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Replies to initial questions raised by Legislative Council Members in examining the Estimates of Expenditure 2025-26

Secretary for Justice

Session No. : 2

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CONTROLLING OFFICER'S REPLY

SJ001

(Question Serial No. 2804)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

It is mentioned in paragraph 29 of the Budget Speech that the headquarters of the International Organization for Mediation (IOMed) will open by the end of this year at the earliest. As the first international inter-governmental organisation to set up its headquarters in Hong Kong, IOMed is also the first of its kind in the world that specialises in resolving international disputes by means of mediation. It is conducive to affirming the positioning of Hong Kong as the capital for international mediation. In this connection, would the Government inform this Committee of the following:

1. the expenditure, marketing campaigns and establishment of IOMed, number of mediators to be engaged and their pay levels and the recruitment plan for administrative staff in the next 3 years; and
2. whether there are any provisions for the training and development of local lawyers and mediators in the next 3 years? If yes, what are the details?

Asked by: Hon CHAN Man-ki, Maggie (LegCo internal reference no.: 1)

Reply:

1.

The International Organization for Mediation (IOMed) will be the world's first international inter-governmental legal organisation dedicated to resolving international disputes through mediation, aiming to realise win-win co-operation between disputing parties. Serving as an important mechanism for the implementation of international disputes settlement by peaceful means as stipulated in the Charter of the United Nations, IOMed offers a new option for the peaceful resolution of international disputes. It will be the first and only international inter-governmental organisation specialising in resolving international disputes by way of mediation, on par with the International Court of Justice of the United Nations and the Permanent Court of Arbitration in The Hague, which specialise in other means of dispute resolution. Therefore, the establishment of the IOMed headquarters in Hong Kong will significantly raise the international profile of Hong Kong as the centre for mediation in the

world, attracting dispute parties, mediators, lawyers and other professionals to Hong Kong for the purpose of mediation.

The establishment of the IOMed Preparatory Office in Hong Kong, the conclusion of negotiations on the Convention on the Establishment of IOMed (IOMed Convention) and the facilitation of consensus among different parties on situating the future IOMed headquarters in Hong Kong are all important initiatives of the Central People's Government, showcasing its staunch support for developing the Hong Kong Special Administrative Region (HKSAR) into a centre for international legal and dispute resolution services in the Asia-Pacific region under the National 14th Five-Year Plan. Upon its establishment, IOMed will provide amicable, flexible, economical and efficient mediation services for international disputes, thereby affirming Hong Kong's position as the centre for international mediation.

According to the current plan, IOMed will be officially established with its headquarters to be formally set up in the HKSAR following the adoption, signing and entry into force of the IOMed Convention. Same as other international inter-governmental organisations, IOMed, once established, will make its own arrangements and decisions for its Secretariat and future operation.

At this stage, the Department of Justice (DoJ) will continue to work closely with the Ministry of Foreign Affairs to fully facilitate the preparatory work of IOMed under the guidance and support of the Central People's Government, so as to ensure a smooth execution of the relevant arrangements, including the secondment of Government Counsel of the DoJ to the IOMed Preparatory Office to provide support. Even when no secondment arrangement is in place upon the establishment of the IOMed Secretariat, the DoJ will also continue to proactively assist in the work of IOMed.

To address the increase in workload for supporting IOMed and the related work, the Finance Committee of the Legislative Council approved in its meeting on 26 April 2024 the creation of 1 permanent post of Deputy Principal Government Counsel in the DoJ's International Law Division with an annual salary cost of \$2,480,040. The DoJ also created 2 permanent Senior Government Counsel posts and 1 permanent Personal Secretary I post to strengthen support at non-directorate level. The annual salary cost of the non-directorate posts is \$3,801,720.

2.

The DoJ has proactively provided training for local lawyers and mediators through various events and courses. In the next 3 years, the DoJ plans to continue organising the following events to provide training for the development of local lawyers and mediators:

- (i) Officially launched by the DoJ on 8 November 2024, the Hong Kong International Legal Talents Training Academy (the Academy) will organise practical legal courses, seminars and international exchange activities and so forth by capitalising on Hong Kong's bilingual common law system and its unique status as an international open city. The Academy is proactively collaborating with local, Mainland and international legal professional bodies to organise capacity building programmes for the legal and dispute resolution sectors in Hong Kong, the Mainland and around the globe. Programmes organised thus far include the Conference on Climate Change and International Trade Law co-organised with

United Nations Commission on International Trade Law on 14 March 2025. Moreover, the Academy is also planning to organise practical training courses on Mainland law and seminars on specific legal issues in the Mainland for the local legal sector in 2025;

- (ii) The annual flagship event, the Hong Kong Legal Week, will be organised to bring together legal and dispute resolution experts and academics from around the world to explore important topics including international legal co-operation, mediation, arbitration and rule of law education through a series of activities such as summits and seminars;
- (iii) The Hong Kong Mediation Lecture will be co-organised by the DoJ and Herbert Smith Freehills during the Hong Kong Legal Week, inviting internationally renowned speakers to share views on different topics of mediation. The lecture will attract participation of local lawyers and mediators and enhance their understanding on the international development of mediation, thus facilitating the local mediation sector to seize the opportunities for overseas development and those arising from the handling of cross-boundary disputes, while also providing a platform facilitating exchanges between the Hong Kong and international mediation sectors;
- (iv) The Investment Law & Investor-State Mediator Training will be organised in Hong Kong and world-renowned speakers will be invited to speak at the training courses, with a view to developing Hong Kong into a training base for international investment law and investment dispute resolution skills. The training provides local and overseas lawyers, mediators and government officials with knowledge and updates of the development of investment law and investment dispute resolution;
- (v) The biennial Mediation Week featuring a range of activities such as seminars will be organised, with the Mediation Conference held during the event bringing together renowned speakers from Hong Kong and overseas to discuss and exchange views on hot topics of mediation, and attracting participants from various jurisdictions around the world. The Mediation Week and Mediation Conference will explore a wide range of topics, including new issues related to mediation in the context of Hong Kong, the Guangdong-Hong Kong-Macao Greater Bay Area and the international arena, providing an exchange platform for the sector and thus facilitating the development of the local legal and mediation sectors; and
- (vi) The biennial “Mediate First” Pledge Event will be organised with the aim of encouraging all sectors of the community to explore the use of mediation to resolve disputes before resorting to other means of dispute resolution or litigation. The “Mediate First” Pledge Event of 2025 will be held on 9 May 2025, inviting renowned speakers to discuss and exchange views on hot topics of mediation including the Judiciary’s measures for promoting mediation, and the Government’s initiatives on mediation and their effectiveness. The “Mediate First” Pledge Event will enhance the understanding and use of mediation by the general public, thereby promoting the development of the local legal and mediation sectors.

