For discussion on
11 October 2021

Legislative Council Panel on
Administration of Justice and Legal Services
2021 Policy Address – Policy Initiatives of the Department of Justice

Introduction

This paper outlines the new policy initiatives of the Department of Justice ("DoJ") set out in the 2021 Policy Address[1] and its other key new initiatives.

Harnessing opportunities arising from national policies and leveraging the strengths of Hong Kong

2. The National 14th Five-Year Plan fully demonstrates the Central People's Government ("CPG")'s care and staunch support towards Hong Kong. It expressly supports Hong Kong's development as a centre for international legal and dispute resolution services in the Asia-Pacific region and the development of our service industry towards high-end and high value-added services. Furthermore, the unique strength of Hong Kong's legal system under "one country, two systems" is reaffirmed by the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area and the recently promulgated Plan for Comprehensive Deepening Reform and Opening Up of the Qianhai Shenzhen-Hong Kong Modern Service Industry Cooperation Zone ("Qianhai Plan"). DoJ will continue to proactively capitalise on Hong Kong's strengths in legal and dispute resolution services and strive to deepen collaboration and exchanges with the Mainland for more liberalisation measures so that our legal and dispute resolution sectors can tap further into the vast Mainland market.

3. The implementation of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region" ("National Security Law") and the decision on improving the electoral system has ensured the steadfast and successful implementation of the "one country, two systems" policy to ensure Hong Kong's continuous prosperity and stability. The legal sector of Hong Kong should, on the premise of "one country, two systems" and under the principle of pursuing mutual benefit and win-win cooperation, continue to strive to

[1] The progress of DoJ's new policy initiatives featured in the Policy Addresses and Policy Agendas/Policy Address Supplements from 2017 to 2020 and other ongoing projects is set out in the **Annex**.

safeguard Hong Kong's core values of the rule of law and judicial independence and leverage on the unlimited opportunities provided under national policies so as to amalgamate and apply Hong Kong's strengths to serve the needs of the country and further enhance our inherent advantages for the long term development of Hong Kong, the GBA and our country, thereby contributing to the prosperity of our country.

New Initiatives

(A) Vision 2030 for Rule of Law

(1) Rule of law database with objective data

4. DoJ is actively conducting research and collating objective data relevant to the rule of law, and has been taking active steps to prepare for the setting up of a rule of law database with objective data. DoJ is also preparing for the launch of the Vision 2030 Website, which is expected to be launched within this year. DoJ will also be hosting a Rule of Law Signature Engagement Event entitled "SEE – A Journey of Transformation for a Sustainable Future"; guest speakers will be invited to discuss issues related to access to justice and its implications on sustainable development and legal technology.

(2) Rule of law education

5. DoJ is taking steps to implement Vision 2030 and has started projects on public promotion of the rule of law education. In this connection, DoJ has launched the "3Es" projects targeting members of the public, youth and professionals.

6. The first "E" is Engagement - engaging and reaching out to the general public and local community with an aim to raise the awareness of members of the public regarding basic legal concepts and the rule of law through different interesting channels such as "Studio DoJ", which comprises a series of animated short videos. DoJ has also actively issued publications on different legal topics for members of the public to download in DoJ's website, such as the 2nd issue of "Justice in Focus", which will be published in due course later this year.

7. The second "E" is Empowerment – with a focus on rule of law education for schools in order to empower primary and secondary students as well as their teachers. A series of activities in this regard has been launched, such as "Rule of Law through

Drama", "Rule of Law Enlightenment" Programme and "Respecting the Law, Reinforcing the Rule of Law" Teacher Training Programme.

8. The third "E" is Enrichment – focusing on providing professionals, such as those in the legal and dispute resolution sectors, with a variety of training and exchange activities. DoJ is actively arranging training opportunities for relevant professionals, including secondment opportunities to international bodies. By participating in the work of such international bodies, local professionals can learn from internationally renowned legal experts, broaden their horizons and enhance their knowledge regarding the operation of international bodies. Furthermore, Hong Kong will be afforded the opportunity to participate in the development of international law, thereby reinforcing Hong Kong's position as a leading international legal and dispute resolution services centre.

9. DoJ is ready to launch the "Rule of Law Enlightenment" Programme this school year. Through engaging and enriched content for students, the programme develops the culture of lawfulness and proactively disseminates the proper concepts of the rule of law in our society.

10. Looking ahead, DoJ will continue to take forward the 10-year Vision 2030 initiative, collaborating with stakeholders in organising public education activities targeting different sectors of the community, including but not limited to educating youth on the proper understanding of the rule of law and advancing the rule of law with a view to building and maintaining a fair, rule-based society for Hong Kong's prosperity, stability and sustainable development.

(3) Hong Kong Legal Week

11. DoJ will organise the Hong Kong Legal Week annually in the first week of November to further promote Hong Kong's legal and dispute resolution services, and to showcase Hong Kong's capacity in offering legal, deal-making and dispute resolution services to the international community. In addition to rule of law promotion and education, the international community would better understand and recognise Hong Kong's readiness in seeking continuous exchanges and cooperation with other jurisdictions.

12. Focal events of this year's Hong Kong Legal Week include the United Nations Commission on International Trade Law ("UNCITRAL") Asia Pacific Judicial

Summit, International Criminal Law Conference, "Maritime Dispute Resolution in Hong Kong: Current and Future", ASEAN Workshop on Online Dispute Resolution, Hong Kong Mediation Lecture, the 4th Belt and Road Summit and the Rule of Law Signature Engagement Event entitled "SEE – A Journey of Transformation for a Sustainable Future".

(B) Enhancing education on the Constitution, the Basic Law and national security

(1) Basic Law Seminar (April 2022)

13. Following on the success of the Basic Law 30th Anniversary Legal Summit themed "Back to Basics" in November 2020 and the publication of the Legal Summit Proceedings in June this year, DoJ proposes to organise a Basic Law Conference in April 2022 at the Hong Kong Convention and Exhibition Centre to celebrate the 25th anniversary of the establishment of the Hong Kong Special Administrative Region ("HKSAR"). To showcase the successful implementation of the Basic Law and "one country, two systems" in the past 25 years, DoJ plans to invite eminent Basic Law experts and scholars as speakers to share their insight and experience on the Basic Law, and to promote an accurate understanding of "one country, two systems" among the public.

(2) Publishing Basic Law: Selected Drafting Materials and Significant Cases

14. DoJ plans to launch the sourcebook, Basic Law: Selected Drafting Materials and Significant Cases, at the Basic Law Conference to be held in April 2022. This sourcebook will collate important discussions during the drafting period of the Basic Law, including Mr. Deng Xiaoping's speeches on "one country, two systems"; important judgments of the courts on provisions of the Basic Law; and relevant interpretations of the Standing Committee of the National People's Congress on the Basic Law. It will objectively illustrate the real landscape of the Basic Law, including the Constitution as the root of the Basic Law, and the fact that the Constitution and the Basic Law jointly constitute the constitutional foundation of the HKSAR. At the same time, it will promote better understanding of how the courts of the HKSAR implement the Basic Law under the common law system to protect the rights and interests of the country and residents.

(3) National Security Law Legal Forum (2022)

15. Following the National Security Law Legal Forum – Security Brings Prosperity held in July 2021, DoJ proposes to organise another National Security Law Legal Forum in 2022. Prominent officials and legal experts will be invited to discuss the construction and application of the Hong Kong National Security Law and various topical issues, as well as the HKSAR's progress in safeguarding national security in different areas and the way forward. The forum aims to enhance awareness and understanding in the performance of HKSAR's constitutional duty to safeguard national security.

(C) Establishing Hong Kong as an international legal and dispute resolution services centre in the Asia-Pacific region

(1) The National 14th Five-Year Plan, the Belt and Road Initiative and the Guangdong-Hong Kong-Macao GBA: Legal exchange and collaboration

(a) Guangdong-Hong Kong-Macao GBA

(i) Guangdong-Hong Kong-Macao GBA Legal Departments Joint Conference ("Joint Conference")

16. At the second Joint Conference held on 11 December 2020, the three parties endorsed the working proposal to set up the GBA Mediation Platform and further agreed to establish the GBA Mediation Working Group ("Working Group").

(ii) Guangdong-Hong Kong-Macao GBA Mediation Platform

17. The Joint Conference endorsed the working proposal of the GBA Mediation Platform for high-level cooperation among the legal departments of Guangdong, Hong Kong and Macao to set standards and promote mediation services. The Working Group held its first meeting in August 2021, discussing the accreditation standards and the code of conduct best practices for mediators in the GBA for review and endorsement at the third Joint Conference by the end of this year.

(iii) Interface of laws in the GBA

18. DoJ will ride on the unique characteristics of "one country, two systems and three jurisdictions" in the GBA and explore possible study on the interface of laws in the GBA with a view to devising mutually recognised standards and mechanisms in protecting business interests, thereby opening up vast business opportunities. DoJ will first explore the areas of intellectual property and e-commerce matters.

(b) Arrangement on judicial assistance in civil and commercial matters with the Mainland - latest progress

(i) Introduction of a bill for the implementation of the Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters

19. 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 signed on 18 January 2019 establishes a more comprehensive and clearer mechanism for reciprocal recognition and enforcement of civil and commercial judgments between both places. DoJ is actively preparing a bill for implementing the Arrangement in Hong Kong and will seek to consult the public as soon as practicable. With the implementation of the Arrangement, the need for parties to re-litigate the same disputes in both places would be reduced, thereby providing more protection to parties' interests and also enhancing Hong Kong's position as a regional centre for international legal and dispute resolution services.

(ii) Measures for mutual recognition of and assistance to corporate insolvency proceedings and debt restructuring

20. On 14 May 2021, the HKSAR Government and the Supreme People's Court ("SPC") signed the Record of Meeting of the Supreme People's Court and the Government of the Hong Kong Special Administrative Region on Mutual Recognition of and Assistance to Bankruptcy (Insolvency) Proceedings between the Courts of the Mainland and of the Hong Kong Special Administrative Region, which establishes a new cooperation mechanism for cross-boundary corporate insolvency and debt restructuring matters between both places. The SPC has designated Shanghai, Xiamen and Shenzhen as the pilot areas for the implementation of the new mechanism, which became effective on the same day.

21. Under the new mechanism, Hong Kong liquidators or provisional liquidators may apply to the relevant Intermediate People's Courts in the Mainland pilot areas for recognition and assistance with regard to the insolvency and debt restructuring proceedings in Hong Kong, such as taking over the debtor's property, investigation into the financial position of the debtor, etc. Likewise, Mainland bankruptcy administrators may continue to apply to the High Court of Hong Kong pursuant to common law principles in Hong Kong for recognition of bankruptcy liquidation, compromise and reorganisation proceedings in the Mainland, and apply for recognition and assistance as mentioned above.

22. Under the new mechanism, Hong Kong became the only jurisdiction to have established a cooperation mechanism for mutual recognition of and assistance to insolvency proceedings with the Mainland. This fully reflects the unique competitiveness of Hong Kong under "one country, two systems".

23. Moreover, the new cooperation mechanism has profound impact on three aspects:

(1) It avoids the inability to fully recover the debtors' assets due to the lack of a cooperation mechanism, thereby enhancing the protection of the interests of debtors and creditors, which is conducive to the orderly and fair treatment of the relevant stakeholders' interests.

