hearing)
	12,000
	(whole-day hearing)”.

- (16) First Schedule, Table of Fixed Costs, Part II, item 2—

Repeal

“1,700”

Substitute

“3,200”.

(17) First Schedule, Table of Fixed Costs, Part II, item 2—

Repeal

“\$13,400”

Substitute

“42,000”.

(18) First Schedule, Table of Fixed Costs, Part III, item 3—

Repeal

“700”

Substitute

“1,000”.

(19) First Schedule, Table of Fixed Costs, Part IV, item 4—

Repeal

“of a petition and”

Substitute

“, or dispensing with service, of a petition or”.

(20) First Schedule, Table of Fixed Costs, Part IV, item 4—

Repeal

“3,700”

Substitute

“5,000”.

5. Second Schedule amended

(1) Second Schedule, Form 1B—

Repeal

“8,800”

Substitute

“9,500”.

(2) Second Schedule, Form 1B—

Repeal

Custody/Access/ Custody & Access				
Ancillary Relief				
Custody, Access & Ancillary Relief/ Ancillary Relief, Custody or Access				”

Substitute

Children’s Appointment, or Hearing in respect of Matters of either Custody or Access only or Custody and Access only				
First Appointment, or Hearing in respect of Matters of Ancillary Relief only				
Children’s Appointment and First Appointment, or Hearing in respect of Matters of Custody, Access and Ancillary Relief				

Financial Dispute Resolution Hearing or Children’s Dispute Resolution Hearing				”.
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- (3) Second Schedule, Form 1B—

Repeal

“700”

Substitute

“1,000”.

- (4) Second Schedule, Form 1B—

Repeal

“Substituted Service	3,700		”.
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Substitute

“Substituted Service or Dispensing with Service	5,000		”.
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- (5) Second Schedule, Form 3, item 4—

Repeal

“of a petition and”

Substitute

“, or the dispensing with service, of a petition or”.

Made this 2nd day of January 2024.

The Hon. Mr. Justice POON
Chief Judge of the High Court

H.H. Judge KO
Chief District Judge

H.H. Judge LIU

H.H. Judge YEE

Michelle SOONG
Registrar, District Court

Hugh KAM

Calvin CHENG

Joyce CHAN

Explanatory Note

The main purpose of these Rules is to increase the fixed costs payable in respect of certain decrees and applications made in matrimonial causes instituted under the Matrimonial Causes Ordinance (Cap. 179). These Rules also extend the fixed costs arrangement to a children's appointment, first appointment, financial dispute resolution hearing and children's dispute resolution hearing.