Besides, the DoJ will continue to strengthen the promotion of mediation services and deepen the mediation culture. Established in October 2024 for a two-year term, the Working Group on Mediation Regulatory System advises the DoJ on the mediation regulatory regime in Hong Kong, including reviewing and making proposals to reform or improve the current system in relation to the accreditation and disciplinary matters, etc. As at early 2025, having taken into account the advice of the Working Group, the DoJ has completed the review of the regulatory system on the accreditation and disciplinary matters of the mediation profession in Hong Kong and has put forward preliminary proposals for improving the system, thus promoting the development of the local legal and mediation sectors.

As all the expenditure is absorbed by the existing resources of the DoJ, the estimated expenditure of the above events cannot be separately identified.

- End -

CONTROLLING OFFICER'S REPLY

SJ002

(Question Serial No. 2805)

Head: (92) Department of Justice

Subhead (No. & title): (000) Operational expenses

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

It is mentioned in paragraph 166 of the Budget Speech that the Department of Justice will also actively promote the establishment of a GBA legal information platform to enhance legal information exchange. In this connection, would the Government inform this Committee of the following regarding the information platform:

1. the estimated expenditure for its establishment in the future and the estimated establishment date; and
2. whether there are any specific measures to realise the exchange of legal information upon the establishment of the platform. If yes, what are the details? If not, what are the reasons?

Asked by: Hon CHAN Man-ki, Maggie (LegCo internal reference no.: 3)

Reply:

1. There is currently no platform providing comprehensive information on legal and dispute resolution matters in the Greater Bay Area (GBA). A lot of useful information (such as judgments of the Mainland courts in the GBA, court announcements, legal practice requirements) is not easily accessible online. The Department of Justice (DoJ) will actively take forward the setting up of the GBA legal information platform (Platform) within the first half of 2026, which seeks to progressively gather information on, among others, legal and dispute resolution services in the GBA.

The DoJ has commenced preliminary preparatory work for the Platform, and is in the course of discussion with the relevant departments and stakeholders on various aspects of the Platform such as development proposals, contents layout, future updates and maintenance. We will consider setting up the Platform in phases and allocating resources progressively, and will make adjustments in accordance with the outcomes of each phase to ensure effective use of resources and sustainable development of the Platform. At present, we are unable to provide further information on the estimated expenditure.

2. The DoJ will continue its discussions with the relevant departments of Guangdong Province and Macao with a view to establishing good connection channels, to ensure the authenticity and accuracy of the sources of information on the Platform. Following the establishment and development of the Platform, we will continuously refine and enrich the contents of the Platform taking into consideration the views of the stakeholders.

- End -

CONTROLLING OFFICER'S REPLY

SJ003

(Question Serial No. 2807)

Head: (92) Department of Justice

Subhead (No. & title): (000) Operational expenses

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

It is mentioned in paragraph 29 of the Budget Speech that the HKSAR Government is proactively introducing additional measures to attract more enterprises or organisations to establish their presence in Hong Kong, bringing more mega events and visitors to the city. In this connection, would the Government inform this Committee of whether it has any plans to organise international legal mega-events so as to consolidate Hong Kong's position as an international legal and dispute resolution services centre in the Asia-Pacific region? If yes, what are the details of the relevant estimates and staffing plan for the next 3 years? If no, what are the reasons?

Asked by: Hon CHAN Man-ki, Maggie (LegCo internal reference no.: 5)

Reply:

The Department of Justice (DoJ) has all along been actively organising various international legal mega events to consolidate Hong Kong's position as an international legal and dispute resolution services centre in the Asia-Pacific region. In the coming 3 years, the DoJ plans to continue organising the following international law-related activities:

- (i) Organising the annual flagship event, the Hong Kong Legal Week, to bring together legal and dispute resolution experts and academics from around the world to explore important topics including international legal co-operation, mediation, arbitration and rule of law education through a series of activities such as summits (e.g. the Judicial Conference and Judicial Roundtable of the United Nations Commission on International Trade Law (UNCITRAL) Asia Pacific Judicial Summit) and seminars;
- (ii) Co-organising with the Hong Kong Trade Development Council (HKTDC) a thematic breakout session on dispute resolution at the Belt and Road (B&R) Summit to promote to participants from around the globe the strengths of and opportunities for Hong Kong in resolving B&R-related disputes;
- (iii) Co-organising with the HKTDC a thematic breakout session on dispute resolution at the Business of Intellectual Property Asia Forum to invite world-renowned experts to

explore the latest developments and dispute resolution-related issues concerning intellectual property, and promote the strengths of Hong Kong in resolving intellectual property disputes in the international arena;

- (iv) Co-organising with the Vis East Moot Foundation Limited the Vis East International Commercial Arbitration Moot to foster research in international commercial arbitration and to nurture professionals in international commercial arbitration, thereby further promoting international and Hong Kong-seated arbitration services;
- (v) Organising the biennial Mediation Conference to bring together renowned speakers from Hong Kong and overseas to discuss and exchange views on hot topics of mediation, and to attract participants from various jurisdictions around the world, thereby promoting the wider use of mediation locally, in the Guangdong-Hong Kong-Macao Greater Bay Area and internationally; and
- (vi) The Hong Kong International Legal Talents Training Academy (the Academy) is proactively collaborating with local, Mainland and international legal professional bodies to organise capacity building programmes for the legal and dispute resolution sectors in Hong Kong, the Mainland and around the globe. Confirmed activities include: the Conference on Climate Change and International Trade Law co-organised with UNCITRAL on 14 March 2025 and talks and practical training courses on criminal law for prosecutors from ASEAN member states to be held in Hong Kong in late September 2025. The Academy also plans to explore new training programmes in different fields, so as to make fuller use of its distinctive edge of having the strong support of the motherland and close connection to the world, thereby serving as a bridge that connects the legal sector in the Mainland and its counterparts in Hong Kong and overseas, and showcasing to the world the latest achievements on rule of law construction in our country and the new developments of the legal sector in the Mainland.

