

Secretary for Justice meets with Supreme People's Court Executive Vice President

The Executive Vice President of the Supreme People's Court of the People's Republic of China, Mr Shen Deyong, at the invitation of the Hong Kong Special Administrative Region (SAR) Government, is visiting Hong Kong from March 21 to 24. During the visit, Mr Shen will visit the Hong Kong SAR Government, the Legislative Council, the Court of Final Appeal, the High Court, the Independent Commission Against Corruption, the Law Society of Hong Kong and the Hong Kong Bar Association and other institutions.

Mr Shen today (March 21) met with the Secretary for Justice, Mr Rimsky Yuen, SC, who gave him a briefing on the rule of law, the legal system and the latest development of other related areas in the Hong Kong SAR.

Both parties also discussed mutual legal assistance on civil and commercial matters between the Mainland and the Hong Kong SAR. The Mainland and the Hong Kong SAR have signed three Arrangements (namely the Arrangement for Mutual Service of Judicial Documents in Civil and Commercial Proceedings between the Mainland and Hong Kong Courts; the Arrangement Concerning Mutual Enforcement of Arbitral Awards Between the Mainland and the Hong Kong Special Administrative Region; and the Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters by the Courts of the Mainland and of the Hong Kong Special Administrative Region Pursuant to Choice of Court Agreements between Parties Concerned) since China resumed the exercise of sovereignty over Hong Kong. However, both sides agreed that there remain needs and areas for further developing mutual legal assistance.

First, there is a need to further streamline the current mutual arrangements on taking evidence on commission for

civil and commercial matters. Secondly, with an increasing number of registered marriages between residents of Hong Kong and the Mainland, there are voices in the community seeking to speed up arrangements on reciprocal recognition and enforcement of judgments on marriages and related issues. Thirdly, both sides also agreed to explore and take forward the work on ways to deal with civil and commercial cases involving non-parties to agreements at the same time.

After the meeting, both sides signed a minutes of meeting in respect of the promotion of issues relating to mutual legal assistance on civil and commercial matters. The Department of Justice will conduct studies and public consultation on the relevant issues under its purview and brief the LegCo Panel on Administration of Justice and Legal Services on the work in due course, so as to finalise, on the basis of the Basic Law, arrangements which can meet the practical needs of both the Mainland and the Hong Kong SAR and which can more effectively safeguard the rights of relevant parties in accordance with applicable laws.

Ends/Monday, March 21, 2016