(2) It encourages stakeholders to make wider use of restructuring or reorganisation procedures. Companies under financial distress may accordingly reduce the risk of liquidation through timely debt restructuring, which in turn strengthens the protection for employment and social livelihood.

(3) It gives additional assurance to creditors and investors, facilitates lending and investment, thus further enhancing the investment and business environment of the two places.

(iii) <u>Recent arrangements implemented through local legislation</u>

24. The Supplemental Arrangement Concerning Mutual Enforcement of Arbitral Awards between the Mainland and the HKSAR ("Supplemental Arrangement") signed in November 2020 has been implemented in full through local legislative processes in

May 2021. The Supplemental Arrangement amends the Arrangement Concerning Mutual Enforcement of Arbitral Awards between the Mainland and the HKSAR ("Arbitral Award Arrangement"), *inter alia*, by redefining the scope of application of the Arbitral Award Arrangement by way of following the seat of arbitration approach and removing the previous restriction of the Arbitral Award Arrangement in order to allow parties to make simultaneous applications to both the courts of the Mainland and the HKSAR for enforcement of an arbitral award. The Supplemental Arrangement further refines the Arbitral Award Arrangement and brings it more fully in line with the current practice of international arbitration.

25. The Arrangement on Reciprocal Recognition and Enforcement of Civil Judgments in Matrimonial and Family Cases by the Courts of the Mainland and of the Hong Kong Special Administrative Region, which was signed in June 2017, has been implemented through local legislation in May 2021. In accordance with the new mechanism established under the Arrangement and the relevant local legislation, it will provide for the reciprocal recognition and enforcement by the courts in Hong Kong and the Mainland of judgments given in matrimonial or family cases by the courts on the other side.

(c) Cooperation arrangements with the Mainland - latest progress

26. To enhance legal cooperation and exchanges between the two places, DoJ has recently signed a number of agreements or documents with various government departments in the Mainland, including:

- A record of meeting for enhancing exchange and cooperation was signed with the SPC in July 2021. The key features include providing practical Mainland legal training courses for Hong Kong legal practitioners who have passed the GBA Legal Professional Examination, rendering support to Hong Kong legal practitioners to join the International Commercial Expert Committee of the SPC and serve as specially invited mediators and people's assessors at people's courts in the Mainland, and proactively taking forward the work on mutual recognition of and assistance in bankruptcy proceedings. Under this arrangement, DoJ held a seminar on the "Practical Implementation of the Arrangement Concerning Mutual Assistance in Court-ordered Interim Measures in Aid of Arbitral Proceedings by the Courts of the Mainland and of the HKSAR" on 17 August this year, inviting a representative from the SPC as a speaker.

- A record of meeting was signed with the Supreme People's Procuratorate ("SPP") in July 2021, strengthening development and training for public prosecutors and promoting social development and the rule of law of both places. DoJ will organise an International Criminal Law Conference in November this year, and will invite a member of the SPP to attend the Conference to share views on the mechanism of combating corruption in the Mainland and Hong Kong.

- A framework arrangement concerning legal talent exchanges and training cooperation was signed with the Ministry of Justice in July 2021, developing more two-way cooperation channels with the Ministry of Justice. Under this arrangement, DoJ held a seminar on national initiatives for supporting Hong Kong legal sector's development on 9 September this year, inviting a representative from the Ministry of Justice to introduce the relevant arrangements after passing the GBA Legal Professional Examination, etc.

- Signing a memorandum of cooperation under the tripartite communication platform with the Ministry of Commerce ("MOFCOM") and the State-owned Assets Supervision and Administration Commission of the State Council ("SASAC") on 30 July 2021. The parties agreed to jointly encourage Mainland enterprises (including state-owned enterprises, private enterprises and other enterprises) to exchange and cooperate with the Hong Kong legal profession, and to establish a standing exchange platform for this purpose. This arrangement can help strengthen Hong Kong's lead in the Guangdong-Hong Kong-Macao GBA, especially with respect to professional legal services, as well as facilitate the continuous development and internationalisation of the GBA.

(2) <u>The Proposed Application of the United Nations Convention on Contracts for the International Sale of Goods ("CISG") to Hong Kong</u>

27. DoJ supports the promotion of a rule-based trading system, which is essential for providing certainty in international trade, so as to facilitate cross-border commercial activities along the Belt and Road countries. Adopted in 1980, the CISG is an important and widely adopted commercial law treaty. Almost all major trading members of the World Trade Organization, and nearly half of the countries participating

in the Belt and Road Initiative, are members of the CISG. Whilst China is a Contracting State to the CISG, the CISG is currently not applicable to Hong Kong.

28. To implement the CISG in Hong Kong, DoJ introduced the Sale of Goods (United Nations Convention) Bill ("Bill") into the Legislative Council ("LegCo") in July this year. The Bill was passed by the LegCo on 29 September. The Government will seek the assistance of the CPG in completing the necessary steps for the application of the CISG to Hong Kong pursuant to Article 153 of the Basic Law. As relevant sectors may require time to prepare for the implementation of the new regime, the Government plans to allow for at least six to nine months before commencement of the Bill. During the "preparatory period", DoJ will cooperate with the legal and business sectors to further promote the CISG and the implementation of the legislation, and explain to the relevant sectors the application of the convention and the details of its implementation.

(3) <u>Helping the Hong Kong legal profession to explore the Mainland market</u>

29. DoJ is actively pursuing different measures with the Mainland to facilitate the expansion of Hong Kong legal professionals into the Mainland market.

(a) The Guangdong-Hong Kong-Macao Greater Bay Area Legal Professional Examination ("GBA Examination")

30. On 18 June this year, DoJ and the Ministry of Justice ("MoJ") signed a memorandum of understanding on the organisation and implementation of the GBA Examination in Hong Kong, under which DoJ would coordinate with the Hong Kong Examinations and Assessment Authority to handle Hong Kong examination-related work. Having been postponed in light of the epidemic, the inaugural examination was successfully held on 31 July this year with a new examination venue set up in Hong Kong in addition to those in Shenzhen and Zhuhai, to facilitate the sitting of the examination by Hong Kong legal practitioners having difficulties in travelling to the Mainland due to the epidemic. For post-examination training and practice management, on 9 September, DoJ co-organised with the Department of Law of the Liaison Office of the CPG in the HKSAR, with the support of the Law Society of Hong Kong, a seminar on "Hong Kong legal professionals' practice and other opportunities in the Greater Bay Area", which was conducted concurrently on-site and online. Representatives of the MoJ and the Department of Justice of Guangdong Province briefed Hong Kong legal practitioners on matters of post-examination intensive training,

application for practice qualification, etc. On 28 September, the Department of Justice of Guangdong Province subsequently published a consultation draft of the trial implementation measures on practice management for Hong Kong and Macao legal practitioners who practise as lawyers in the nine Mainland municipalities in the GBA. Earlier on 28 July this year, DoJ and the SPC signed the Record of Meeting on Further Enhancement of Exchanges and Cooperation, the content of which includes the arrangement of Mainland practical legal training for Hong Kong legal practitioners who have passed the GBA Examination.

(b) Qianhai Plan

31. The Central Committee of the Chinese Communist Party and the State Council issued the Qianhai Plan on 6 September this year, under which Qianhai will be developed into a new platform for Guangdong-Hong Kong cooperation, aiming to establish a new system for a comprehensive and higher-level open economy and to build a globally competitive business environment preliminarily in 2025. A higher level of opening up in legal matters has been clearly stated in the Qianhai Plan. In respect of legal and dispute resolution matters, five points can be collated from the measures set out in the Qianhai Plan: explore ways to improve the mechanism for wholly-owned Hong Kong enterprises ("WOKEs") to adopt Hong Kong law and choose for arbitration to be seated in Hong Kong, establish a new mechanism for civil and commercial judicial assistance and exchanges, deepen the reform of the partnership association mechanism, support and encourage the establishment of representative offices and jointly promote international commercial dispute resolution business.

(i) <u>Explore ways to improve the mechanism for WOKEs to adopt Hong Kong law and choose for arbitration to be seated in Hong Kong</u>

32. Section 57 of the Regulations of the Qianhai Shenzhen-Hong Kong Modern Service Industry Cooperation Zone of the Shenzhen Special Economic Zone implemented last October allows Hong Kong-, Macao-, Taiwan- and foreign-invested enterprises registered in the Qianhai Cooperation Zone to agree on the choice of applicable law, including Hong Kong law, in their civil and commercial contracts, which adapts the requirement of "foreign-related elements" under Mainland laws in favour of wider use of Hong Kong law by the enterprises in the GBA. The Opinions of the Supreme People's Court on Providing Judicial Guarantee for the Building of Pilot Free Trade Zones announced in January 2017 also demonstrated the feasibility for foreign-invested enterprises (including WOKEs) registered in the pilot free trade zones

to choose for arbitration of their contract disputes in a place outside the Mainland (including Hong Kong). The Qianhai Plan expands the total area of the Qianhai Cooperation Zone by eight times, and the number of registered WOKEs will definitely be higher than the present number of 11 500, meaning the number of enterprises that can benefit from the measure of allowing WOKEs to adopt Hong Kong law and choose for arbitration to be seated in Hong Kong will no doubt increase, thereby creating more opportunities for the legal and dispute resolution sectors in Hong Kong.

(ii) Explore ways to establish a new mechanism for civil and commercial judicial assistance and exchanges

33. As set out in paragraph 20 above, a new cooperation mechanism has been established with the Mainland in cross-boundary insolvency and debt restructuring matters in May this year, illustrating the feasibility of cross-boundary cooperation in insolvency. DoJ will jointly study with Shenzhen on improving the enforcement mechanism in this regard, and explore the interface of different legal systems and cross-boundary laws and regulations so as to further facilitate assistance and exchange among parties.

(iii) Deepen the reform of the partnership association mechanism

34. In September 2014, Qianhai was one of the first few pilot areas for the setting up of partnership associations between Mainland and Hong Kong law firms. In August 2019, Guangdong Province implemented further liberalisation measures for partnership associations, including the removal of the minimum capital injection ratio of 30% by Hong Kong partner firms in partnership associations set up between Hong Kong and Mainland law firms, allowing partnership associations to handle and undertake administrative procedure legal work, as well as allowing partnership associations to employ Mainland and Hong Kong lawyers directly in their own name.

35. The above liberalisation measures facilitate more Hong Kong law firms to establish partnership associations to provide a one-stop shop of cross-jurisdictional legal services in the Mainland. Coupled with the GBA Legal Professional Examination, more lawyers familiar with the laws of the two places will be available for the Qianhai Cooperation Zone, enabling it to play a leading role through the legal professions of the two places exploring ways to deepen the reform mechanism.

(iv) Support and encourage the establishment of representative offices

36. The Qianhai Plan supports and encourages Hong Kong and Macao law firms to establish representative offices in the Qianhai Cooperation Zone. According to the information provided by the Law Society of Hong Kong, as at August 2021, nine Hong Kong law firms' representative offices have been set up in Shenzhen to provide legal advice regarding Hong Kong law or laws of the countries (except for the laws of the Mainland) where the law firm has been approved to practise as well as advise on international conventions and international practices.

