

Speech by DSJ at closing ceremony of National Training Course for Talents Handling Foreign-related Arbitration (Hong Kong) (English only) (with photo)

Following is the speech by the Deputy Secretary for Justice, Dr Cheung kwok-kwan, at the closing ceremony of the National Training Course for Talents Handling Foreign-related Arbitration (Hong Kong) today (February 28):

Mr Zhao (Vice Chairman and General Manager of China Legal Service (H.K.) Limited, Mr Zhao Zhenhua), distinguished guests, ladies and gentlemen,

Good afternoon. As we gather here today to conclude the National Training Course for Talents Handling Foreign-related Arbitration (Hong Kong), I am reminded of the saying that "time flies when you are having fun 歡樂的時間過得特別快". It seems like just yesterday we were welcoming you to this Course. Yet, here we are, at the end of an enriching journey that has spanned several days of insightful lectures, engaging dialogues and practical experience.

First, I would like to express my sincere gratitude to the Ministry of Justice, the China University of Political Science and Law, and the China Legal Service (H.K.) Limited for their support and trust in the Hong Kong International Legal Talents Training Academy. We are deeply grateful for their support and assistance, which have been crucial to the success of this Course. I eagerly anticipate our continued collaboration and future endeavors together.

I would also like to extend my sincere gratitude to each of you for your active participation and valuable contributions. The thoughtful questions you asked, the insightful perspectives you shared, and the engaging discussions you participated in have all significantly enriched our collective learning experience.

As you may be aware of, the Supreme People's Court and the Ministry of Justice of the People's Republic of China have jointly issued the "關於充分發揮仲裁職能作用服務粵港澳大灣區高質量發展的意見" (Opinions on Giving Full Play to the Role of Arbitration to Serve the High-quality Development of the Guangdong-Hong Kong-Macao Greater Bay Area), expanding the scope of arbitration services regarding "Hong Kong-invested enterprises choosing Hong Kong Law" "港資港法" and "Hong Kong-invested enterprises choosing Hong Kong as the arbitration place" "港資港仲裁".

The new measures, effective from February 14 of this year, include that (i) Hong Kong-invested enterprises registered in Shenzhen and Zhuhai may choose Hong Kong law as the applicable laws in contracts, regardless of the proportion of investment; and (ii) Hong Kong-invested enterprises registered in the nine Mainland municipalities in the Guangdong-Hong Kong-Macao Greater Bay Area (GBA) may choose Hong Kong as the place of arbitration to resolve commercial disputes, in addition to being able to agree on the Mainland as the arbitration location.

These new measures implement the content of the Second Agreement Concerning Amendment to the Mainland and Hong Kong Closer Economic Partnership Arrangement Agreement on Trade in Services in October last year, providing investors and enterprises in the GBA with more and broader legal services options. They also establish a better, more diversified dispute resolution mechanism based on joint discussion, joint construction, and shared benefits.

The Opinions provide suggestions for accelerating the construction of world-class arbitration institutions in the GBA, establishing unified first-class arbitration rules and online negotiation and resolution platforms in the GBA, expanding the service areas of arbitration institutions in the nine Mainland municipalities of the GBA, improving the arbitration and succession mechanisms, as well as the judicial supervision mechanisms, and establishing a training mechanism for foreign-related arbitration.

The Department of Justice of the Hong Kong Special Administration Region will continue to actively co-operate with municipalities in the GBA to promote the integrated development, seeking to give full play to Hong Kong's capability in nurturing foreign-related legal talents, and assist the country in providing more training for foreign-related talents.

As the Academy strives to continuously improve and enhance our training programmes, we would greatly appreciate your feedback on this Course. As you all hail from diverse backgrounds in government, universities, lawyers' associations and enterprises, and are all leaders and experts in your respective fields, your insights and suggestions are very invaluable to us, helping us tailor future courses to better meet your needs and expectations.

As we move forward, let us continue to build on the connections and insights that we gained from this Course. I wish you all a safe journey back home, and continued success in your professional pursuits. Thank you very much.

Ends/Friday, February 28, 2025