The relevant expenditure (including manpower) will be absorbed by the existing resources of the DoJ and cannot be separately identified.

- End -

CONTROLLING OFFICER'S REPLY

SJ004

(Question Serial No. 2808)

Head: (92) Department of Justice

Subhead (No. & title): (000) Operational expenses

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

It is mentioned in paragraph 166 of the Budget Speech that the Department of Justice (DoJ) is actively taking forward its work in setting up a dedicated platform for GBA lawyers to provide better support to the business development and brand building of lawyers. In this connection, would the Government inform this Committee of the following regarding the platform:

1. the estimated expenditure for its establishment in the future and the estimated establishment date;
2. Regarding the specific functions and mode of operation of the platform upon establishment, will it provide services such as matching of legal services, training and sharing of information? If yes, what are the details?
3. Does the DoJ have any plans to assist Hong Kong lawyers in enhancing their profile and credibility and strengthening the brand of Hong Kong lawyers through accreditation, rating, promotion, etc.?

Asked by: Hon CHAN Man-ki, Maggie (LegCo internal reference no.: 2)

Reply:

1 & 2. The Department of Justice (DoJ) is actively taking forward the setting up of a dedicated platform for the Greater Bay Area (GBA) lawyers within 2025 to better integrate and develop this growing team of GBA lawyers. The dedicated platform for GBA lawyers is expected to be conducive to the business development of the Hong Kong legal sector in the Mainland in the following aspects:

- (1) promoting training and capacity building for GBA lawyers in a systematic manner, and enriching the legal sector's knowledge of legal practices in the Mainland to better meet the needs of Mainland enterprises;

- (2) organising activities to promote exchanges and collaboration among GBA legal counterparts, and supporting Hong Kong lawyers in sharing common law perspectives and experience in handling foreign-related legal matters with Mainland lawyers;
- (3) facilitating communication and team building among GBA lawyers, and acting as a bridge of communication between the legal sector and different governments in the GBA by maintaining close liaison regarding the effectiveness and room for improvement of various measures on legal development in the GBA.

The DoJ is engaging in close communication with stakeholders to examine the positioning and operational details of the dedicated platform. Further implementation details will be released once available.

3. The Hong Kong legal sector adopts a self-regulatory regime. The Law Society of Hong Kong and the Hong Kong Bar Association are obliged to exercise their powers and perform their functions independently in accordance with the relevant laws. In view of this important principle, any reform or development proposal regarding the legal profession must be initiated by the legal professional bodies. The DoJ has been maintaining close communication and co-operation with the 2 legal professional bodies in promoting legal services, fostering an environment conducive to the development of the legal profession, and creating more opportunities for the legal sector through various measures and new policies.

- End -

CONTROLLING OFFICER'S REPLY

SJ005

(Question Serial No. 2810)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

It is mentioned in paragraph 168 of the Budget Speech that on the basis of the successful implementation of the measure of “allowing Hong Kong-invested enterprises to adopt Hong Kong law” in Qianhai, the Department of Justice (DoJ) collaborated with the relevant Mainland authorities and achieved the extension of the above measure and the measure of “allowing Hong Kong-invested enterprises to choose Hong Kong as the seat of arbitration” to other pilot cities in the Greater Bay Area (GBA), providing Hong Kong investors with a more facilitative business environment. In this connection, would the Government inform this Committee of the following:

1. Regarding the regions and cities that have currently put in place the measures of “allowing Hong Kong-invested enterprises to adopt Hong Kong law” and “allowing Hong Kong-invested enterprises to choose Hong Kong as the seat of arbitration”, does the DoJ have any plans to motivate Hong Kong-invested enterprises to make fuller use of these 2 measures proactively?
2. Does the DoJ have any plans to strengthen its collaboration with the relevant Mainland authorities in the next 3 years in a bid to extend the measures of “allowing Hong Kong-invested enterprises to adopt Hong Kong law” and “allowing Hong Kong-invested enterprises to choose Hong Kong as the seat of arbitration” to other pilot cities in the GBA? If yes, what are the estimated expenditure and staffing involved?

Asked by: Hon CHAN Man-ki, Maggie (LegCo internal reference no.: 4)

Reply:

1. The 2 measures of “allowing Hong Kong-invested enterprises to adopt Hong Kong law” and “allowing Hong Kong-invested enterprises to choose Hong Kong as the seat of arbitration” have been included in the “Second Agreement Concerning Amendment to the Mainland and Hong Kong Closer Economic Partnership Arrangement Agreement on Trade in Services” (CEPA Amendment Agreement II) signed by the Ministry of Commerce (MOFCOM) of the People’s Republic of China and the Government of the Hong Kong Special Administrative Region (HKSAR Government) in October 2024 as

liberalisation measures for facilitating trade in services. On 14 February 2025, the Supreme People's Court (SPC) promulgated a judicial interpretation^{Note 1} and jointly issued a set of opinion^{Note 2} with the Ministry of Justice (MoJ) to announce the implementation details.

