

Small Claims Tribunal
3/F, Tower B
West Kowloon Law Courts Building
501 Tung Chau Street
Sham Shui Po, Kowloon, Hong Kong
Date: 8 February, 2018

To: Norriss, Tristram Michael 經營 Global Starasia 前稱 Timoran
致: Capital

小額錢債審裁處
香港九龍深水埗
通州街501號
西九龍法院大樓B座3樓
日期：2018年2月8日

Dear Sir/Madam,
先生/女士:

Re: Claim No. SCTC002064/18
有關申索案件編號:

I enclose herewith a copy of the award/order in the above-mentioned case.

隨函附上裁決判令一份。

Yours faithfully,

Mr. Dick Ho Chin-pang

Registrar
司法常務官

FORM 6
表格六
SMALL CLAIMS TRIBUNAL ORDINANCE
小額錢債審裁處條例
(Chapter 338)
(第 338 章)

(s. 18.)
(條例第18條)

FORM OF *AWARD/ORDER
* 裁決/命令表格

Claim No. : SCTC002064/18
(申索編號)

Between (a) _____ Chinese Lord Ltd. _____ Claimant(s) 申索人
and _____ 及
(b) _____ Norriss, Tristram Michael 經營 Global Starasia 前稱 Timoran Capital _____ Defendant(s) 被告人

The Defendant having failed to appear at the hearing, it is hereby ordered that:-

The Defendant do pay the Claimant:

- a. the sum of \$49,000.00;
- b. the costs of \$187.00;
- c. post-judgment interest on the aforesaid judgment sum (including costs) at the judgment rate from the date of the award until satisfaction.

被告人在聆訊時缺席，現頒令如下：-

被告人須支付申索人：

- a. 款項\$49,000.00;
- b. 訟費\$187.00;
- c. 上述判決款項（包括訟費）的判決後利息，以判定利率計算，由裁斷日起計至款項付清時止。

Date : 8 February, 2018
日期 : 2018年2月8日



Signed
已簽署

.....)
(Mr. Timon SHUM)
(沈其亮)
Adjudicator
審裁官
L.S.
蓋印處

各當事人注意

(1) 如審訊後不滿審裁官的決定，你可以選擇：

(i) 申請覆核

你須在法庭作出命令或裁決後 7 天內填妥表格 8C，即「要求覆核裁決/命令申請書」，並提交審裁處。表格可向審裁處登記處索取。你必須嚴格遵照期限規定。

如你不滿覆核結果，可向高等法院原訟法庭申請上訴。

(ii) 向高等法院原訟法庭申請上訴批准或許可

你必須在下列規定限期內以上表格 9 向高等法院司法常務官提出申請。

- 在法庭裁斷書或命令書送達後起計 7 天內；或
- 假如你在這 7 天內向審裁處申請索取該裁斷或命令的書面理由，則在該書面理由送達後起計 7 天內；或
- 高等法院司法常務官根據充分理由而延長的期限內。

若上訴涉及法律問題、或該申索超越審裁處的司法管轄權範圍，可申請上訴許可。

除審裁處或原訟法庭就個別情況另有命令外，凡向高等法院司法常務官呈交表格 9 要求上訴以撤銷裁決或命令者，不得借此使裁決或命令延期執行。

以下列表或有助你決定究竟應該申請覆核或申請上訴許可：

覆核	上訴
• 在小額錢債審裁處進行	• 在原訟法庭進行
• 通常會由原審審裁官聆訊	• 通常會由一位原訟法庭法官聆訊
• 不可由律師代表	• 可委託律師進行上訴
• 訟費一般所費不多，因不牽涉律師訟費	• 若聘請律師，訟費可能相當高昂
• 可接納新的證據	• 上訴時不接納新的證據
• 無須受審裁處原審時已認定的事實約束	• 無權推翻或更改審裁處就事實作出的裁定