37. With the support of the governments of Shenzhen and Hong Kong, the eBRAM International Online Dispute Resolution Centre ("eBRAM Centre"), South China International Arbitration Center (HK) and Des Voeux Chambers will serve as the first batch of Hong Kong institutions to join the GBA International Arbitration Centre exchange and cooperation platform. The platform embodies the collaboration between the industries of both places and their commitment to jointly build an international investment arbitration and mediation mechanism in the Qianhai Cooperation Zone.

(v) Jointly develop the international commercial dispute resolution business

38. The Qianhai Plan supports the development of a one-stop international and regional commercial dispute resolution platform for litigation, mediation and arbitration, and allows renowned overseas arbitration and dispute resolution institutions to establish business institutions in the Qianhai Cooperation Zone after registering and filing with the relevant government departments and carry out arbitration for civil and commercial disputes in foreign commercial, maritime and investment fields.

39. Hong Kong has a pool of experienced professionals in legal and dispute resolution services, and is also the only common law jurisdiction within China. Hong Kong's legal and dispute resolution services sector should make good use of the measures under the Qianhai Plan, while following the principle of "mutual benefit through complementary efforts and joint growth for shared benefits", to complement Qianhai's development, so as to jointly develop the international commercial dispute resolution business. Following the successful rollout of the GBA Examination, more legal practitioners who are familiar with the legal matters of the two places will be available for the Qianhai Cooperation Zone and the GBA, enabling the effective implementation of above policies and attracting more enterprises to invest in the GBA.

(4) Enhancing international legal cooperation and exchange

40. DoJ is actively pursuing different measures to foster international legal cooperation and exchange in order to develop Hong Kong into an international legal and dispute resolution services hub in the Asia-Pacific region.

(a) Exploring the feasibility of establishing an arbitration centre in Hong Kong with international legal and dispute resolution institutions

41. DoJ is actively pursuing the feasibility of establishing an arbitration centre in Hong Kong with international legal and dispute resolution institutions, including the Asian-African Legal Consultative Organization ("AALCO"). If successful, this will greatly enhance Hong Kong's position and international image of being an international legal and dispute resolution hub.

(b) Secondment Arrangements to International Organisations

42. Since December last year, DoJ has put in place secondment programmes for local legal professionals with the Hague Conference on Private International Law ("HCCH"), the International Institute for the Unification of Private Law ("UNIDROIT") and UNCITRAL. Different from programmes in the past, the secondment programmes with the HCCH and UNIDROIT are open to local legal professionals in both the public and private sectors. The secondment programme with UNCITRAL will mark the HKSAR sending its very first junior professional officer in the legal field to the United Nations. Starting from September this year, the secondees (which include two lawyers in private practice) have been reporting for duty to the relevant international organisations in batches. Further, DoJ seconded a government counsel for the first time to the legal department of the Asian Infrastructure Investment Bank ("AIIB") in June this year.

43. DoJ will continue to explore more secondment programmes with other renowned international organisations, with a view to providing more secondment opportunities to Hong Kong's legal professionals in both the public and private sectors so that they can receive training in diverse areas of international law and gain valuable work experience.

(c) Hosting decision-making meetings of international organisations in Hong Kong

44. With the CPG's support, DoJ has secured the hosting of the 59th Annual Session of AALCO in Hong Kong, which will be held in hybrid mode from 29 November to 1 December this year. Important international law topics in the Asian-African regions such as maritime law, cyberspace law and peaceful settlement of disputes will be discussed during the Annual Session. Meanwhile, DoJ, UNCITRAL and the Asian Academy of International Law ("AAIL") will co-organise a hybrid inter-sessional meeting of UNCITRAL Working Group III in Hong Kong between 28 and 29 October 2021. Delegates of UNCITRAL member states and internationally renowned experts will discuss reform plans for investment mediation through seminars, roundtable discussions and practical workshops.

(d) Promoting and facilitating wider use of LawTech through increased cooperation with international organisations and other jurisdictions

45. DoJ has been actively engaged in strengthening cooperation in the area of LawTech with international organisations and other jurisdictions, including opting into the APEC Online Dispute Resolution Framework in April 2020 and supporting the eBRAM Centre in launching in June 2021 a set of procedural rules for online dispute resolution ("ODR") which is tailor-made for the Framework.

46. Following its establishment in 2020, the DOJ Project Office for Collaboration with UNCITRAL, based in the Hong Kong Legal Hub, has supported the establishment of the Inclusive Global Legal Innovation Platform ("iGLIP") to continue to cooperate with UNCITRAL in exploring ODR-related issues.

(5) <u>LawTech</u>

47. As set out in last year's Policy Address, to promote the sustainable development of LawTech in Hong Kong, DoJ will actively look into developing the "Hong Kong Legal Cloud", an online facility equipped with advanced information security technology to provide safe, secure and affordable data storage services for the local legal and dispute resolution industries, which will be conducive to promoting the long-term development of Hong Kong's overall legal and dispute resolution services. Under the support of the legal and dispute resolution industries, DoJ will provide an amount of around HK$15.7 million ("Hong Kong Legal Cloud Fund") for the

development of Hong Kong Legal Cloud by selected non-profit-making non-governmental organisation(s) through public-private partnership. Local non-profit-making organisations were invited publicly to submit applications for the development and provision of Hong Kong Legal Cloud services in February this year. The listed provider(s) of Hong Kong Legal Cloud will be entitled to funding support equivalent to the actual subscription fees of its services as incurred by its subscribers by way of disbursement from the Hong Kong Legal Cloud Fund to finance the setup cost, initial operational and promotion costs for up to three years. DoJ signed a memorandum of understanding with AAIL on the management of Hong Kong Legal Cloud Fund in May 2021. AAIL will manage the Hong Kong Legal Cloud Fund at no charge. Eligible local legal and dispute resolution professionals will be subsidised through the Fund to subscribe for the Hong Kong Legal Cloud services, which will be provided by the non-profit-making organisation(s) selected by DoJ.

(D) Strengthening Hong Kong's position as a regional intellectual property trading centre

48. DoJ will work with other Bureaux/Departments in preparing for the legislative implementation of the "Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters by the Courts of the Mainland and of the HKSAR" between the HKSAR Government and the SPC concluded on 18 January 2019. This Arrangement allows for certain judgments involving intellectual property rights to be enforced in the Mainland, making Hong Kong the first jurisdiction to have such an arrangement.

49. Additionally, the Trade Marks (Amendment) Ordinance 2020 came into force on 19 June this year, providing a basis in Hong Kong law for the implementation of an international registration system of trade marks under the "Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks". DoJ will work with other Bureaux/Departments in planning to implement the international registration system in Hong Kong as soon as practicable.

Attracting legal talents

50. DoJ has introduced a range of measures to attract and retain top legal talents.

(1) Adjusting the Talent List

51. DoJ supports suitably expanding the scope of the existing industry segment and occupation of Dispute Resolution Professionals and Transactional Lawyers in the Talent List promulgated in 2018 to cover professionals with expertise in resolving international commercial disputes, to relax the qualification requirements on past experience in handling international commercial and financial disputes and investor-state disputes, and to clarify the types of supporting documents required as proof of experience for transactional lawyers so as to attract more talents in these respects.

(2) Regularising the Pilot Scheme on Facilitation for Persons Participating in Arbitral Proceedings in Hong Kong

52. On 29 June 2020, the Government launched the Pilot Scheme on Facilitation for Persons Participating in Arbitral Proceedings in Hong Kong ("Pilot Scheme"), which aims to provide facilitation for eligible non-Hong Kong residents participating in arbitral proceedings in Hong Kong on a short-term basis in order to strengthen Hong Kong's position as an international centre for legal and dispute resolution services in the Asia-Pacific region, and to complement the Belt and Road Initiative as well as the Guangdong-Hong Kong-Macao GBA Development. Under the Pilot Scheme, nationals of countries who may visit Hong Kong visa-free and are in possession of a "Letter of proof" are allowed to participate in arbitral proceedings in Hong Kong as visitors, i.e. they will not be required to obtain employment visas. The Pilot Scheme will run on a trial basis for two years. The Government will conduct a review of the Pilot Scheme and may extend the arrangement to eligible persons from other jurisdictions, including the Mainland China, depending on the results of the review.

(E) A new project of "Systematic Review of the Statutory Laws of Hong Kong" by the Law Reform Commission

53. Our current statute book contains legislation passed and amended at different stages in the last two centuries. It is unavoidable that some of the provisions have become outdated and obsolete. In order to keep the laws up to date and commensurate with the status of Hong Kong as a modern society governed by the rule of law under the framework of "one country, two systems", the Secretariat of the Law Reform Commission will be entrusted with a new task of systematically reviewing our statutory laws. Upon approval by the LegCo in September this year, the post of Secretary has been upgraded to Law Officer to lead the "Systematic Review of the Statutory Laws of

Hong Kong". The new project consists of work mainly in the following three areas: (i) adaptation of laws; (ii) consolidation of laws; and (iii) repeal of obsolete laws.

Closing

54. Hong Kong will continue to enhance public education and understanding on the rule of law, the Constitution, the Basic Law and national security, and leverage on the opportunities arising from the National 14th Five-Year Plan, which explicitly supports Hong Kong to establish itself as the centre for international legal and dispute resolution services in the Asia-Pacific region, so as to give full play to its role as a bridge between the Mainland and the world. DoJ will continue to take forward various initiatives, including strengthening cooperation with the Mainland, international organisations and other jurisdictions and promoting the message of "Rule of Law and Justice for All".

Department of Justice
October 2021

Annex

Progress of the Department of Justice's New Initiatives and other On-going Initiatives in the Policy Addresses and Policy Agendas/Policy Address Supplements from 2017 to 2020

Item	New Initiatives in 2017	Progress to Date
1	Proactively strive for more liberalisation measures for our professional services when forging trade agreements with the Mainland and overseas governments. At the same time, we will allocate more resources to promote Hong Kong as a platform for providing professional services and a centre for dispute resolution service for the Belt and Road ("B&R") countries. Through the Mainland and Hong Kong Closer Economic Partnership Arrangement ("CEPA") framework and the upcoming development plan of the city cluster in the Guangdong-Hong Kong-Macao Bay Area, we will assist professional service companies in further opening up the Mainland market. [also under the Commerce and Economic Development Bureau and the Constitutional and Mainland Affairs Bureau]	• DoJ counsel attended CEPA consultations with representatives from the Ministry of Justice ("MoJ") and successfully secured more liberalisation measures on legal services. • The Agreement Concerning Amendment to the CEPA Agreement on Trade in Services signed by the Mainland and Hong Kong on 21 November 2019 introduced various new liberalisation measures including (1) removing the restriction on the minimum capital injection ratio of the Hong Kong law firm for partnership associations set up by Hong Kong and Mainland law firms in the entire Mainland; (2) allowing Hong Kong legal practitioners to be retained as legal consultants by not more than three Mainland law firms simultaneously, and replacing the relevant approval requirements with filing procedures; and (3) allowing Hong Kong legal practitioners to obtain practice qualification in the Greater Bay Area ("GBA") by passing a special examination and to engage in matters on specific areas of Mainland law. • Guangdong Province was the first to implement the "Trial Measures of the Department of Justice of Guangdong Province on Hong Kong Law Firms and Macao Law Firms Operating in the Form of Partnership Association with Mainland Law Firms in Guangdong