Upon the extension of the 2 measures on 14 February, the Department of Justice (DoJ) has proactively made use of various platforms to explain the details and promote the 2 measures to stakeholders and the general public, including representatives from the legal and business sectors, including:

- on 18 February 2025, a DoJ's representative attended a meeting of the Legislative Council (LegCo) Panel on Commerce, Industry, Innovation and Technology to brief panel members on the CEPA Amendment Agreement II, including the implementation of the 2 measures, and to answer members' questions. Members welcomed the extension;
- on 19 February 2025, DoJ's representatives attended the CEPA Forum co-organised by the MOFCOM and the HKSAR Government, and hosted the breakout session on financial and legal services. During the session, together with the representatives from the SPC and the MoJ, DoJ's representatives introduced the implementation details of the 2 measures to representatives from the business, legal and dispute resolution sectors, and answered questions from them. The participants made active responses;
- on 24 February 2025, the Secretary for Justice (SJ) attended an event titled "Exchange with Outstanding Celebrities" celebrating the 125th anniversary of the Chinese General Chamber of Commerce, Hong Kong. In the event, the SJ introduced the latest development regarding the extension of the 2 measures and the development of Hong Kong legal and dispute resolution sectors in the Greater Bay Area to an audience of about 100 people comprising members of the Chamber and professionals from the industrial and business sectors. The participants agreed that the extension would bring new development opportunities for the Hong Kong legal sector and Hong Kong-invested enterprises, and looked forward to the DoJ striving for further extension of the measures in due course; and
- on 14 March 2025, the SJ attended a meeting of the LegCo Panel on Administration of Justice and Legal Services to brief members on the details of the 2 extended measures. Members supported the measures as they would bring more opportunities to the sectors, and hoped that the DoJ would continue to pursue a further extension of the measures.

The DoJ will continue with its promotional efforts to facilitate stakeholders (including local and overseas chambers of commerce, the Hong Kong legal sector and arbitration institutions that hold a special interest in the relevant measures) to fully understand and leverage on the new measures so that they can choose the law that they are more familiar with (including the Hong Kong law) as the applicable law of their contracts in light of the needs and circumstances of the enterprises, and choose a suitable place (such as jurisdictions outside the Mainland, including Hong Kong) as the seat of arbitration to

resolve contractual disputes arising from investment and business activities, whereby Hong Kong-invested enterprises could manage their risks more effectively.

2. The DoJ will closely monitor the implementation of the extended measures and continue to maintain close communication with the Mainland authorities and the sectors to timely consolidate practical experience and explore further extension of the measures in due course.

Note 1: “Official Reply on the Issues concerning the Validity of the Adoption of Hong Kong or Macao Law as the Applicable Law of Contracts or the Designation of Hong Kong or Macao as the Seat of Arbitration by Hong Kong or Macao-Invested Enterprises Registered in the Mainland Part of the Guangdong-Hong Kong-Macao Greater Bay Area” Fa Shi No. 3 [2025]

Note 2: “Opinion on Fully Leveraging the Functions of Arbitration to Serve the High-Quality Development of the Guangdong-Hong Kong-Macao Greater Bay Area”

- End -

CONTROLLING OFFICER'S REPLY

SJ006

(Question Serial No. 2814)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (5) International Law

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

The Hong Kong International Legal Talents Training Academy (the Academy) was officially launched on 8 November 2024. In this connection, would the Government inform this Committee of the following:

1. the training courses or projects to be rolled out by the Academy and its plan for extending its international influence, especially in terms of legal talent exchanges under the Belt and Road Initiative;
2. the development plan of the Academy in the next 5 years, the international law-related organisations or institutions with which the Academy plans to develop co-operation, and the expected opportunities of international training and exchanges for trainees under the co-operation arrangements;
3. how the training programmes of the Academy will help enhance the competitiveness of Hong Kong legal talents in the local and international markets, and how the Academy will work with the existing legal bodies in Hong Kong (such as the Law Society of Hong Kong, the Hong Kong Bar Association and law schools of local universities) to avoid duplication of resources and enhance the overall training effectiveness; and
4. the estimated provisions and staffing of the Academy in the next 5 years.

Asked by: Hon CHAN Man-ki, Maggie (LegCo internal reference no.: 9)

Reply:

1 & 2.

The Hong Kong International Legal Talents Training Academy (the Academy) is proactively collaborating with local, Mainland and international legal professional bodies to organise capacity building programmes for the legal and dispute resolution sectors in Hong Kong, the Mainland and around the globe. Confirmed programmes include: the Conference on Climate Change and International Trade Law co-organised with United Nations Commission on

International Trade Law (UNCITRAL) on 14 March 2025, introductory seminar on the legal system of Hong Kong co-organised with the Hong Kong International Academy Against Corruption on 27 March 2025 for prosecutors and representatives of anti-corruption agencies from countries along the Belt and Road in South Asia and Africa, etc., “Practical Training on Hong Kong Common Law and Dispute Resolution” to be held in Xi’an from 24 to 26 May 2025, a workshop on “Use of International Instruments to Legally Enable End-to-End Digitalisation of Trade” to be co-organised with UNCITRAL at the Asia Pacific Economic Cooperation meeting in Korea in August 2025, and talks and practical training courses on criminal law for prosecutors from ASEAN member states to be held in Hong Kong in late September 2025.

The Academy plans to organise some of the training programmes regularly (e.g. Hong Kong Common Law Practical Training Course) while exploring new training programmes in different areas, so as to make fuller use of its distinctive edge of having the strong support of the motherland and close connection to the world, thereby serving as a bridge that connects the legal sector in the Mainland and its counterparts in Hong Kong and overseas, and showcasing to the world the latest achievements on rule of law construction in our country and the new developments of the legal sector in the Mainland.

3.

Apart from the above training programmes, the Academy is planning to organise practical training on Mainland law and talks on specific legal issues in the Mainland for the local legal sector in 2025, to enhance the practical knowledge of local legal practitioners on Mainland law and boost the confidence and capability of Hong Kong lawyers in dealing with cross-boundary business.

The Academy co-organised the Hong Kong Common Law Practical Training Course with the Supreme People’s Court, and the National Training Course for Talents Handling Foreign-related Arbitration (Hong Kong) with the Ministry of Justice in January and February 2025 respectively. Visits to the Law Society of Hong Kong, the Hong Kong Bar Association, the Faculty of Law of the University of Hong Kong and the School of Law of the City University of Hong Kong were arranged as a mandatory component of the courses for trainees to discuss and exchange with representatives of professional bodies and universities on specific topics, deepen their understanding of the Hong Kong legal profession and explore, among others, the practical application of arbitration in dispute resolution.

