

A

**PRACTICE DIRECTION - 5.1**

**LISTING AND REFIXING OF DATES**

B *Civil procedure — listing — refixing of hearing dates*

**SECTION I — LISTING**

1. A judge of the High Court has been appointed Listing Judge. He will be in charge of the listing of trials in the Court of First Instance.
2. A master of the High Court has been appointed Listing Master. He will perform such duties as shall be assigned to him by the Listing Judge.
3. Applications for leave to set down civil causes for trial in either the Running List or the Fixture List will be made on personal appearance before the Listing Master commencing 9:30 am on Wednesday morning of each week, unless a Wednesday should be a public holiday, when the next following working day will be used. Prior appointments will be made through the Chief Judicial Clerk, High Court Registry not later than 14 days before the date of hearing and parties to the hearing must have their signed checklists filed with the High Court Registry not later than 4:00 pm on the Friday immediately preceding the said hearing. This paragraph shall apply to applications for leave to set down under a summons for directions.
4. Save for unrepresented parties, appearances before the Listing Master or Listing Judge should be by barristers or solicitors, and in the latter case it should be the handling solicitor; if he be unavailable, the solicitor appearing shall be familiar with the case.
5. Applications to transfer an action from one list to another or otherwise to vary an order for set-down shall be made by summons to the Listing Master supported by affidavit.
6. The Listing Master may at his absolute discretion refer any application to the Listing Judge.
7. The Running List will be divided into two parts: Pt.I will cover cases estimated to last three days or less; Pt.II will cover cases estimated to last from four to six days.
8. Solicitors or parties with a case within Pt.I of the Running List will be notified that their case will be heard not later than 2:30 pm on the day preceding the first day of the hearing. For cases within Pt.II of the Running List, such notification will be not later than 2:30 pm, two days prior to the first day of the hearing.

J

9. The powers of the Listing Judge or Listing Master shall, when necessary, be exercised respectively by another judge or master. A
10. Solicitors are reminded that the provisions of O.34 r.3 must be complied with at the time of setting down an action for trial. Unless the bundle stipulated by the said Order has been lodged with the Registrar, the action will not be set down for trial. B

## SECTION II — REFIXING OF HEARING DATES

11. It may be necessary, on good cause being shown, to vacate the dates allocated for the trial of a particular cause. C
12. However, in the event of this being done by the trial judge, new dates should not be fixed without reference to the Listing Judge or the Listing Master. No new dates should be arranged directly with the Clerk of Court.
13. It should be noted that the fixing of dates, either by the Listing Judge or the Listing Master, is an administrative function exercised under my direction in terms of the power granted to the Chief Justice by s.28(2) of the High Court Ordinance (Cap. 4). It is not a judicial function exercised in accordance with the Rules of the High Court and accordingly, the appeal procedures provided by those Rules are not applicable. D
14. This Practice Direction consolidates and supersedes the Practice Direction now appearing at page 5.1. E
15. This Practice Direction shall take effect on 1 March 2001. F

Dated this 1st day of December 2000.

(Andrew Li)  
Chief Justice

G

[The next page is 511.]