

《法定語文(翻譯)規則》
(第5章, 附屬法例B)
Official Languages (Translation) Rules
(Cap. 5 sub. leg. B)

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經核證文本
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(《法例發布條例》(第614章)第5條)
 (Legislation Publication Ordinance (Cap. 614), section 5)

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尚未實施的條文 / 修訂 —

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制定史

本為 1996 年第 426 號法律公告 —— 1998 年第 25 號，2020 年第 7 號
編輯修訂紀錄

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《法定語文 (翻譯) 規則》

(第 5 章 , 附屬法例 B)

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Official Languages (Translation) Rules

(Cap. 5 sub. leg. B)

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《法定語文(翻譯)規則》

(第 5 章第 5 條)

(略去制定語式條文——2020 年第 7 號編輯修訂紀錄)

[1996 年 10 月 18 日]

(格式變更——2020 年第 7 號編輯修訂紀錄)

1. 採用法定語文的文件的翻譯

- (1) 如法庭表示它擬採用中文進行審訊或審訊的一部分，將會作為證據提出的以英文寫成的文件，必須附同一份核證中文譯本。
- (2) 如法庭表示它擬採用英文進行審訊或審訊的一部分，將會作為證據提出的以中文寫成的文件，必須附同一份核證英文譯本。
- (3) 法庭可隨時免除將採用一種法定語文的文件翻譯為另一種法定語文的需要。
- (4) 本規則適用於在本條例適用的所有司法程序中的民事及刑事法律程序。
- (5) 在本規則中，**法庭** (court) 包括裁判官或其他主持司法程序的人。

2. 文件的核證譯本

- (1) 終審法院首席法官可藉書面委任任何人為施行本規則將

Official Languages (Translation) Rules

(Cap. 5, section 5)

(Enacting provision omitted—E.R. 7 of 2020)

[18 October 1996]

(Format changes—E.R. 7 of 2020)

1. Translation of documents in official languages

- (1) If a court indicates that it intends to conduct a trial, or a part of a trial, in the Chinese language, any document that is written in the English language that is to be admitted in evidence must be accompanied by a certified translation in the Chinese language.
- (2) If a court indicates that it intends to conduct a trial, or a part of a trial, in the English language, any document that is written in the Chinese language that is to be admitted in evidence must be accompanied by a certified translation in the English language.
- (3) The court may at any time dispense with the need for a translation of a document from one official language to the other official language.
- (4) These Rules apply to both civil and criminal proceedings in all judicial proceedings to which the Ordinance applies.
- (5) In these Rules, **court** (法庭) includes a magistrate or other person conducting judicial proceedings. (E.R. 7 of 2020)

2. Certified translation of documents

- (1) The Chief Justice may appoint in writing any person to make

採用一種法定語文的文件翻譯為另一種法定語文，以及為施行本規則核證採用一種法定語文的文件的另一種法定語文的譯本。(1998 年第 25 號第 2 條)

- (2) 即使根據第 (1) 款委任的人沒有親自製備以其中一種法定語文寫成的文件的譯本，他仍可核證該譯本。
- (3) 凡採用某種法定語文的文件的全份或任何部分已在法庭所進行的民事或刑事法律程序中獲接納為證據，則如該文件的全份或該部分被翻譯為另一種法定語文的譯本而該譯本經根據第 (1) 款委任的人核證為準確譯本，該法庭必須接納該譯本為證據。
- (4) 譯本一經呈堂，無須再加證明即必須獲接納為證據。在沒有相反證據的情況下，法庭必須推定——
 - (a) 文件上作核證的人的簽署是真實的；
 - (b) 作核證的人在核證文件時是根據第 (1) 款委任的；
 - (c) 文件為看來是其所提述的文件的全份或部分的準確譯本。
- (5) 法庭如認為適當，可自行或應法律程序的一方的申請，傳召核證根據本條呈堂和接納的文件的譯本的人，並就該文件譯本的標的事宜訊問該人。

and to certify, for the purposes of these Rules, translations of documents from one official language to the other official language.

- (2) A person appointed under subrule (1) may certify a translation of a document written in one of the official languages even though he did not make the translation.
- (3) A court must admit in evidence a translation to an official language of the whole or any part of a document in the other official language which has been admitted in evidence in civil or criminal proceedings before it if the translation is certified by a person appointed under subrule (1) as an accurate translation.
- (4) The translation must be admitted on its production without further proof. The court must presume in the absence of evidence to the contrary—
 - (a) the signature on the document of the person certifying is genuine;
 - (b) the person certifying was appointed under subrule (1) at the time of certifying the document;
 - (c) the document is an accurate translation of the whole or part of the document to which it purports to refer.
- (5) The court may, if it thinks fit, on its own motion or on the application of a party to the proceedings, summons the person who certified the translation of a document produced and admitted in evidence under this rule and examine him on the subject matter of the translation of the document.