Local legal bodies and universities offer a variety of legal courses and vocational training according to market needs, thereby enriching Hong Kong’s competence as an international legal and dispute resolution services centre in the Asia-Pacific region. The Academy will collaborate with them from time to time to jointly promote exchanges among more legal talents in Hong Kong in a bid to develop Hong Kong as a capacity building centre.

4.

The Hong Kong International Legal Talents Training Office (the Training Office) was set up in October 2024. At present, there are 4 time-limited posts created for a period of 5 years, including 1 time-limited supernumerary post of Assistant Principal Government Counsel (DL1)/DL1-equivalent non-civil service position (i.e. Director of the Training Office). The

annual salary cost of the post is \$2,088,840. The remaining 3 time-limited posts include 1 Senior Government Counsel post (i.e. Deputy Director of the Training Office), 1 Government Counsel post (i.e. Assistant Director of the Training Office) and 1 Law Clerk post (i.e. Programme Coordinator of the Training Office). The annual salary cost of these 3 non-directorate posts is \$3,303,360.

As the manpower required and other related expenditures incurred by the Academy in organising legal talents training are absorbed by the existing resources of the Department of Justice, the estimated expenditure of the activities cannot be separately identified.

- End -

CONTROLLING OFFICER'S REPLY

SJ007

(Question Serial No. 2817)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (3) Constitutional and Policy Affairs

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

The Budget Speech talked about artificial intelligence (AI) at great length. In this connection, would the Government inform this Committee of the following:

1. Whether the Government has set any targets or plans for the Hong Kong legal sector to upgrade and transform by employing AI? If yes, what are the details? If not, what are the reasons?
2. Whether it will consider establishing an inclusive AI legal advisory platform to provide members of the public with preliminary and user-friendly legal advice free of charge, so as to lower the threshold of access to legal services and alleviate the shortage of resources for public legal services?
3. Whether it will consider developing jointly with the government departments and enterprises in the Mainland a big AI model on the rule of law in foreign-related affairs that conforms with the Constitution, the Basic Law, the Hong Kong National Security Law, the principle of "one country, two systems" and the construction of rule of law with inherent characteristics of the socialist China, which is applicable to the civil law system, common law system and legal systems in countries along the Belt and Road?

Asked by: Hon CHAN Man-ki, Maggie (LegCo internal reference no.: 10)

Reply:

1. The Department of Justice (DoJ) is committed to promoting the development of LawTech. With the Government's support, eBRAM International Online Dispute Resolution Centre, a non-profit-making organisation, launched the Online Mediation Platform, the Online Arbitration Platform, the online Deal-making Portal and the Guangdong-Hong Kong-Macao Greater Bay Area (GBA) Online Collaborative Platform between 2020 and 2023, to facilitate online business transactions and dispute resolution among enterprises and support the establishment of diversified dispute resolution mechanisms in the GBA. In 2022, the DoJ established the Hong Kong Legal

Cloud Fund to provide the local legal sector with safe, secure and affordable data storage services on a subsidised subscription.

The Consultation Group on LawTech Development (the Group) was set up by the DoJ in January 2025 to research and formulate policies and measures on LawTech in consultation with relevant sectors and various stakeholders. Members of the Group are from different fields, including the legal and dispute resolution sectors, law schools and the LawTech industry.

At the first meeting of the Group held on 10 February 2025, the DoJ received many valuable comments on the direction for promoting LawTech development in Hong Kong. The DoJ will actively consider the Group's advice and maintain close communication with the Group, with a view to drawing up plans and timetable for the relevant policies and measures as early as possible.

2. As an international legal and dispute resolution services centre in the Asia-Pacific region, Hong Kong is acclaimed for its excellent legal service, attributed to the professional services of the legal sector. The DoJ plans to implement pertinent measures to promote wider use of LawTech in the legal sector to help enhance efficiency and lower costs, to the end that members of the public can have access to more economical and efficient legal services in the long run, laying a solid foundation for quality professional legal services for the public in the future.

The Government has all along attached great importance to enhancing the legal awareness of and access to legal support by the public. However, the successful establishment of an AI-based platform for provision of free legal advice will require careful consideration of various factors, such as ways to ensure accuracy and reliability of the AI system and safeguard data privacy and information security of users, and the issue of allocation of risks in connection with the provision of legal services using AI technologies. The Government will continue to keep a close eye on the development of AI technologies and make prudent consideration after a thorough assessment of its feasibility, accuracy, privacy risks and potential impact on society.

3. The Hong Kong Generative AI Research and Development Center (HKGAI) is established with the funding support from the InnoHK Research Clusters under the Government. It is currently developing a local large language model (LLM) and a generative AI document processing copilot application based on that LLM (the Application). The Digital Policy Office has invited government officers of different grades from various bureaux and departments to participate in the pilot programme. The DoJ will join the programme with a view to gradually applying AI technologies in its work. It will explore further application of AI and other large language models related to the laws of Hong Kong with the HKGAI or other government departments or enterprises as appropriate in light of the outcomes of the pilot use of the Application, technological developments in the market, the needs of the legal sector and the community, and the resources involved.

- End -

CONTROLLING OFFICER'S REPLY

SJ008

(Question Serial No. 2818)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

The Consultation Group on LawTech Development (the Group) held its first meeting on 10 February 2025. In this connection, would the Government inform this Committee of:

1. whether the Group will expeditiously study and formulate a comprehensive, feasible and phased development blueprint, set out specific development targets, directions and roadmaps for promoting LawTech, and improve the infrastructure and complementary regulatory policies for the application of LawTech; and
2. whether the Group will study measures to assist the legal sector, in particular local small and medium-sized law firms, in fostering a conducive environment for the application of LawTech, and encourage the legal sector to utilise artificial intelligence in legal practice.

