

Subsidiary legislation relating to implementation of new arrangement on mutual service of judicial documents in civil and commercial proceedings gazette

The Government today (October 16) published in the Gazette the subsidiary legislation relating to the implementation of the Arrangement on Mutual Service of Judicial Documents in Civil and Commercial Proceedings between the Mainland and the Hong Kong Special Administrative Region (New Arrangement), namely, the Rules of the High Court (Amendment) (No. 2) Rules 2026, Rules of the District Court (Amendment) (No. 2) Rules 2026 and Matrimonial Causes (Amendment) Rules 2026. The aforesaid subsidiary legislation will come into operation on March 30, 2027.

The existing Arrangement for Mutual Service of Judicial Documents in Civil and Commercial Proceedings between the Mainland and Hong Kong Courts (Existing Arrangement) has been implemented for over 27 years. The volume of requests for mutual service of judicial documents between the courts of the two places has surged in recent years. To enhance the efficiency of the courts of the two places in mutual service of judicial documents, the Department of Justice (DoJ) and the Supreme People's Court (SPC) signed the New Arrangement on April 20 this year with a view to enhancing the mechanism for mutual service of judicial documents in civil and commercial matters between the Mainland and Hong Kong. The New Arrangement aims to further promote the alignment of mechanisms and rules between the legal systems of the two places. The above subsidiary legislation seeks to implement the New Arrangement in Hong Kong, while the SPC will promulgate judicial interpretation on the implementation of the New Arrangement in the Mainland. The Government of the Hong Kong Special Administrative Region and SPC have agreed that the New Arrangement will come into force on March 30, 2027, replacing the Existing Arrangement.

In order to implement the New Arrangement, the High Court Rules Committee made the Rules of the High Court (Amendment) (No. 2) Rules 2026 under section 54 of the High Court Ordinance (Cap. 4) on October 12, 2026; the District Court Rules Committee made the Rules of the District Court (Amendment) (No. 2) Rules 2026 under section 72 of the District Court Ordinance (Cap. 336) on October 12, 2026; and the Chief Judge made the Matrimonial Causes (Amendment) Rules 2026 under section 54 of the Matrimonial Causes Ordinance (Cap. 179) on October 12, 2026.

A spokesman for the DoJ said, "The relevant subsidiary legislation implements the New Arrangement to add manners of service of judicial documents for civil proceedings (including matrimonial proceedings) on persons in the Mainland, thereby promoting timely and efficient handling of cross-boundary civil and commercial cases, strengthening the protection of the rights and interest of parties in the two places and better accommodating the increasingly close-knit ties and judicial needs between the Mainland and Hong Kong."

The Government briefed the Legislative Council Panel on Administration of Justice and Legal Services on the signing and implementation work of the New Arrangement on April 27, 2026. The Panel and the representatives of the Law Society of Hong Kong and the Hong Kong Bar Association generally welcomed the signing and supported the implementation of the New Arrangement. The Government also consulted the relevant stakeholders including the two legal professional bodies on the draft amendment rules of the courts and has suitably incorporated their comments.

The above subsidiary legislation will be tabled at the Legislative Council next Wednesday (October 21) for negative vetting.

Ends/Friday, October 16, 2026