

*(Courtesy English translation)*

**Record of Meeting of the Supreme People's Court and  
the Government of the Hong Kong Special Administrative Region  
on Mutual Recognition of and Assistance to  
Bankruptcy (Insolvency) Proceedings  
between the Courts of the Mainland and  
of the Hong Kong Special Administrative Region**

To thoroughly implement Article 95 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, further improve the mechanism for judicial assistance between the Mainland and the Hong Kong Special Administrative Region, facilitate economic integration and development, optimise business environment underpinned by the rule of law, and having taken into account judicial practice, the Supreme People's Court and the Government of the Hong Kong Special Administrative Region, after consultation, have reached the following consensus in relation to mutual recognition of and assistance to bankruptcy (insolvency) proceedings between the courts of the Mainland and the Hong Kong Special Administrative Region:

1. Intermediate People's Courts in the pilot areas designated by the Supreme People's Court may initiate cooperation with the courts of the Hong Kong Special Administrative Region on mutual recognition of and assistance to bankruptcy proceedings.

2. A liquidator or a provisional liquidator in insolvency proceedings in the Hong Kong Special Administrative Region may apply to the relevant Intermediate People's Court at a pilot area in the Mainland for recognition of compulsory winding up, creditors' voluntary winding up and corporate debt restructuring proceedings brought by a liquidator or provisional liquidator as sanctioned by a court of the Hong Kong Special Administrative Region in accordance with the laws of the Hong Kong Special Administrative Region, recognition of his office as a liquidator or a provisional liquidator, and grant of

assistance for discharge of his duties as a liquidator or a provisional liquidator.

3. An administrator in Mainland bankruptcy proceedings may apply to the High Court of the Hong Kong Special Administrative Region for recognition of bankruptcy liquidation, reorganisation and compromise proceedings under the Enterprise Bankruptcy Law of the People's Republic of China, recognition of his office as an administrator, and grant of assistance for discharge of his duties as an administrator.

4. The procedures for and manner in which applications for recognition and assistance are to be made etc. will be in accordance with the provisions of the requested place.

5. The Supreme People's Court and the Government of the Hong Kong Special Administrative Region are respectively issuing a guiding opinion and a practical guide on mutual recognition of and assistance to bankruptcy proceedings. The two sides will continue to communicate on matters regarding the judicial implementation of mutual recognition of and assistance to bankruptcy proceedings, consult each other to resolve relevant issues, persistently improve the mechanism, and progressively expand the scope of the pilot areas.

This record of meeting is signed in duplicate in Shenzhen, this 14<sup>th</sup> day of May 2021.