(2) 如果審裁處在你缺席的情況下判你敗訴或剔除你的申索，你不應提出上訴，而應立即向審裁處申請將命令作廢。你可向審裁處登記處索取表格 8D，即「要求將裁斷 / 命令作廢申請書」，填妥後呈交審裁處。

(3) 如不滿審裁處把申索移交其他審裁處或法庭，你可以向小額錢債審裁處申請覆核。你也可以向原訟法庭申請覆核，但你必須在法庭作出命令後 7 天內提出申請，填妥並提交表格 7，即「要求原訟法庭覆核審裁處移交申索申請書」，表格可向高等法院書記主任辦事處索取。

(4) 上述指引只作參考用途，若有疑問，請尋找法律意見。

如何聯絡我們？

小額錢債審裁處登記處

地址：九龍深水埗通州街 501 號西九龍法院大樓 B 座 3 樓

電話：2877 4068

傳真：2587 9139

高等法院書記主任辦事處(有關上訴)

查詢電話：2825 4228

For Attention of Parties

(1) If you are not satisfied with the Tribunal's decision, you have two options. You may:

(i) Applying for a review

If you opt of a review, you should complete and file Form 8C – "Application for Review an Award/Order by A Party" – which you can obtain from the Tribunal Registry. You must do this within 7 days of the court order or award being made. You must observe the strict time limit.

If you are not satisfied with the result of the review, you can apply to the Court of First Instance of the High Court for leave to appeal.

(ii) Applying for leave to appeal

If you opt to appeal, you must observe strict time limits. First, you must apply for leave to appeal:

- Either within 7 days from the date on which the written court order award is served on you; or
- If within these same 7 days, you apply to the Tribunal for written reasons for the award or order, 7 days from the date the reasons are served on you; or
- The time as extended by Registrar of the High Court upon a good cause being shown.

Application for leave to appeal can be made if the appeal involves a question of law, or the claim was outside the jurisdiction of the Tribunal.

The filing of an application in Form 9 for leave to appeal against an award or order with the Registrar of the High Court shall not operate as a stay of execution of an award or order unless the Tribunal or Court of First Instance, as the case may be, otherwise orders.

The following table may help you decide whether to apply for a review or for leave to appeal.

Review	Appeal
<ul style="list-style-type: none">• The forum is the Small Claims Tribunal.• The review will normally be heard by the same Adjudicator who presided over the trial.• No legal representation is permitted.• Costs are generally insignificant as no legal costs will be incurred.• Fresh evidence may be received.• The Tribunal is not bound by its previous finding of facts.	<ul style="list-style-type: none">• The forum is the Court of First Instance.• The appeal will be heard by a Judge of the Court of First Instance.• Parties may engage lawyers to conduct the appeal.• Costs can be substantial if lawyer is instructed.• No fresh evidence may be received on appeal• No power to reverse or vary the Tribunal's finding of facts.

(2) If the Tribunal has struck out your claim or made an award against you in your absence, you should not lodge an appeal. Instead, you should apply immediately to the Tribunal to set aside the order. You can do so by completing and filing Form 8D, entitled "Application to Set Aside An Award/Order" which you can obtain from the Tribunal Registry.

(3) If you are not satisfied with an order of the Tribunal to transfer a claim to another Tribunal or Court, you may apply for a review by the Tribunal. You may also apply for a review by the Court of First Instance, in which case you must apply within 7 days after the order is made. You can do so by completing and filing Form 7 "Application for Review by the Court of First Instance of Tribunal's decision to Transfer a Claim" which you can obtain from the Clerk of Court's Office.

(4) The above information is for general reference only. It should not be treated as a complete and authoritative statement of law or court practice, or a substitute for professional legal advice.

How to contact us?

Small Claims Tribunal Registry

Address : 3/F, Tower B, West Kowloon Law Courts Building, 501 Tung Chau Street, Sham Shui Po, Kowloon

Tel : 2877 4068

Facsimile : 2587 9139

Clerk of Court Office, High Court (For Appeal)

Phone Enquiries: 2825 4228