Asked by: Hon CHAN Man-ki, Maggie (LegCo internal reference no.: 11)

Reply:

1. The Department of Justice (DoJ) is committed to promoting the development of LawTech. In January 2025, the DoJ set up the Consultation Group on LawTech Development (the Group) to research and formulate policies and measures on LawTech in consultation with the legal sector and various stakeholders. Members of the Group are from different fields, including the legal and dispute resolution sectors, law schools and the LawTech industry.

At the first meeting of the Group held on 10 February 2025, the DoJ received many valuable comments on the direction for promoting LawTech development in Hong Kong. The DoJ will actively consider the Group's advice and maintain close communication with the Group, with a view to drawing up plans and timetable for the relevant policies and measures as early as possible.

2. The Group noted at its first meeting that the legal sector (including small and medium-sized law firms) was not motivated to use LawTech. Apart from financial considerations, this was probably due to their limited awareness of LawTech and the

conventional mode and mindset of legal practice, which seldom relies on technology. With the aim of facilitating wider use of LawTech (including artificial intelligence) by the legal sector in the long run, the DoJ will continue to consult and consider the Group's advice, and promote the application of LawTech by the legal sector through different means, thereby strengthening the competitiveness of the legal sector and consolidating Hong Kong's status as an international legal and dispute resolution services centre in the Asia-Pacific region.

The DoJ will also closely monitor the development of technology in the market and implement appropriate measures to assist the legal sector to apply LawTech in light of their needs and resource considerations.

- End -

CONTROLLING OFFICER'S REPLY

SJ009

(Question Serial No. 2359)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (2) Civil

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

Under Matters Requiring Special Attention of the Programme, it is mentioned that there will be provision of support in the establishment of the Sports Dispute Resolution Scheme. In this connection, would the Government inform this Committee of:

1. the manpower and study costs involved in introducing a Sports Dispute Resolution System; and
2. the respective estimated expenditures on the operating costs, publicity, subsidies and manpower involved in launching a Sports Dispute Resolution Pilot Scheme.

Asked by: Hon CHENG Wing-shun, Vincent (LegCo internal reference no.: 18)

Reply:

1 & 2.

As set out in the Chief Executive's 2024 Policy Address, the Government will explore establishing a Sports Dispute Resolution System and promote sports arbitration, leveraging the institutional advantages of Hong Kong in dispute resolution. In this connection, the Department of Justice (DoJ) established the Advisory Committee on Sports Dispute Resolution (Advisory Committee) in January 2025 and plans to officially launch a Sports Dispute Resolution Pilot Scheme (Pilot Scheme) within 2025 to promote the wider use of sports dispute resolution in Hong Kong. As the DoJ and the Advisory Committee are now carrying out studies and collecting views from different sectors of the community regarding the design and setup of the Pilot Scheme, further details including estimated expenditures on operating costs, publicity and subsidies are not available at this stage.

As for staff establishment, the work on promoting the development of sports dispute resolution is mainly supported by the Legal Enhancement and Development Office (LEAD Office) of the Secretary for Justice's Office and the Alternative Dispute Resolution Team of the Civil Division. The establishment of the LEAD Office and the Alternative Dispute Resolution Team are tabulated below:

Unit	Existing establishment
LEAD Office ^{Note}	2 Principal Government Counsel (PGC), 1 Deputy Principal Government Counsel (DPGC), 1 Assistant Principal Government Counsel (APGC), 3 Senior Government Counsel (SGC), 3 Government Counsel (GC), 1 Law Clerk (LC) and 2 Personal Secretaries (PS) I
Alternative Dispute Resolution Team	2 DPGC, 6 SGC, 8 GC, 3 LCs, 2 PSs I, 1 PS II and 2 Assistant Clerical Officers

Note: Among the posts in the LEAD Office, 1 DPGC, 1 APGC, 1 SGC and 2 GC are time-limited. Staff on loan from other divisions are not included in the above table.

As the work on promoting the development of sports dispute resolution is undertaken by the above officers among their other duties, the actual manpower/expenditure involved cannot be separately identified.

- End -

CONTROLLING OFFICER'S REPLY

SJ010

(Question Serial No. 3181)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (1) Prosecutions

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

1. Regarding the factors that have an impact on the conviction rates for 2023 and 2024 in which the court acquitted the defendants or ordered a stay of hearings on grounds attributed to the prosecution including but not limited to the abuse of process, misapplication of laws or procedures or confusion of legal principles, please provide the numbers of cases and defendants concerned, and the numbers of responsible Government Counsel, assigned solicitors and briefed-out counsel.
2. Has the Department of Justice conducted any internal review of the situation and provided training for its prosecutors to prevent any such recurrence?

Asked by: Hon CHOW Ho-ding, Holden (LegCo internal reference no.: 6)

Reply:

- (1) The Department of Justice (DoJ) does not maintain a detailed breakdown of the numbers of cases and defendants concerned by ground of acquittal or a stay of hearings, and that of the number of responsible counsel or solicitors.
- (2) The DoJ always upholds its constitutional duty under Article 63 of the Basic Law in handling prosecution work in a neutral and professional manner based on applicable laws, the pertinent evidence and the Prosecution Code, and acts impartially and without prejudice or favour in its bid to maintain the administration of justice.

The DoJ not only studies carefully the court's decision for and conducts reviews on each and every case after trial, but also seeks to enhance the efficiency and professionalism of its in-house prosecutors in handling prosecutions and case management through various means. These include the provision of guidance to prosecutors through the issue and updating of circulars and reference materials, and the continued provision of local and overseas training programmes to in-house prosecutors, such as seminars on different topics under the DoJ's Continuing Legal Education Programme, and talks/seminars delivered by experienced private practitioners and other professionals.

- End -

CONTROLLING OFFICER'S REPLY

SJ011

(Question Serial No. 3182)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (2) Civil

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

What are the reasons for the increase in the number of new proceedings (including non-construction arbitration and mediation) to be brought by the Government in 2025 as compared with those brought in the past 2 years? What are the major types or areas of these cases? What specific resource deployment measures will the Department of Justice implement to effectively address the upward trend and ensure proper handling of the cases?