		Province (2019 Revision)" in August 2019 with further liberalisation measures for partnership associations. Major measures include the removal of the minimum capital injection ratio of 30% by Hong Kong partner firms in the partnership associations set up between Hong Kong and Mainland law firms, as well as allowing partnership associations to undertake administrative procedure legal work and to employ Mainland and Hong Kong lawyers directly in their own name, etc. Since June 2020, the measure to remove the minimum capital injection ratio has been extended to the whole of the Mainland. Since August 2020, 28 provinces or municipalities (or regions) including Beijing, Tianjin, Shanghai, etc. have allowed Mainland lawyers working in partnership associations to handle and undertake administrative procedure legal work to which the Mainland laws apply and to employ Mainland and Hong Kong lawyers in their own name. • Following the decision adopted by the Standing Committee of the National People's Congress ("NPCSC") on 11 August 2020 regarding the GBA Legal Professional Examination, the State Council issued on 22 October 2020 the pilot measures for Hong Kong and Macao legal practitioners to obtain Mainland practice qualifications and to practise as lawyers in the nine Mainland municipalities in the GBA. Hong Kong solicitors and barristers with accumulated practice experience of five years or above are eligible to apply for taking the examination. Upon obtaining a lawyer's practice certificate (GBA), one can provide legal services in the nine Mainland municipalities in the GBA on specified civil and commercial matters (including litigation and non-litigation matters) to which the Mainland laws apply, and enjoy the

		same privileges and subject to the same obligations as Mainland lawyers. On 6 November 2020, the MoJ issued a notice providing details on the GBA Legal Professional Examination, including eligibility for the examination, application procedures, scope of examination, etc. Having been postponed in light of the epidemic, the inaugural examination was successfully held in Hong Kong, Shenzhen and Zhuhai on 31 July this year. On 9 September this year, DoJ co-organised with the Department of Law of the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region ("the Liaison Office"), with the support of the Law Society of Hong Kong, a seminar on "Hong Kong legal professionals' practice and other opportunities in the Greater Bay Area", which was conducted concurrently on-site and online. Representatives of the MoJ and the Department of Justice of Guangdong Province briefed Hong Kong legal practitioners on matters of intensive training, application for practice qualification, etc. after passing the examination. Subsequently, on 28 September this year, the Department of Justice of Guangdong Province published a consultation draft of the trial implementation measures on practice management for Hong Kong and Macao legal practitioners who practise as lawyers in the nine Mainland municipalities in the GBA. DoJ and the Supreme People's Court, earlier on 28 July this year, signed a record of meeting for enhancing exchanges and cooperation, the contents of which include providing practical Mainland legal training courses for Hong Kong legal practitioners who have passed the examination.

2	Study possible options to enhance the efficiency and operation of the Law Reform Commission ("LRC"). The study includes examining the experience of various law reform agencies in other jurisdictions.	The LRC conducted a study to consider various options to enhance its efficiency and operation. The findings of the study were reported to and endorsed by the Legislative Council ("LegCo") Panel on Administration of Justice and Legal Services ("AJLS Panel") in December 2017. The AJLS Panel agreed that the current Commission and Sub-committee structure of the LRC should be maintained with enhanced resources by adding more lawyers and supporting staff to the LRC Secretariat.
Item	**New Initiatives in 2018**	**Progress to Date**
3	Prepare for publication on the website of DoJ a Combined DoJ English-Chinese Glossary of Legal Terms and a Combined DoJ Chinese-English Glossary of Legal Terms, each consisting of glossaries compiled by the five legal divisions of DoJ.	• In promoting the development of legal bilingualism, DoJ has published the Combined DoJ English-Chinese Glossary of Legal Terms (www.glossary.doj.gov.hk) ("Combined Glossary") in an electronic format for public use in September this year. The Combined Glossary consists of six glossaries prepared by the Civil Division ("CD"), the Constitutional and Policy Affairs Division, the International Law Division ("ILD"), the Law Drafting Division, the LRC Secretariat and the Prosecutions Division, with more than 60 000 entries which are legal terms commonly used in Hong Kong sourced from Hong Kong legislation, judicial authorities and other legal publications. • There is a search function in the Combined Glossary to enable users to conduct searches across all glossaries or in one or more selected glossaries, and various advanced search functions are available to suit the needs of different users. Hyperlinks to the source of the entries (e.g. legislative provisions or relevant documents) are also provided. Users are able to download the search results or the glossaries in PDF

		or RTF format. • In relation to the editorial work of the Combined Glossary, we are constantly reviewing new legislation published in the Gazette for the purpose of selecting new glossary entries and updating existing glossary entries as appropriate. As at September 2021, we have reviewed the legislation published on or before 30 June 2021. • Furthermore, DoJ is also compiling a Combined DoJ Chinese-English Glossary of Legal Terms, which is targeted to be published by the end of 2021 at the earliest. Meanwhile, the Chinese-English Glossary of Legal Terms remains available on the Hong Kong e-Legislation ("HKeL") website.
	Moreover, since 2018, DoJ has been uploading bilingual summaries of notable judgments involving the Government (including the background, issues in dispute, and rulings) to DoJ website for reference by the public.	When the Courts hand down notable judgments involving the Government, DoJ will prepare summaries of such judgments (covering the background, issues in dispute and rulings) and upload them to DoJ website. The summaries are in bilingual versions and aim to assist the public to understand the legal principles involved (especially in controversial or complicated cases). Such measure has been implemented since 1 July 2018. As at 24 September 2021, DoJ has uploaded summaries of 49 criminal cases, 21 civil cases and 68 judicial review cases.
4	Actively consider expanding the existing Understudy Arrangement for less-experienced barristers to act as junior counsel in prosecution cases, and to promulgate a similar programme for less-	• Since 15 June 2020, DoJ has launched an enhanced Understudy Programme in respect of civil and prosecution work for barristers and solicitors with less than five years' post call/admission experience, providing them with opportunities to act as understudies in civil and prosecution cases, or to prepare legal opinion for civil cases. The

	experienced barristers to undertake suitable civil work, so as to provide more opportunities for them to gain precious experience and skills in case handling	enhanced programme aims to provide training opportunities for less-experienced barristers and solicitors, broaden their horizon and enrich them with valuable experience. As at September 2021, more than 100 legal practitioners have benefited from the enhanced programme. • Since late 2018, the ILD has invited junior barristers to participate in research on particular international law issues, thereby enhancing their experience and broadening their international horizons. Specifically, a number of young barristers, lawyers and scholars were invited to prepare background documents for the United Nations Commission on International Trade Law ("UNCITRAL") Working Group III ("WG III")'s pre-inter-sessional meeting held on 9 November 2020. The relevant documents were reviewed by internationally renowned legal experts and several young barristers were invited to conduct research on the development of investment mediation. • Furthermore, the ILD invited several relatively junior barristers to participate in legal research work in respect of matters relating to the application of the United Nations Convention on Contracts for the International Sale of Goods ("CISG") in Hong Kong, assist in the drafting of relevant public consultation documents and subsequently conducting further research on the implementation of the CISG in Hong Kong.
5	With the introduction of the Mediation Mechanism for Investment Disputes in the Investment Agreement made under the	• DoJ, the International Centre for Settlement of Investment Disputes ("ICSID") and the Asian Academy of International Law ("AAIL") co-organised the Investment Law and Investor-State Mediator Training

	CEPA, Hong Kong will provide training for mediators in handling international investment disputes with a view to building up a team of international investment dispute mediators in Asia to support resolution of investment disputes through mediation	Course ("ILIM") in Hong Kong in 2018 and 2019. The 2020 training was postponed due to the epidemic. Despite the continuation of the epidemic in 2021, the 3rd Training Course will be conducted in a new mode. The first part, the Investment Law Module, was conducted virtually in early October 2021. The second part, the Mediation Module, is tentatively set to be held physically in Hong Kong in the first quarter of 2022. Government officials and participants from Asia and overseas will gather together again to share their knowledge and experience on topics relating to international investment law and mediation of investor-state disputes.
6	Encourage the development of online dispute resolution ("ODR"), and give policy support to the development of a B&R e-arbitration and e-mediation platform by non-governmental organisations so that Hong Kong will be able to provide efficient and cost-effective ODR services. In addition, we also give policy support to the development of a smart contract platform for use by enterprises of countries along the B&R in exploiting developments in LawTech to facilitate deal-making and dispute resolution	• In light of the prolonged epidemic's unprecedented impact on the local and global economy and its severe negative effects on the normal operation of businesses (especially micro, small and medium enterprises ("MSMEs")), it is anticipated that there would be an upsurge of disputes arising from or relating to COVID-19. DoJ announced the establishment of the COVID-19 Online Dispute Resolution Scheme in April 2020 to the general public and businesses in resolving low-value and COVID-19 related disputes. The Government provided funding support of $70 million under the second round of the Anti-epidemic Fund ("AEF") to the eBRAM International Online Dispute Resolution Centre Limited ("eBRAM Centre") and signed a memorandum of understanding ("MoU") with the eBRAM Centre in May 2020 in relation to its operation and the utilisation of funding provided. The said scheme was rolled out by the eBRAM Centre on 29 June 2020. The eBRAM Centre has since been handling cases under the scheme and has conducted a series of activities to

		promote the scheme to stakeholders and the public. Around 160 mediators and arbitrators have joined the scheme and completed the online training course. • Hong Kong, China opted into the APEC Collaborative Framework on ODR of Cross-Border Business to Business Disputes in April 2020. At the same time, eBRAM Centre developed in June this year a set of procedural rules for ODR which is tailor-made for the said framework, with the aim of providing MSMEs within the APEC economies with efficient and economical solutions to commercial disputes through the use of electronic and information technologies. • On 8 January 2021, the Finance Committee approved the provision of one-off funding of $100 million to the eBRAM Centre for the development, enhancement and initial operation of its ODR and deal making platform.
7	Study the desirability and means of establishing a Belt and Road Dispute Resolution Centre, and formulate a set of bespoke B&R dispute resolution rules for the resolution of disputes arising from B&R transactions which will be manifestly international and multilingual, to overcome geographical distances and language barriers that exist between the B&R economies	• The Task Force on Belt and Road Dispute Resolution was set up by DoJ to study the establishment of a dispute resolution body in Hong Kong and its rules for the resolution of international disputes concerning B&R projects. The work of the Task Force has been satisfactorily concluded and its proposals have been put forward to the Government.

