

Implementation of regulatory enhancements for mediation profession to solidify HK's status as capital of mediation

The Department of Justice (DoJ) announced today (June 16) that its Working Group on Mediation Regulatory System has completed its review of Hong Kong's mediation regulatory system and made seven recommendations to enhance the relevant regulatory system, strengthening the professionalism and competitiveness of Hong Kong's mediation services. The DoJ welcomed and accepted the recommendations made by the Working Group. It will actively take forward the implementation of the recommendations to solidify Hong Kong's status as the capital of mediation.

Established by the DoJ in October 2024 in line with the Chief Executive's Policy Address initiative to strengthen the regulatory system governing the accreditation and disciplinary matters of the mediation profession, the Working Group was tasked with reviewing and making recommendations to enhance the existing framework.

The Working Group completed a comprehensive review in late 2024 and, following a stakeholder consultation conducted in 2025, finalised seven recommendations, which are summarised as follows:

- (1) Mediation in Hong Kong should remain as a non-licensed activity with no mandatory licensing or accreditation regime for practising as a mediator.
- (2) The Hong Kong Mediation Accreditation Association Limited (HKMAAL) should remain as a private company limited by guarantee to perform its role as an industry-led mediation accreditation and regulatory body, with an enhanced role and expanded functions.
- (3) The HKMAAL should be granted statutory mediator-appointing power in the absence of an agreed choice by the parties through legislative amendments.
- (4) The HKMAAL should complete the review of the Hong Kong Mediation Code (Mediation Code) and going forward, take ownership and responsibility of reviewing, managing and administering the Mediation Code to provide a consistent professional standard.

(5) Promotional efforts should be made to encourage parties to adopt the Mediation Code.

(6) The HKMAAL should finalise and implement a robust complaint-handling and disciplinary framework to enforce the Mediation Code, and should take steps to publicise a database of its disciplinary findings on its website.

(7) The HKMAAL should actively participate in global discussions on dispute resolution as a representative of the Hong Kong mediation industry and foster partnerships with mediation institutions worldwide.

The full version of the final recommendations is attached in the Annex.

The DoJ puts forth that the recommendation by the Working Group of maintaining mediation in Hong Kong as a non-licensed activity will preserve the process as a voluntary and flexible dispute resolution mechanism and promote the use of mediation skills in the public's daily lives. At the same time, strengthening the HKMAAL's role as a premier, industry-led mediation accreditation and regulatory body will ensure that Hong Kong's mediation regulatory system remains robust, credible, and well-positioned for the future development of the sector.

The DoJ and the HKMAAL have been taking active steps to deepen the mediation culture in Hong Kong. Significant progress has been made for some of the Working Group's recommendations.

Pursuant to Recommendation 3 of the Working Group, the DoJ is taking forward the necessary legislative amendment work to confer statutory mediator-appointing power upon the HKMAAL to promote the advancement of mediation. The DoJ will commence a stakeholder consultation on the key provisions of the draft amendment bill today. After considering the views of stakeholders, the DoJ aims to introduce the amendment bill into the Legislative Council in the second half of 2026.

Regarding Recommendations 4 and 5, the HKMAAL has completed its review of the Mediation Code and published an updated version of the Mediation Code in April 2026. The updated version addresses recent developments in mediation practices and technological advancements, while enhancing the professional standards for mediators. In

parallel, the HKMAAL has updated its sample agreement to mediate for voluntary adoption by parties and mediators, further maximising the utility of the Mediation Code.

Looking ahead, the HKMAAL will review its complaint-handling and disciplinary framework to strengthen the enforcement of the Mediation Code. With due regard to the principle of confidentiality, it will also explore publishing disciplinary findings on its website to enhance transparency and public confidence in mediation. Furthermore, the HKMAAL will actively engage in global discussions on dispute resolution to promote Hong Kong mediation industry internationally.

On the policy front, the Government has, as a matter of general policy, incorporated a mediation clause in all applicable government contracts since February 6, 2025. The DoJ has been tracking the implementation of the policy across all government departments since it took effect. As reflected in the latest statistics, over 95 per cent of government contracts falling within the scope of the policy have incorporated mediation clauses in line with the policy, demonstrating that the Government is committed to promoting "mediate first" in dispute resolution by taking the lead.

The DoJ remains committed to developing a world-class mediation framework in Hong Kong.

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