Asked by: Hon CHOW Ho-ding, Holden (LegCo internal reference no.: 7)

Reply:

The Government commences legal proceedings on a wide range of matters such as damages claims, contractual disputes, personal injuries and employees' compensation claims, construction disputes and recovery of default payments and debts for various bureaux and departments. The estimate of the Civil Division (CD) for 2025 is mainly based on the estimate for new proceedings on matters under the purview of different Government bureaux and departments and the internal forecast of the CD. As such, there will be an increase in the estimated number of new proceedings (including non-construction arbitration and mediation) to be brought by the Government in 2025 over the actual numbers in the past 2 years. Moreover, the Department of Justice may apply for joining in certain proceedings as an intervener as appropriate, in accordance with the common law and laws of Hong Kong in order to fulfill its role as the guardian of the public interest, which will also result in an increase in the estimated number of legal proceedings.

The CD reviews from time to time its workload and staffing resources to ensure that it can properly handle the work for which it is responsible, including to represent the Government and various other bodies in courts and tribunals in all forms of civil litigation and dispute resolution process, and to provide legal advice to Government bureaux and departments. The estimated expenditure for 2025-26 will provide manpower and resources to meet the anticipated workload. The relevant cases will be handled by dedicated litigation teams. Having regard to actual operational needs, the CD will arrange for staff redeployment and/or brief out suitable cases to barristers in private practice or law firms, so as to make good use

of resources, ensure proper handling of civil litigation cases and provide timely advisory services.

- End -

CONTROLLING OFFICER'S REPLY

SJ012

(Question Serial No. 3183)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (4) Law Drafting

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

During 2025-26, the Law Drafting Division will make available resources needed for the legislative schedule, which is expected to be heavy. In this connection, what is the specific percentage of these resources in the overall provision for 2025-26? What are the details of these resources and the number of bills involved?

Asked by: Hon CHOW Ho-ding, Holden (LegCo internal reference no.: 8)

Reply:

It is estimated that the Law Drafting Division (LDD) will draft 28 bills and 182 pieces of subsidiary legislation this year. The LDD will redeploy staff internally to handle the workload as operational needs require and will employ Contract Counsel and Contract Legal Clerks to assist in law drafting as necessary. The estimated briefing-out expenditure for 2025-26 is \$5 million.

- End -

CONTROLLING OFFICER'S REPLY

SJ013

(Question Serial No. 1135)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (3) Constitutional and Policy Affairs, (5) International Law

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

The Hong Kong International Legal Talents Training Academy (the Academy) of the Department of Justice was officially launched in November 2024. Capitalising on Hong Kong's bilingual common law system and international status, the Academy will organise practical legal courses, seminars and international exchange activities and so forth, so as to promote talent exchanges in areas along the Belt and Road. In this connection, would the Government inform this Committee of the following:

1. the activities or courses organised by the Academy since its launch, and its targets, numbers of participants, duration of activities as well as qualifications of trainers, etc.;
2. how the Academy will set up a standing training mechanism to position Hong Kong as an international hub for high-calibre talents and fulfil the requirement of strengthening the rule of law in foreign-related affairs as set forth in the Resolution adopted at the Third Plenary Session of the 20th Central Committee of the Communist Party of China;
3. whether the Academy has considered collaborating with local, Mainland and international legal professional bodies to jointly promote talent building in foreign-related legal services for our country?

Asked by: Hon HO Kwan-yiu, Junius (LegCo internal reference no.: 6)

Reply:

1. As at 1 March 2025, the Hong Kong International Legal Talents Training Academy (the Academy) has organised the following capacity building programmes:

<u>Date</u>	<u>Name of training programme</u>	<u>Target</u>	<u>Number of participants</u>	<u>Duration of activities</u>	<u>Qualifications of trainers</u>
6 to 17 January 2025	Hong Kong Common Law Practical Training Course (co-organised with the Supreme People's Court (SPC))	Judges from the SPC, the High People's Court of Guangdong Province and courts of the 9 Mainland cities in the Guangdong-Hong Kong-Macao Greater Bay Area	25	2 weeks	Judges and judicial officers, and senior legal practitioners in Hong Kong and members of the Hong Kong International Legal Talents Training Expert Committee
16 February to 1 March 2025	National Training Course for Talents Handling Foreign-related Arbitration (Hong Kong) (co-organised with the Ministry of Justice)	Mainland in-house counsel, experienced arbitrators, lawyers and arbitration practitioners	79	2 weeks (divided into 2 classes, 1 week per class)	Experienced local legal professionals and members of the Hong Kong International Legal Talents Training Expert Committee

- Capitalising on Hong Kong's bilingual common law system and its unique status as an international open city, the Academy will regularly organise different practical legal courses, seminars and international exchange activities and so forth, so as to promote talent exchanges in areas along the Belt and Road and provide foreign-related legal talent training for our country, and to cultivate legal talents who are familiar with international law, common law, civil law, national legal systems as well as litigation and advocacy skills. By taking forward the establishment of the Academy, Hong Kong can continuously consolidate its strategic position as a regional centre for international legal and dispute resolution services and further participate in the next decade of jointly building the Belt and Road Initiative, thereby contributing to the country's efforts to promote the construction of the rule of law and leveraging Hong Kong's unique advantages and position in connecting our country to the rest of the world in the rule of law.

The Academy plans to organise some of the training programmes regularly (e.g. Hong Kong Common Law Practical Training Course) while exploring new training programmes in different fields, so as to make fuller use of its distinctive edge of having the strong support of the motherland and close connection to the world, thereby serving as a bridge that connects the legal sector in the Mainland and its counterparts in Hong Kong and overseas, and showcasing to the world the latest achievements on rule of law construction in our country and the new developments of the legal sector in the Mainland.