8	Actively support legal professionals to enhance cooperation and exchanges with the Mainland and at the regional and international levels	• In July 2021, DoJ signed documents on legal exchanges and cooperation with various ministries and authorities of the Central People's Government, the contents of which include strengthening the connectivity of legal rules and mechanisms of the Mainland and Hong Kong, arrangements for exchanges of and amongst legal talents, etc. DoJ also participated in the Guangdong-Hong Kong-Macao GBA Judicial Case Seminar organised by the Guangdong High People's Court on 6 January 2020. • The second Guangdong-Hong Kong-Macao Bay Area Legal Departments Joint Conference ("Joint Conference") was held online on 11 December 2020. At the conference, the three parties endorsed the proposal to set up the Greater Bay Area Mediation Platform and further agreed to establish the Greater Bay Area Mediation Working Group ("Working Group") [See item 21]. The Secretary for Justice ("SJ") raised different issues for discussion during the conference, including the detailed responsibilities of the Working Group, the role to play of the Joint Conference in facilitating matters surrounding the GBA Legal Professional Examination, including the provision of legal services in the GBA by both the Hong Kong and Macao legal services sectors and relevant support, and the choice of law and legal place to resolve disputes in the GBA. • On 30 July this year, DoJ further concluded a Memorandum of Cooperation ("MoC") under the tripartite communication platform with the Department of Treaty and Law of MOFCOM and the Bureau of Policies, Laws and Regulations of SASAC. According to the MoC,

		the parties agree to jointly encourage Mainland enterprises (including state-owned enterprises, private enterprises and other enterprises) to exchange and cooperate with the Hong Kong legal profession, and to establish a standing exchange platform for this purpose. Such an arrangement can help strengthen Hong Kong's lead in the Guangdong-Hong Kong-Macao GBA, especially with respect to professional legal services. This arrangement can also facilitate the continuous development and internationalisation of the GBA.
9	Strengthen cooperation with international organisations	• The DOJ Project Office for collaboration with UNCITRAL was established at the Hong Kong Legal Hub on 2 November 2020 to explore cooperation opportunities and facilitate cooperative projects with UNCITRAL. The Project Office supported the establishment of the Inclusive Global Innovation Platform ("iGLIP") on ODR to explore ODR related issues and further cooperation with UNCITRAL on this area. iGLIP on ODR held its first meeting in 2021.
10	Promote Hong Kong as a regional capacity building centre for international law and dispute resolution through organising and co-organising international conferences and training programmes with international and local bodies	• DoJ has strengthened collaboration with renowned international, regional and local organisations, including UNCITRAL, HCCH, Asian-African Legal Consultative Organization ("AALCO"), APEC, Association of Southeast Asian Nations, ICSID, AAIL and Asian Infrastructure Investment Bank ("AIIB") by co-organising, supporting or participating in a variety of capacity building and promotional activities, in order to raise the international profile of Hong Kong. • Some examples of international conferences and training held in the latter half of 2020 and in 2021 include:

		➢ From 6 to 9 October 2020, DoJ took part in the third meeting of the Experts' Group on the Tourists and Visitors (ODR) Project of the HCCH. The meeting, which was held virtually, focused on the necessity, desirability and feasibility of a soft law instrument on matters relating to ODR and discussions canvassed recent developments, existing ODR and alternative dispute resolution systems; ➢ On 6 and 21 October 2020, DoJ co-hosted two webinars on ODR in Tokyo (in collaboration with the Hong Kong Economic and Trade Office in Tokyo) and in Hong Kong (at the annual In-House Congress organised by the In-House Community), respectively. The webinars explored the value of ODR in resolving cross-border commercial disputes, especially in the midst of the epidemic; ➢ On 15 December 2020, DoJ's representative Commissioner of Inclusive Dispute Avoidance and Resolution Office, in the capacity of the Chair of the APEC Economic Committee (APEC EC), delivered a keynote speech at the APEC Small and Medium Enterprises Business Forum – International Forum on Legal Services for the Healthy Development of Enterprises held in Shenzhen. The speech highlighted APEC's initiative to use ODR to help global businesses, in particular MSMEs, to resolve cross-border disputes, and some of the breakthroughs achieved; ➢ On 14 March 2021, the 18th Willem C. Vis (East) International Commercial Arbitration Moot (2nd Virtual Vis East Moot) was held

		successfully in Hong Kong. DoJ will continue to support the development of legal education and LawTech.
Item	**New Initiatives in 2019**	**Progress to Date**
11	In face of keen competition for international legal and dispute resolution services in the region, Hong Kong must enhance its presence, reputation and influence in a systematic manner through closer collaboration with various international and inter-governmental organisations and institutions.	• Signed with the Mainland 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, the Arrangement Concerning Mutual Assistance in Court-ordered Interim Measures in Aid of Arbitral Proceedings by the Courts of the Mainland and of the Hong Kong Special Administrative Region ("Interim Measures Arrangement") and the Investment Agreement made under CEPA, and published a list of mediation institutions and mediators mutually recognised by both sides under the Investment Agreement. Since the implementation of the Interim Measures Arrangement on 1 October 2019, as at 14 September 2021, the HKIAC had processed 50 interim measures applications for the preservation of evidence, conduct and assets amounting to RMB 14.6 billion. The Mainland Courts had also issued decisions for the preservation of assets amounting to RMB 10.9 billion. • DoJ has succeeded in securing Guangdong Province as the first to implement further liberalisation measures for partnership associations in August 2019, including the removal of the minimum capital injection ratio of 30% by Hong Kong partner firms in partnership associations set up between Hong Kong and Mainland law firms, as well as allowing partnership associations to undertake administrative

		procedure legal work and to employ Mainland and Hong Kong lawyers directly in their own name, etc. Since June 2020, the measure to remove the minimum capital injection ratio has been extended to the whole of the Mainland. Since August 2020, 28 provinces or municipalities (or regions) including Beijing, Tianjin, Shanghai, etc. have allowed Mainland lawyers working in partnership associations to handle and undertake administrative procedure legal work to which the Mainland laws apply and partnership associations to employ Mainland and Hong Kong lawyers in their own name. Furthermore, the Central Government has also agreed to allow Hong Kong legal practitioners to be retained as legal consultants by one to three Mainland law firms simultaneously, and to replace the approval requirements with filing procedures. • The GBA Legal Professional Examination [See item 1] • The Regulations of the Qianhai Shenzhen–Hong Kong Modern Service Industry Cooperation Zone of the Shenzhen Special Economic Zone ("the Regulations") were amended and approved in August 2020. By allowing Hong Kong-, Macao-, Taiwan- and foreign-invested enterprises registered in Qianhai to agree on the choice of applicable law in their civil and commercial contracts despite the absence of "foreign-related elements", enterprises in the GBA may enjoy wider application of Hong Kong law. The Plan for Comprehensive Deepening Reform and Opening Up of the Qianhai Shenzhen-Hong Kong Modern Service Industry Cooperation Zone ("Qianhai Plan") was promulgated on 6 September this year, under

		which Qianhai will be developed into a new platform for Guangdong-Hong Kong cooperation. The development capacity of the Qianhai Shenzhen-Hong Kong Modern Service Industry Cooperation Zone ("Qianhai Cooperation Zone") has been further expanded, with a total area that is eight times of the existing one. With the expansion of the Qianhai Cooperation Zone, the number of registered Hong Kong-invested enterprises will definitely be higher than the present number of 11 500, such that the number of enterprises which can benefit from the measure of adopting Hong Kong law and choosing for arbitration to be seated in Hong Kong will no doubt increase, thereby creating more opportunities for the legal and dispute resolution sector in Hong Kong. • DoJ has been actively participating in the work of the Friends of the Chair on Strengthening Economic and Legal Infrastructure ("SELI") under the APEC Economic Committee. In March this year, DoJ and APEC signed a Memorandum of Understanding ("MoU") to support the creation of a SELI sub-fund which amounts to USD 1 million. The establishment of the sub-fund demonstrates Hong Kong's commitment and contribution to the strengthening of economic and legal infrastructure in the region, and charts the course for a stronger, closer and more longstanding partnership with APEC. This will also help enhance Hong Kong's visibility and reputation, further consolidating its role as an ideal hub for deal-making and a leading centre for international legal and dispute resolution services in the region and beyond.

12	Explore the possibility of hosting the 59th Annual Session of the AALCO in 2020, and invite international legal bodies such as UNCITRAL to host inter-sessional meetings and related activities in Hong Kong.	• Successfully strived to host the 59th Annual Session of AALCO in Hong Kong. Due to the pandemic, the Annual Session will be held from 29 November to 3 December 2021 in Hong Kong. • Successfully strived to host the Working Group III ("WG III")'s inter-sessional meeting in Hong Kong on 28 and 29 October 2021 in a hybrid mode involving online and offline modes. Delegates of the UNCITRAL member states and internationally renowned experts will discuss reform plans for investment mediation through seminars, roundtable discussions and practical workshops. The Chinese delegation plans to report the results of the inter-sessional meeting during the formal meeting of WG III from 15 to 19 November 2021.
13	Plan to consult the public on a mechanism with the Mainland for mutual recognition of and assistance in corporate insolvency matters, so as to offer better legal protection to stakeholders in Hong Kong and on the Mainland and further optimise the business and investment environment of both places	• In May 2021, the Hong Kong Special Administrative Region ("HKSAR") Government and the SPC signed the *"Record of Meeting of the Supreme People's Court and the Government of the Hong Kong Special Administrative Region on Mutual Recognition of and Assistance to Bankruptcy (Insolvency) Proceedings between the Courts of the Mainland and of the Hong Kong Special Administrative Region"* ("Record of Meeting"), which establishes a new cooperation mechanism for cross-boundary corporate insolvency and debt restructuring matters between both places. The SPC has designated Shanghai, Xiamen and Shenzhen as the pilot areas for the implementation of the new mechanism. • Under the new mechanism, Hong Kong liquidators or provisional liquidators may apply to the relevant Intermediate People's Courts in

		the Mainland pilot areas for recognition of and assistance to insolvency and debt restructuring proceedings in Hong Kong, such as taking over the debtor's property, investigation into the financial position of the debtor, participating in legal actions and arbitrations on behalf of the debtor, etc. Likewise, Mainland bankruptcy administrators may continue to apply to the High Court of Hong Kong pursuant to common law principles in Hong Kong for recognition of bankruptcy liquidation, compromise and reorganisation proceedings in the Mainland, and apply for assistance as mentioned above. • On the day of signing the Record of Meeting, the SPC promulgated the *"Supreme People's Court's Opinion on Taking Forward a Pilot Measure in relation to the Recognition of and Assistance to Insolvency Proceedings in the Hong Kong Special Administrative Region"* to implement the Record of Meeting. On the same day, DoJ issued a practical guide setting out the key features of the existing procedures for applications to the Hong Kong court for recognition of and assistance to Mainland bankruptcy proceedings. • DoJ will continue to actively cooperate with the relevant Mainland authorities, help stakeholders in the two places to deepen their understanding of the details of the implementation of the cooperation mechanism and promote professional exchanges in this aspect so as to create favourable conditions for gradual expansion of the scope of the pilot areas in future.

14	Provide training and support for Hong Kong legal talent to participate in international organisations, including international legal bodies such as the HCCH and UNCITRAL, and encourage and support local legal talent to take up leading positions in international organisations which Hong Kong participates as a member such as taking up the position of Chair of the APEC EC	• Since December last year, DoJ has put in place secondment programmes for local legal professionals with UNCITRAL, the HCCH and the International Institute for the Unification of Private Law ("UNIDROIT"). Different from programmes in the past, the secondment programmes with the HCCH and UNIDROIT are open to local legal professionals in both the public and private sectors. The secondment programme with UNCITRAL will mark the HKSAR sending its very first junior professional officer in the legal field to the United Nations. • Starting from September this year, the secondees (which include two lawyers in private practice) have been reporting for duty to the relevant international organisations in batches. Further, DoJ seconded a government counsel for the first time to the legal department of the AIIB in June this year. • DoJ will continue to explore more secondment programmes with other renowned international organisations to provide more secondment opportunities to Hong Kong's legal professionals in both the public and private sectors, so that they can receive training in diverse areas of international law and gain valuable work experience. • Besides, with the CPG's support, the Commissioner of the Inclusive Dispute Avoidance and Resolution Office ("IDAR Office") was appointed as the Chair of the APEC EC for a term of two years since 1 September 2019. He has been appointed for another term of two years until 2023.

