

Chapter:	336G	DISTRICT COURT EQUAL OPPORTUNITIES RULES	Gazette Number	Version Date
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		Empowering section	L.N. 554 of 1997	21/11/1997
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(Cap 336 section 73B, 73C and 73D)

(L.N. 464 of 1997)

[20 September 1996] *L.N. 393 of 1996*

(Originally L.N. 236 of 1996)

Rule:	1	(Omitted as spent)		30/06/1997
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(Omitted as spent)

(Enacted 1996)

Rule:	2	Interpretation	L.N. 166 of 2009	10/07/2009
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In these Rules, unless the context otherwise requires-

"action" (訴訟) includes a matter, and any part of an action or matter;

"claim" (申索) includes part of a claim;

"Court" (區域法院) means the District Court and any judge of that Court sitting in court or in chambers; (28 of 2000 s. 48)

"proceeding" (法律程序) includes part of a proceeding;

"Register" (登記冊) means the Equal Opportunities Register kept under rule 3(1);

"relevant Ordinance" (有關條例) means-

(a) the Sex Discrimination Ordinance (Cap 480); (L.N. 464 of 1997)

(b) the Disability Discrimination Ordinance (Cap 487); (L.N. 464 of 1997; 29 of 2008 s. 89)

(c) the Family Status Discrimination Ordinance (Cap 527); or (L.N. 464 of 1997; 29 of 2008 s. 89)

(d) the Race Discrimination Ordinance (Cap 602); (29 of 2008 s. 89)

"tribunal" (審裁處) means the tribunal within the meaning of section 2 of the Labour Tribunal Ordinance (Cap 25).

(Enacted 1996)

Rule:	2A	Application		30/06/1997
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These Rules shall apply to any proceedings by or against the Crown.

(L.N. 307 of 1996)

Rule:	3	Equal Opportunities Register		30/06/1997
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(1) The Registrar shall cause to be kept a register-

(a) called the Equal Opportunities Register; and

(b) in such form as he thinks fit, or in such form as the Chief Justice may from time to time direct.

(2) The Registrar shall cause the Register to be maintained by proper entries therein in relation to all actions and proceedings falling within the jurisdiction of the Court under each relevant Ordinance.

(3) Every action or proceeding referred to in subrule (2) shall be numbered in each year according to the order in which it is commenced, and recorded in the Register accordingly.

(Enacted 1996)

Rule:	4	Application of other rules	L.N. 166 of 2009	10/07/2009
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Subject to sections 73B(8), 73C(8), 73D(8) and 73E(8) of the Ordinance, any rules made under section 72 or 73

of the Ordinance shall apply to and in relation to the jurisdiction conferred on the Court by virtue of any relevant Ordinance.

(Enacted 1996. L.N. 464 of 1997; 29 of 2008 s. 90)

Rule:	5	Transfer of claim to tribunal	30/06/1997
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(1) Where the Court determines in respect of any action listed in the Register (and whether or not the action has commenced) that the action is a claim-

- (a) beyond the jurisdiction of the Court under any relevant Ordinance; and
- (b) within the jurisdiction of the tribunal,

then the Court shall order that the claim be transferred to the tribunal.

(2) Where the Court transfers under subrule (1) a claim to the tribunal, the Registrar shall send to the registrar, within the meaning of section 2 of the Labour Tribunal Ordinance (Cap 25), a certified copy of the entries in the Register, and the documents in his custody, relating to the claim.

(Enacted 1996)

Rule:	6	Right of audience	30/06/1997
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Without prejudice to the generality of section 15 of the Ordinance in so far as it relates to persons who may address the Court, any person acting for a party to an action within the jurisdiction of the Court under any relevant Ordinance may, in relation to that action, appear in, conduct, defend and address the Court in, any proceeding therein if the person-

- (a) is a member of the Commission, or a committee, within the meaning of section 2 of the Sex Discrimination Ordinance (Cap 480);
- (b) is employed or engaged under section 64(2)(d), (e) or (f) of that Ordinance;
- (c) is an office bearer of a registered trade union, or of an association of employers, authorized in writing by the party to so act;
- (d) is an officer or servant of an unincorporated or incorporated company or a member of a partnership and that company or partnership, as the case may be, is the party;
- (e) is a carer, or an associate, within the meaning of section 2 of the Disability Discrimination Ordinance (Cap 487), in respect of the party (including any case where the action is a claim under the Sex Discrimination Ordinance (Cap 480)).

(Enacted 1996)