

(Courtesy English translation)

**Supplemental Arrangement Concerning Mutual Enforcement of
Arbitral Awards between the Mainland and the Hong Kong
Special Administrative Region**

In accordance with Article 11 of the Arrangement Concerning Mutual Enforcement of Arbitral Awards between the Mainland and the Hong Kong Special Administrative Region (the “Arrangement”), through mutual consultations between the Supreme People’s Court and the Government of the HKSAR, the following supplemental arrangement is made:

1. The procedures for enforcing arbitral awards of the Mainland or the HKSAR as specified in the Arrangement shall be interpreted as including the procedures for the recognition and enforcement of the arbitral awards of the Mainland or the HKSAR.

2. The Preamble and Article 1 of the Arrangement are amended as: “In accordance with the provision of Article 95 of the Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China and through mutual consultations between the Supreme People’s Court and the Government of the Hong Kong Special Administrative Region (HKSAR), the following arrangement is made in respect of the issue of mutual enforcement of arbitral awards:

“1. This Arrangement applies to arbitral awards rendered pursuant to the Arbitration Ordinance of the HKSAR as enforced by the People’s Courts of the Mainland, and arbitral awards rendered pursuant to the Arbitration Law of the People’s Republic of China as enforced by the Courts of the HKSAR.”

3. Article 2(3) of the Arrangement is amended as: “If the party against whom the application is filed is domiciled or has property in both the Mainland and the HKSAR which may be subject to enforcement, the applicant may file applications for enforcement with the courts of the two places respectively. The courts of the two places shall, at the request of the court of the other place, provide information on its status of the enforcement of the arbitral award. The total amount to be recovered from enforcing the arbitral award in the courts of the two places must not exceed the amount determined in the arbitral award.”

4. The following paragraph is added to Article 6 of the Arrangement

as Article 6(2): “The relevant court may, before or after accepting the application for enforcement of an arbitral award, impose preservation or mandatory measures pursuant to an application by the party concerned and in accordance with the law of the place of enforcement.”

5. Articles 1 and 4 of this supplemental arrangement will take effect on 27 November 2020, and following the completion of the relevant procedures in the HKSAR, both sides shall announce a date on which Articles 2 and 3 shall commence.

This Arrangement is signed in duplicate in Shenzhen, this 27 November 2020.

Supreme People’s Court
Vice President

The Government of the HKSAR
Secretary for Justice