15	Launch a pilot Professional Exchange Programme to facilitate cross-fertilisation of knowledge and experience among lawyers in the private sector and the Government to enhance mutual understanding, cooperation and collaboration, with a view to widening the experiences and horizons of the industry and consolidating Hong Kong's status as a legal hub, a leading centre for international legal and dispute resolution services and a legal platform for deal-making and dispute resolution in the Asia Pacific Region.	• Launched in mid-September 2019, DoJ's Professional Exchange Programme invites admitted solicitors and barristers (post qualification experience not required) to apply for a short attachment to DoJ. • The first young exchange lawyer from the private sector was attached to DoJ for six months in the latter half of 2020, partaking in public education and promotional work related to the "Vision 2030 for Rule of Law" initiative, assisting the Arbitration Team in arbitration-related meetings and conducting research on specific topics. • The exchange programme is reciprocal. DoJ has identified four DoJ counsel to participate in this programme. Three will be attached to three different chambers for about six weeks in Q3 and Q4 2021 for litigation exposure; and the fourth one will be attached to a solicitor firm for two months in Q4 of 2021, engaging in dispute resolution work.
16	Discuss with the Hague Academy of International Law the proposal to organise annual training courses in Hong Kong for the GBA and the neighbouring jurisdictions, and actively explore collaboration opportunities with international bodies to promote rule-based trading system and enhance the promotion of the rule of law and anti-corruption education in the neighbouring	• DoJ has reached an agreement with the Hague Academy of International Law, one of the world's leading academic institutes on international law, to co-organise capacity building courses in Hong Kong regularly in collaboration with AAIL from 2020 onwards. The relevant courses would provide Hong Kong and the neighbouring regions with high quality training for legal professionals, which would simultaneously help further raise Hong Kong's international profile. Due to public health reasons, the organisers first organised a webinar on 7 December 2020, and tentatively plan to organise another webinar

	regions. Conclude a cooperation arrangement with the MOFCOM and the SASAC for establishing a permanent communication platform between Mainland enterprises and the Hong Kong legal profession.	in November 2021. Upon improvement of the public health situation, DoJ would deliberate on the organisation of the first edition of the Hague Academy of International Law Advanced Course in Hong Kong–Current Trends on International Commercial Dispute Settlement in 2022. • On 30 July this year, DoJ further signed the Exchanges and Cooperation Arrangement with the Department of Treaty and Law of MOFCOM and the Bureau of Policies, Laws and Regulations of SASAC. According to the Arrangement, the parties agree to jointly encourage Mainland enterprises (including state-owned enterprises, private enterprises and other enterprises) to exchange and cooperate with the Hong Kong legal profession, and to establish a standing exchange platform for this purpose. This Arrangement can help strengthen Hong Kong's lead in the GBA, especially with respect to professional legal services. This Arrangement can also facilitate the continuous development and internationalisation of the GBA. • The Bill implementing the CISG was passed by the LegCo in September. During the "preparatory period" before the above legislation comes into effect, DoJ would cooperate with the legal and business sectors to actively promote the CISG and the implementation of the legislation, and explain to the relevant sectors the application of the convention and the details of its implementation.
17	Launch an initiative in 2020, namely, "Vision 2030 for Rule of Law" for the	• A Task Force on Vision 2030 ("Task Force") with memberships of local and international renowned experts has been set up to advise the

	promotion and education of the rule of law. As a long term commitment towards 2030, a dedicated inclusive platform will be established for stakeholders, including youths, practitioners and experts, to take forward the initiative through academic and professional exchanges, research, capacity building and activities to promote and reinforce the rule of law	Government on its proposal to achieve the intended policy objective. In order to provide further guidance to the Government, the Task Force will have its third meeting online in November 2021. • Pursuant to the advice of the Task Force, DoJ is preparing for the launch of the Vision 2030 Website, and is preparing for the setting up of a rule of law database containing relevant information and objective data about the rule of law. • "Vision 2030 for Rule of Law" was officially launched during the Hong Kong Legal Week 2020, which also marked the opening of the Inaugural Rule of Law Congress. • Public education and promotion programmes launched in the year of 2021/22 include: ➢ Studio DoJ; ➢ "Rule of Law through Drama" campus interactive theatre; ➢ "Rule of Law Enlightenment" Programme; ➢ "Respecting the Law, Reinforcing the Rule of Law" Teacher Training Programme; ➢ Pilot Scheme on Rule of Law Education for Secondary School Students; ➢ e-Resources for Rule of Law and the Basic Law as well as more publications of summaries of notable judgments and other legal publications

		• "Rule of Law through Drama" involves lively, interesting and interactive performances, with an aim to help primary students learn the proper concept of the rule of law. Up until 2 September, "Rule of Law through Drama" has already been performed nearly 90 times in more than 60 primary schools. • DoJ is also actively organising the Law Quiz Competition for primary students (2021/22 school year) in order to enhance their knowledge of the Constitution, the Basic Law and the rule of law. • DoJ supports the launch of the "Pilot Scheme on Rule of Law Education for Secondary School Students" by the Hong Kong Policy Research Institute in the 2020/21 school year. Lawyers were invited to serve as facilitators while law students and graduates as ambassadors. Secondary school students are able to grasp the proper core concepts of the rule of law after taking part in seminars, interactive games and group discussions. • DoJ also assists in the preparation of teaching materials on the rule of law. For instance, the Basic Law Foundation's "e-Resources for Rule of Law and the Basic Law" provides a series of teaching materials on the Constitution, the Basic Law and the rule of law for flexible adoption by secondary schools teachers. At the same time, DoJ is in support of the training course "Respecting the Law, Reinforcing the Rule of Law" co-organised by the Endeavour Education Centre and the Education Bureau for teachers from both primary and secondary schools. The course covers topics like the Constitution, the Basic Law,

		national security, Hong Kong's legal system and the rule of law, with a view to promoting the rule of law education. • In the new school year, DoJ is prepared to launch the "Rule of Law Enlightenment" Programme, which includes the following activities: (a) Law Talks: students can raise questions at the talk to enhance interaction; (b) Prosecution Week: quiz and visit to courts will be arranged for students; (c) Rule of Law Journey: students can trace the footsteps of Hong Kong's legal development by visiting the Hong Kong Legal Hub; and (d) A video competition will be held in which secondary school students are encouraged to give play to their creativity and share their thoughts on the rule of law.
Item	**New Initiatives in 2020**	**Progress to Date**
18	Mediation Mechanism for Investment Disputes established under the Investment Agreement of the CEPA Framework	• Following the establishment of the Mediation Mechanism for Investment Disputes in accordance with the Investment Agreement signed under the framework of the CEPA, Hong Kong announced the list of designated mediation institutions and mediators in 2018 and also published the mediation rules for adoption by Hong Kong's designated mediation institutions and mediators. The designation of the 43 Hong Kong mediators under the Mediation Mechanism for Investment Disputes has been extended for two years up to 2022. • Hong Kong will provide training to mediators handling investor-state

		disputes, with a view to building a team of international investment mediators in Asia to support resolution of investment disputes through mediation. The first and second Investment Law and Investor-State Mediator Training courses, co-organised by DoJ, ICSID and AAIL, were held in 2018 and 2019 respectively. Due to the epidemic, the training in 2020 was postponed. Despite the continuation of the epidemic in 2021, the 3rd Training will be conducted in a new mode: the first part, the Investment Law Module, was conducted virtually in early October 2021; the second part, the Investor-State Mediation Module, is tentatively set to be held physically in Hong Kong in Q1 2022.
19	Enhance Hong Kong's attractiveness as a centre for international legal, deal-making and dispute resolution services by various means	• Signed with the Mainland 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, the Interim Measures Arrangement, the Supplemental Arrangement Concerning Mutual Enforcement of Arbitral Awards between the Mainland and the Hong Kong Special Administrative Region ("Supplemental Arrangement") and the Investment Agreement made under CEPA, and published a list of mediation institutions and mediators mutually recognised by both sides under the Investment Agreement. Since the implementation of the Interim Measures Arrangement on 1 October 2019, as at 14 September 2021, the HKIAC had processed 50 interim measures applications for the preservation of evidence, conduct and assets amounting to RMB 14.6 billion. The Mainland Courts had also issued decisions for the preservation of assets amounting to RMB 10.9

		billion. Through concluding various arrangements on civil and commercial judicial assistance with the Mainland, Hong Kong is able to strengthen its mechanism for civil and commercial mutual legal assistance and provide more comprehensive legal protection, thus attracting stakeholders from the HKSAR and the Mainland to make more use of Hong Kong's legal, deal-making and dispute resolution services. • In May 2021, the HKSAR Government and the SPC signed a Record of Meeting of the Supreme People's Court and the Government of the Hong Kong Special Administrative Region on Mutual Recognition of and Assistance to Bankruptcy (Insolvency) Proceedings between the Courts of the Mainland and of the Hong Kong Special Administrative Region, which establishes a new cooperation mechanism for cross-boundary corporate insolvency and debt restructuring matters between both places. The SPC has designated Shanghai, Xiamen and Shenzhen as the pilot areas for the implementation of the new mechanism. Under the new mechanism, Hong Kong liquidators or provisional liquidators may apply to the relevant Intermediate People's Courts in the Mainland pilot areas for recognition and assistance with regard to the insolvency and debt restructuring in Hong Kong, such as taking over the debtor's property, investigation into the financial position of the debtor, participating in legal actions and arbitrations on behalf of the debtor. Likewise, Mainland bankruptcy administrators may continue to apply to the High Court of Hong Kong pursuant to common law principles in Hong Kong for recognition of bankruptcy liquidation, compromise and reorganisation proceedings in the Mainland, and

		apply for assistance as mentioned above. Upon the signing of the Record of Meeting, Hong Kong has become the only jurisdiction outside the Mainland to have established a cooperation mechanism for mutual recognition of and assistance to insolvency proceedings with the Mainland. This new mechanism will offer better legal protection to stakeholders, enhance the competitiveness of Hong Kong as an international commercial and investment centre, and reinforce the position of Hong Kong as a regional insolvency and debt restructuring hub, as well as further enriching judicial assistance in civil and commercial matters between the two places. • Since 19 May 2020, DoJ has been processing applications for exemption from the compulsory quarantine arrangement for eligible arbitrators, mediators or qualified legal practitioners acting as counsel for parties who travel between Hong Kong and the Mainland, Macao or Taiwan to provide necessary legal services. Since 15 June 2020, DoJ has also been processing applications for exemption from the compulsory quarantine arrangement for qualified legal practitioners acting for parties in important and large-scale commercial transactions who travel between Hong Kong and the Mainland, Macao or Taiwan to provide necessary legal services for such transactions. • On 29 June 2020, the Pilot Scheme on Facilitation for Persons Participating in Arbitral Proceedings in Hong Kong ("Pilot Scheme") was launched, which provides facilitation for eligible non-Hong Kong residents participating in arbitral proceedings in Hong Kong on a short-term basis in order to strengthen Hong Kong's position as a

		centre for international legal and dispute resolution services in the Asia-Pacific region, and be in line with the B&R Initiative as well as the Guangdong-Hong Kong-Macao GBA Development. Under the Pilot Scheme, nationals of countries who may visit Hong Kong visa-free ("visa-free nationals") and are in possession of the "Letter of Proof" are allowed to participate in arbitral proceedings in Hong Kong as visitors, i.e. they will not be required to obtain employment visas. The duration in which they may stay in Hong Kong for participating in arbitral proceedings shall not exceed the current visa-free period for visit. The Pilot Scheme runs on a trial basis for two years and covers the following four categories of visa-free nationals, namely (i) arbitrators; (ii) expert and factual witnesses; (iii) counsel in the arbitration; and (iv) parties to the arbitration ("Eligible Persons"). The Government will conduct a review of the Pilot Scheme. The Pilot Scheme may be extended to Eligible Persons from other jurisdictions, including the Mainland China, depending on the results of the review. • DoJ conducted a review of the Arrangement Concerning Mutual Enforcement of Arbitral Awards between the Mainland and the Hong Kong Special Administrative Region ("Arbitral Awards Arrangement"), which has been in operation since 1 February 2000, in consultation with the SPC. Amendments to the Arbitral Awards Arrangement have been implemented through signing the Supplemental Arrangement and amending the relevant provisions of the Arbitration Ordinance (Cap. 609). The Supplemental Arrangement was signed on 27 November 2020 and has been in full implementation since 19 May 2021.

