

Amendments proposed for Arbitration Ordinance to clear legal uncertainties

The Government will introduce amendments to the Arbitration Ordinance (Cap 609) to remove some legal uncertainties relating to the opt-in mechanism provided for domestic arbitration.

A spokesman for the Department of Justice today (January 21) said that the proposed amendments were made in response to requests by the arbitration sector so as to allow parties opting for domestic arbitration to decide on the number of arbitrators, whilst retaining their right to seek the Court's assistance on the matters set out in sections 2 to 7 of Schedule 2 to the Ordinance.

Amendments will also be made to the Ordinance to update the list of parties to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards 1958 (the New York Convention) to reflect the following changes:

- (i) There are some new state parties to the New York Convention, including Bhutan, Burundi, the Democratic Republic of the Congo and Guyana;
- (ii) The United Kingdom has submitted a notification to extend the territorial application of the New York Convention to the British Virgin Islands; and
- (iii) The name "Bolivia" has been changed to "Bolivia (the Plurinational State of)".

The Arbitration (Amendment) Bill 2015, which contains the above amendments, will be gazetted on January 23 and introduced into the Legislative Council on February 4.

Ends/Wednesday, January 21, 2015