

Hong Kong signs arrangement with Macao on arbitration
co-operation

The Secretary for Justice, Mr Rimsky Yuen, SC, signed an arrangement with the Macao Special Administrative Region today (January 7) to provide mutual recognition and enforcement of arbitral awards in both places.

The Arrangement Concerning Reciprocal Recognition and Enforcement of Arbitral Awards Between the Hong Kong Special Administrative Region (HKSAR) and the Macao Special Administrative Region (Macao SAR) were signed by Mr Yuen and the Secretary for Administration and Justice of the Macao SAR, Ms Florinda Chan, at Macao's government headquarters this afternoon.

Under the Arrangement, the courts of the HKSAR shall recognise and enforce arbitral awards made in the Macao SAR pursuant to the laws of arbitration of the Macao SAR and the courts of the Macao SAR shall recognise and enforce arbitral awards made in the HKSAR pursuant to the Arbitration Ordinance of the HKSAR.

Where a party fails to comply with an arbitral award, whether made in the HKSAR or the Macao SAR, the other party may apply to the relevant court in the place where the party against whom the application is filed is domiciled or the place in which the property of the said party is situated for recognition and enforcement of the award.

The Arrangement was made in accordance with the provisions in the Basic Law of the HKSAR and the Macao SAR. The content of the arrangement is made in accordance with the spirit of the New York Convention and is broadly similar to the existing arrangements on the same issue between Hong Kong and the Mainland and between Macao and the Mainland.

The conclusion of the arrangement will add certainty to

the enforceability of Macao arbitral awards in Hong Kong and vice versa, and provide a simple and effective mechanism in both jurisdictions on reciprocal enforcement of arbitral awards. It will also foster legal and judicial co-operation between Hong Kong and Macao in civil and commercial matters, and enhance Hong Kong's position as a regional arbitration centre for commercial disputes in Asia Pacific.

During his stay in Macao today, Mr Yuen also took the opportunity to visit other legal and judicial organisations in Macao. These included the Macao SAR's Public Prosecutions Office, Court of Final Appeal, Secretariat for Administration and Justice, and Legal Affairs Bureau. He held constructive meetings with his counterparts for the purpose of enhancing mutual exchanges and relations of the two sides in legal and judicial matters.

Also joining the visit today was the Deputy Solicitor General (General), Mr Peter Wong.

Mr Yuen returned to Hong Kong this evening.

Ends/Monday, January 7, 2013