20	Take forward the Legal Hub project	• The Hong Kong Legal Hub officially opened on 2 November 2020. About 20 selected local, regional and international law-related organisations have moved in or are gradually moving in and commencing service. • DoJ will continue to actively explore with other international legal and dispute resolution organisations the feasibility of setting up arbitration centres in Hong Kong. DoJ has been working closely with various international organisations. The HCCH's first office of the Asia Pacific Region was set up in Hong Kong. DoJ Project Office for Collaboration with UNCITRAL was also established in the Hong Kong Legal Hub on 2 November 2020. DoJ will continue to promote the Hong Kong Legal Hub to other renowned international legal organisations.
21	Consolidate Hong Kong's status as a legal hub for the B&R countries and the region	• At the first Guangdong-Hong Kong-Macao GBA Legal Departments Joint Conference meeting in 2019, the three legal departments agreed to establish a mediation platform in the GBA, and suggested promulgating a set of unified accreditation standards for mediators in the GBA, guiding principles for mediation rules applicable to cross-border disputes within the GBA, principles and requirements for mediators' code of conduct, etc. for reference by the GBA mediation institutions and mediators, thereby enhancing the confidence of mediation users within the GBA. The second Joint Conference meeting was held in December 2020, at which the three parties endorsed the working proposal to set up the GBA Mediation Platform for high-level cooperation among the legal departments of

		Guangdong, Hong Kong and Macao to set standards and promote mediation services and the proposal to establish a GBA Mediation Working Group ("Working Group"). The Working Group held the plaque unveiling ceremony and its first meeting on 26 August 2021, discussing the accreditation standards and the code of conduct best practices for mediators in the GBA for review and endorsement at the third Guangdong-Hong Kong-Macao GBA Legal Departments Joint Conference by the end of this year. • The Regulations, amended and approved in August 2020, stipulate that Hong Kong-, Macao-, Taiwan- and foreign-invested enterprises registered in Qianhai may agree on the choice of applicable law in their civil and commercial contracts despite the absence of "foreign-related elements". The amendment allows wholly-owned Hong Kong enterprises registered in Qianhai to agree on the choice of applicable law, including Hong Kong law, when they enter into civil and commercial contracts. At the same time, DoJ is actively seeking the support of the Central Government in extending the measure to the whole GBA, as well as in the wider use of Hong Kong as a place of arbitration outside the Mainland in the GBA. The Qianhai Plan was promulgated on 6 September this year, under which Qianhai will be developed into a new platform for Guangdong-Hong Kong cooperation. The development capacity of the Qianhai Cooperation Zone has been further expanded, with a total area that is eight times of the existing one. With the expansion of the Qianhai Cooperation Zone, the number of registered Hong Kong-invested enterprises will definitely be higher than the present number of 11 500, such that the

		number of enterprises which can benefit from the measure of adopting Hong Kong law and choosing for arbitration to be seated in Hong Kong will no doubt increase, thereby creating more opportunities for the legal and dispute resolution sector in Hong Kong.
22	Succeeded in securing Guangdong Province as the first to implement further liberalisation measures for partnership associations set up between Mainland and Hong Kong law firms	• Since June 2020, the measure to remove the minimum capital injection ratio of 30% by Hong Kong partner firms in the partnership associations set up between Hong Kong and Mainland law firms has been extended to the whole of the Mainland. Since August 2020, 28 provinces or municipalities (or regions) including Beijing, Tianjin, Shanghai have allowed Mainland lawyers working in partnership associations to handle and undertake administrative procedure legal work to which the Mainland laws apply and partnership associations to employ Mainland and Hong Kong lawyers in their own name. Furthermore, the Central Government has also agreed to allow Hong Kong legal practitioners to be retained as legal consultants by one to three Mainland law firms simultaneously, and to replace the approval requirements with filing procedures. • Following the decision adopted by the NPCSC on 11 August 2020 regarding the GBA Legal Professional Examination, the State Council issued on 22 October 2020 the pilot measures for Hong Kong and Macao legal practitioners to obtain Mainland practice qualifications and to practise as lawyers in the nine Mainland municipalities in the GBA. Hong Kong solicitors and barristers with accumulated practice experience of five years or above are eligible to apply for taking the examination. Upon obtaining a lawyer's practice certificate (GBA),

		one can provide legal services in the nine Mainland municipalities in the GBA on specified civil and commercial matters (including litigation and non-litigation matters) to which the Mainland laws apply, and enjoy the same privileges and subject to the same obligations as Mainland lawyers. On 6 November 2020, the MoJ issued a notice providing details on the GBA Legal Professional Examination, including eligibility for the examination, application procedures, scope of the examination. Having been postponed in light of the epidemic, the inaugural examination was successfully held in Hong Kong, Shenzhen and Zhuhai on 31 July this year. • On 9 September this year, DoJ co-organised with the Department of Law of the Liaison Office, with the support of the Law Society of Hong Kong, a seminar on "Hong Kong legal professionals' practice and other opportunities in the Greater Bay Area", which was conducted concurrently on-site and online. Representatives of the MoJ and the Department of Justice of Guangdong Province briefed Hong Kong legal practitioners on matters of post-examination intensive training, application for practice qualification, etc. Subsequently, on 28 September this year, the Department of Justice of Guangdong Province published a consultation draft of the trial implementation measures on practice management for Hong Kong and Macao legal practitioners who practise as lawyers in the nine Mainland municipalities in the GBA. Earlier on 28 July this year, DoJ and the SPC signed the Record of Meeting on Further Enhancement of Exchanges and Cooperation, the contents of which include the arrangement of Mainland practical legal training for Hong Kong legal

		practitioners who have passed the examination.
23	LawTech	• "LawTech Fund": The Government has set up the "LawTech Fund" under the second round of AEF to assist the legal sector in procuring and upgrading information technology systems and arranging their staff to attend LawTech training courses through reimbursement. Over 500 applications were received from over 70% of target small-medium sized firms and chambers. An amount of up to $50,000 was granted to each eligible applicant. • "Hong Kong Legal Cloud": To further develop LawTech, DoJ actively looks into developing "Hong Kong Legal Cloud", an online facility equipped with advanced information security technology to provide safe, secure and affordable data storage services for the local legal and dispute resolution industries, which will be conducive to promoting the long-term development of Hong Kong's overall legal and dispute resolution services. Under the support of the legal and dispute resolution industries, DoJ will provide an amount of around HK$15.7 million (Hong Kong Legal Cloud Fund) for the development of Hong Kong Legal Cloud by selected non-profit-making non-governmental organisation(s) through public-private partnership. Local non-profit-making organisations were invited publicly to submit applications for the development and provision of Hong Kong Legal Cloud services in February this year. The listed provider(s) of Hong Kong Legal Cloud will be entitled to funding support equivalent to the actual subscription fees of its services as incurred by its subscribers by way of disbursement from the Hong Kong Legal Cloud Fund to finance the

		setup cost, initial operational and promotion costs for up to three years. DoJ co-organised a webinar on the Hong Kong Legal Cloud with the Law Society of Hong Kong in April this year and signed an MoU with AAIL on the management of Hong Kong Legal Cloud Fund in May 2021. AAIL will manage the Hong Kong Legal Cloud Fund at no charge. Eligible local legal and dispute resolution professionals will be subsidised through the Fund to subscribe for the Hong Kong Legal Cloud services which will be provided by non-profit-making organisation(s) selected by DoJ. • COVID-19 ODR Scheme [see item 6] • The DoJ Project Office for Collaboration with UNCITRAL supported the setting up of the Inclusive Global Legal Innovation Platform ("iGLIP") to explore ODR issues and cooperation projects with UNCITRAL in this aspect. [see item 9]
Item	**Ongoing Work of DoJ**	**Progress to Date**
24	Build Hong Kong as a capacity building centre	• DoJ has reached an agreement with the Hague Academy of International Law, one of the world's leading academic institutes on international law, to co-organise capacity-building courses in Hong Kong regularly in collaboration with AAIL from 2020 onwards. [See item 16] • Some examples of international conferences and training held in 2021 include:

		➢ On 4 and 5 March 2021, due to the restrictions brought by COVID-19, the Commissioner of IDAR Office of DoJ chaired the first plenary meeting of the Economic Committee of APEC virtually as its Chair. The meeting was attended by 21 member economies and different policy advisors and experts in the region, as well as the APEC Secretariat and representatives from international organisations including UNIDROIT and OECD; ➢ From 23 to 26 March 2021, DoJ attended the virtual Eighth Asia-Pacific Forum on Sustainable Development themed "Sustainable and Resilient Recovery from the COVID-19 Pandemic in Asia and the Pacific"; ➢ On 16 June 2021, DoJ took part in the Structural Reform Ministerial Meeting of APEC. SJ shared with participants the experience on how Hong Kong's legal framework supported green technology and innovation and green economy (including the COVID-19 ODR Scheme); ➢ On 24 to 25 August 2021, due to the restrictions brought by COVID-19, the Commissioner of IDAR Office of DoJ chaired the second plenary meeting of the Economic Committee of APEC virtually as its Chair. The meeting was attended by 21 member economies and different policy advisors and experts in the region, as well as the APEC Secretariat and representatives from international organisations including UNIDROIT and OECD.
25	Hong Kong e-Legislation ("HKeL")	• Apart from continuing to publish and timely update copies of legislation (including verified copies with legal status) on HKeL, DoJ

