

Practice Guide on the Observation of Hearings of the Private Columbaria Appeal Board

Preamble

Pursuant to rule 24 of the Rules on the Practice and Procedure of the Private Columbaria Appeal Board (the Appeal Board), the hearing of an appeal shall be held in public, save and except otherwise directed or ordered by the presiding officer or the Appeal Board. The presiding officer or the Appeal Board may, whether on application by any party to an appeal or out of own motion, give direction or make order that a hearing or part of a hearing before the Appeal Board should take place in private and the persons who may be present. In view of the foregoing rules, in so far as there is sufficient accommodation, members of the public including the press shall be admitted to any hearing before the Appeal Board on a first-come-first-served basis.

2. The presiding officer or the Appeal Board may refuse to allow any person to observe a hearing held in public if the person –
 - (a) causes any disturbance to a hearing or other audience's observation of a hearing;
 - (b) refuses or fails to comply with any of the practice guide set out below; and/or
 - (c) behaves in such a manner that refusal to allow him or her to observe or to continue to observe is considered by the presiding officer or the Appeal Board to be appropriate or desirable.

Admission to the audience room

3. The audience room (AR) at the Appeal Board hearing venue is provided with seats for 12 persons and 1 wheelchair user. In so far as there is sufficient accommodation in the AR, members of the public shall be admitted to the AR on the spot on a first-come-first-served basis to observe a hearing to be held in public.

Etiquette

4. To ensure an appeal hearing is proceeded without interference, members of the public in the AR are required to comply with the following etiquette -

- (a) Behave in an orderly manner

- (b) Keep quiet and remain seated during appeal hearing
- (c) Switch mobile phones / other beeping devices to silent mode
- (d) Do not take any photograph or use any audio / video recording devices
- (e) Go outside of the AR if any phone-call is to be made or received
- (f) Do not bring loudhailer, sign, banner, or any propaganda material / equipment
- (g) Do not clamour, create commotion or chant slogans
- (h) Do not smoke or eat in the AR
- (i) Comply with any direction given by the presiding officer or the Appeal Board for the purpose of keeping order

5. Without prejudice to any direction or order which may be made by the presiding officer or the Appeal Board on such terms and/or in such manner as may be just, the reasonable use of electronic equipment for word processing purposes, text-based (as opposed to voice or image-based) communications and note-taking in the AR may be regarded as permissible provided that this occurs without interfering with the proper administration of justice and without disturbing others in the hearing venue including the AR.

Enquiries

6. Any enquiry on this Practice Guide may be addressed to the Appeal Board Secretariat which can be reached at –

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Wong Chuk Hang, Hong Kong

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