		endeavours to enhance the functions of HKeL to facilitate the viewing and printing of legislation. • In November 2020, the "Search Results" function was enhanced with the addition of the "Show Titles" and "Bilingual Printing" options. • Users can now view the chapter/instrument titles of the provisions listed in the search results page by simply hovering the mouse over the chapter/instrument numbers displayed. Besides, users can check the "Show Titles" box to display the chapter/instrument titles of all provisions in the search results. This feature allows users to identify the relevant provisions from the search results list more quickly. • In addition to the monolingual mode, users can now print selected documents from the search results bilingually for ease of reference. • Furthermore, in May 2021, we added a new "Subsidiary Legislation" tab under the whole enactment mode for principal ordinances. This feature enables users to quickly obtain a complete list of subsidiary legislation under a principal ordinance being viewed. Users can also access the subsidiary legislation under an ordinance by clicking its title, or download its PDF/RTF copy instantly.
26	Facilitation of mutual service of judicial documents in civil and commercial proceedings between the courts of both places	• The Arrangement for Mutual Service of Judicial Documents in Civil and Commercial Proceedings between the Mainland and Hong Kong Courts ("Service Arrangement") was signed in January 1999 and took effect in March of the same year. It was the first mutual legal

		assistance arrangement in civil and commercial matters signed between the HKSAR and the Mainland after the reunification, and its purpose is to facilitate mutual service of judicial documents in civil and commercial proceedings between the courts of both places. DoJ, the Judiciary and the SPC have been pursuing active discussions and conducting conferences on possible refinement of the Service Arrangement, with a view to exploring the possibility of strengthening or increasing the mode of service, in order to enhance the efficiency and raise the success rate of service and to better facilitate the parties involved. • On 1 September 2021, DoJ, the Judiciary and the SPC exchanged further views in relation to mutual assistance requirements on service of judicial documents via an online conference.
27	Remote court hearings and provision of e-bundle services for DoJ staff	• DoJ continues to make arrangements for remote court hearings in line with the Judiciary's requirements. Meanwhile, DoJ also continues to implement e-bundle services by providing Government Counsel with tablets for electronic access to court documents during court hearings and to work with the Judiciary on the upcoming launch of its Integrated Court Case Management System ("iCMS").
28	Knowledge Management System	• Since end-2019, DoJ has introduced the Knowledge Management System for its staff's internal use. DoJ will continue the work in this regard so as to ensure that valuable knowledge of different categories of law gathered over the years can be properly preserved.

29	Enhancing communication with the profession/public education/publicity activities	• To foster exchanges between the judicial and legal professions in Hong Kong and the Mainland, share the experience of the successful implementation of the Basic Law in Hong Kong since its return to the Motherland, and strengthen the community's understanding of "one country, two systems" and the relationship between the Constitution and the Basic Law, DoJ hosted in hybrid mode the Basic Law 30th Anniversary Legal Summit with the theme "Back to Basics" on 17 November 2020, during which a number of renowned local and Mainland legal professionals, Basic Law experts and academics shared their insights and experience on "one country, two systems", the Constitution and the Basic Law. The summit attracted over 80 000 viewers online and over one million viewers via TV channels. DoJ published the Legal Summit Proceedings in June this year for wider dissemination to the public the experience and insights of the Basic Law as shared by the speakers. The proceedings have been distributed to Government departments, public libraries, secondary and primary schools. • DoJ proposes to organise a Basic Law Conference in April 2022 to celebrate the 25th anniversary of the establishment of the HKSAR. DoJ plans to invite eminent Basic Law experts and scholars to be speakers for sharing their insights and experience on the Basic Law with us. The Conference aims at promoting an accurate understanding of the Basic Law and a proper appreciation of the relationship between the Constitution and the Basic Law. Together we would witness in this Conference the experience of the successful implementation of the Basic Law and "one country, two systems" in the last 25 years.

		• DoJ also plans to launch the publication of a sourcebook, Basic Law: Selected Drafting Materials and Significant Cases, at the Basic Law Conference in 2022. This book will collate important discussions during the drafting period of the Basic Law, including Mr. Deng Xiaoping's speeches on "one country, two systems" ; important judgments of the courts on provisions of the Basic Law; and relevant interpretations of the NPCSC on the Basic Law. This book will objectively reveal the real landscape of the Basic Law, including the Constitution as the root of the Basic Law, and the fact that the Constitution and the Basic Law jointly constitute the constitutional foundation of the HKSAR. At the same time, it will promote better understanding of how the courts of the HKSAR implement the Basic Law under the common law system to protect the rights and interests of the residents and the country. • IDAR Office of DoJ has set up its official page on Facebook to introduce legal knowledge on dispute avoidance and resolution to the general public in a simple and easy-to-understand manner and to publicise DoJ events. • The eBRAM Centre is supported by AAIL Limited, the Hong Kong Bar Association and the Law Society of Hong Kong. DoJ signed an MoU with the eBRAM Centre in May 2020 in relation to its operation and the utilisation of the funding provided for the development of an ODR and deal-making platform and LawTech and will continue to actively provide input from a policy perspective through which

		communication with representatives from the legal sector will be maintained. • DoJ is committed to promoting more extensive use of mediation. Apart from organising various promotional activities and seminars, DoJ co-organises events (including competitions, talks and training programmes) with other stakeholders to promote mediation. It also lends support as a supporting organisation to mediation-related activities conducted by the profession. • DoJ also launched its own pages on social media, including Facebook, LinkedIn and Weibo for direct communication with the public and publicising DoJ's initiatives in promoting mediation services.
30	Promotion of more extensive use of mediation	• "Mediate First" Pledge Event 2021 ➢ "Mediate First" Pledge' is a non-legally binding statement of commitment to first explore the use of mediation to resolve disputes before resorting to other means of dispute resolution (such as litigation). There are currently over 700 pledgees, including 34 who were awarded the Star Logo Award in 2021 as recognition of their achievements in honouring their commitment in actively considering the use of mediation to resolve disputes. ➢ The theme of the 2021 "Mediate First" Pledge Event was "Mediate First – Anchoring the Future". The event took place on 28 May 2021 in virtual mode. It comprised a full day online forum and an

		online "Mediate First" Pledge Signing Ceremony. The online forum focused on the use of mediation to resolve disputes arising from private wealth management, the benefits of using mediation and apologies in healthcare disputes, and the practical considerations in resolving employees' compensation claims with the aid of mediation. There were over 1 000 registrations for this event. • 5th Shanghai-Hong Kong Commercial Mediation Forum ➢ The 5th Shanghai-Hong Kong Commercial Mediation Forum invited mediation professionals from various jurisdictions to explore the role of mediation in establishing a global commercial dispute resolution mechanism. ➢ DoJ will actively consider continuing to hold the Shanghai-Hong Kong Commercial Mediation Forum. • Webinar on Private Wealth Management ➢ DoJ with InvestHK and the Financial Services and the Treasury Bureau will hold a webinar on private wealth management in October 2021 which will include a session on how to use legal and dispute resolution services to effectively resolve private wealth related disputes. • Mediation Essay Competition and School Mediation Seminar

		➢ The theme of the 2020 Competition was "Mediation: Listening, Dialogue and Conflict Resolution". The Prize Presentation Ceremony of the Competition and the School Mediation Seminar were held on 21 November 2020. The Competition was co-organised by DoJ, the Education Bureau, Rotary International District 3450 and Asia Conflict Resolution Institute Limited. ➢ DoJ is preparing to organise the next Competition. • ICC International Commercial Mediation Competition – Hong Kong ➢ ICC International Commercial Mediation Competition – Hong Kong 2019/20 was held online from 11 to 14 November 2020. ➢ The next round of ICC International Commercial Mediation Competition – Hong Kong is tentatively set to be held in the first quarter of 2022. • Mediation Week ➢ DoJ has been organising the Mediation Week biennially since 2012 to promote mediation as an effective dispute resolution method. Due to the outbreak of the epidemic, the scale of activities of Mediation Week 2020 was simplified and subsumed into Hong Kong Legal Week 2020.

		➢ During Hong Kong Legal Week 2020, there were four mediation events, namely the 2nd Hong Kong Mediation Lecture, the Case Settlement Conference Pilot Scheme to be launched in the District Court of the Judiciary, the Sports Dispute Resolution Conference and Mediation Conference 2020. ➢ Mediation Week 2022 is tentatively set to be held in the second quarter of 2022. • Internationalisation of "Mediate First" Pledge ➢ DoJ is working towards holding the "Mediate First" Pledge campaign outside Hong Kong. Following the "Mediate First" Pledge events held in Shanghai and Qianhai, Shenzhen in 2019, DoJ planned to co-organise a "Mediate First" Pledge event in Thailand in 2020; however the event has been postponed because of the epidemic.
31	Steering Committee on Mediation ("Steering Committee")	• To give advice on fostering the development of mediation services in Hong Kong, the Steering Committee was set up by DoJ, with members from different sectors, including legal professionals, doctors, scholars and management personnel. The Steering Committee is assisted by the following Sub-committees/Special Committee/ Supervisory Committee: • Regulatory Framework and Accreditation Sub-committee • Public Education and Publicity Sub-committee

		• Special Committee on Evaluative Mediation • West Kowloon Mediation Centre Supervisory Committee • Evaluative Mediation ➢ The Special Committee on Evaluative Mediation under the Steering Committee reviews the current development of evaluative mediation and provision of evaluative mediation services in Hong Kong and makes recommendations to the Steering Committee as appropriate. ➢ The final draft report on evaluative mediation has been endorsed by the Steering Committee. DoJ is currently consulting relevant stakeholders on the final draft report. The consultation will end in early October 2021.
32	The West Kowloon Mediation Centre ("WKMC") and the mediation pilot scheme for handling Small Claims Tribunal cases	• The WKMC commenced operation in November 2018. As of 31 July 2021, 761 cases were handled under the scheme, 494 of which were mediated and 243 settled, with a settlement rate of 49%.
33	Key publications and summaries of notable judgments	• The latest third edition of *The Judge Over Your Shoulders – A Guide to Judicial Review for Administrators*, published by CD, has been uploaded to DoJ website for public viewing to raise public knowledge of judicial review and its importance in upholding the rule of law and deepen understanding of the principles underpinning good governance and administration. DoJ is actively preparing the fourth edition of *The Judge Over Your Shoulders – A Guide to Judicial Review for*

		Administrators. • The Commercial Unit of CD publishes "Commercial Law Review" around half-yearly. It aims to review commercial law matters which may be of relevance or interest through its concise, topical and practical articles and case-law notes. • DoJ website also provides summaries of notable judgments to assist the public to understand the major notable judgments. The selected cases involve important or significant legal principles or issues, matters involving public interest, issues that attract strong attention from media or public. • The Planning, Environment, Lands and Housing Unit of CD will publish a series of three law publications in the first half of 2022: (1) An Overview of Town Planning Law in Hong Kong; (2) An Overview of Environmental Protection Law in Hong Kong; and (3) An Overview of Building Law in Hong Kong. The publications will be uploaded to DoJ website for public viewing to raise public knowledge of the legal frameworks regulating town planning, environmental protection and construction of buildings.
34	National Studies Programme and other continuous professional training	• Since October 2020, with the support of the Hong Kong and Macao Affairs Office of the State Council, DoJ has twice co-organised with Tsinghua University a seminar course entitled "The Fundamental Principles of Chinese Law". The entire course was conducted virtually. After the epidemic subsides, visits to various government

		departments and other site visits in the Mainland will be arranged for some of the course participants. We are working with Tsinghua University to organise a third run and are planning to enrol non-government lawyers as participants. • DoJ continues to arrange regular job-related legal training for its counsel, including topical seminars conducted by local, Mainland and overseas guest speakers, work briefings and sharing sessions, and mock hearings.