3. The Academy is proactively collaborating with local, Mainland and international legal professional bodies to organise capacity building programmes for the legal and dispute resolution sectors in Hong Kong, the Mainland and around the globe. Confirmed activities include: the Conference on Climate Change and International Trade Law co-organised with United Nations Commission on International Trade Law (UNCITRAL) on 14 March 2025, introductory talk on the legal system of Hong Kong co-organised with the Hong Kong International Academy Against Corruption on 27 March 2025 for prosecutors and representatives from anti-corruption agencies from South Asia and Africa, etc., “Practical Training on Hong Kong Common Law and Dispute Resolution” to be held in Xi’an from 24 to 26 May 2025, a workshop on “Use of International Instruments to Legally Enable End-to-End Digitalisation of Trade” to be co-organised with UNCITRAL at the Asia Pacific Economic Cooperation meeting in Korea in August 2025, and seminar and practical training course on criminal law for prosecutors from ASEAN member states to be held in Hong Kong in late September 2025. The Academy is also planning to organise practical training courses on Mainland law and talks on specific legal issues in the Mainland for the local legal sector in 2025.

- End -

CONTROLLING OFFICER'S REPLY**SJ014****(Question Serial No. 1284)**Head: (92) Department of JusticeSubhead (No. & title): (-) Not SpecifiedProgramme: (-) Not SpecifiedControlling Officer: Director of Administration and Development (Jessie WONG)Director of Bureau: Secretary for JusticeQuestion:

Regarding the legal expenses incurred by judicial cases involving the Government, would the Government inform this Committee of the following:

- (1) a breakdown of the briefed-out counsel fees paid by the Government and the court costs paid to the plaintiffs as a result of adverse rulings in the past 5 years; and
- (2) It is stated under Programme (2) Civil in the Estimates that the estimate for the financial year of 2025-26 is about 26.6% higher than the revised estimate for the financial year of 2024-25. Please provide a breakdown of the expenses involved in the increase and the reasons for the increase.

Asked by: Hon IP LAU Suk-ye, Regina (LegCo internal reference no.: 8)

Reply:

- (1) The total costs of briefing out incurred by the Government in the past 5 years are as follows:

Year	Expenditure (\$)
2019-20	311,140,383
2020-21	277,967,922
2021-22	261,569,783
2022-23	189,897,917
2023-24	199,437,744

(Note: Generally speaking, the Government will be awarded court costs when a case is ruled in favour of the Government. The costs include the staff costs of the Department of Justice (DoJ) and the fees for outside legal services such as briefed-out counsel fees. Therefore, the above costs of briefing out incurred by the Government are not necessarily borne entirely by public money at the end.)

The court costs paid to the plaintiffs by the Government as a result of adverse rulings in the past 5 years are as follows:

Year	Expenditure (\$)
2019-20	146,084,175
2020-21	223,510,863
2021-22	138,396,311
2022-23	108,969,489
2023-24	95,022,831

- (2) The estimate for Programme (2) Civil for the financial year of 2025-26 is about 26.6% higher than the revised estimate for the financial year of 2024-25. This is mainly due to the need to set aside provisions for new cases that will/may arise and the possible expenditure for a number of cases handled in 2024-25. However, the actual expenditure to be incurred in 2025-26 will ultimately depend on subsequent development and outcome of the cases concerned and the amount of unanticipated expenditures (arising from cases which could not have been anticipated when the estimate was prepared, and this is not entirely within DoJ's control).

- End -

CONTROLLING OFFICER'S REPLY

SJ015

(Question Serial No. 3083)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (3) Constitutional and Policy Affairs

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

The number of participants of international and regional events (including meetings of international organisations, promotional and capacity building events relating to the rule of law and dispute resolution) decreased from 53 639 in 2023 to 42 468 in 2024, and is expected to drop further to 32 625 in 2025. In this connection, would the Government inform this Committee of the following:

- (1) Please provide a breakdown of the number of participants by type of event (e.g. seminar, training, visit, etc.), location of event (e.g. in the Mainland, overseas and other regions), and capacity of participant (e.g. government official, legal professional and member of the public), and an analysis of the change in the number of participants for each item in the past 3 years.
- (2) Please provide an analysis of the reasons for the year-on-year decrease in the number of participants of international and regional events.
- (3) What specific measures will be taken to enhance the effectiveness and influence of the events, and how will the intended outcome of such measures be evaluated?

Asked by: Hon KONG Yuk-foon, Doreen (LegCo internal reference no.: 38)

Reply:

- 1 - 2. Due to the pandemic in the past years, a majority of events organised were held virtually or physically in small-scale settings, and the number of participants further included viewers through broadcast on television channels. After the pandemic, international and regional events held in 2024 gradually resumed in-person mode, which led to the decrease in the number of participants of the events. As international and regional events to be held in 2025 will generally resume in-person mode, the estimated number of participants of the events in 2025 has also been further adjusted accordingly.

Regarding the number of participants of the events, we do not maintain a breakdown by type of event, location and capacity of participant for analysis of the changes.

3. The Department of Justice (DoJ) will continue to actively organise various international and regional events, set appropriate themes and formats specifically for various participants' needs and on hot issues of the sector, and listen to the views from professionals of the sector. In addition, the DoJ will also collect feedback from participants for analysis, and evaluate the intended outcomes so as to achieve the goal of continuously enhancing the effectiveness and impact of the events.

- End -

CONTROLLING OFFICER'S REPLY

SJ016

(Question Serial No. 1682)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

Regarding the training of teachers, the Department of Justice launched the “e-Resources for Rule of Law and Basic Law” platform together with the Basic Law Foundation, which provides teaching support on related legal topics for teachers. How many teachers have visited the platform since its launch? How many online seminars have been organised by the platform for teachers? What are the estimated manpower and expenditure for the promotion of the “e-Resources for Rule of Law and Basic Law” in each of the coming 3 years?

Asked by: Hon KOON Ho-ming, Peter Douglas (LegCo internal reference no.: 18)

Reply:

The Department of Justice (DoJ) signed a three-year Memorandum of Understanding in relation to the “e-Resources for Rule of Law and Basic Law” with the Basic Law Foundation in October 2020 to launch the “e-Resources for Rule of Law and Basic Law” platform. According to the information previously provided by the Basic Law Foundation, a total of nearly 7 200 online visitors accessed the platform and 21 online seminars were organised for teachers since the launch of the platform in the fourth quarter of 2020 to the end of the co-operation in March 2023. As the co-operation arrangement expired in March 2023, the DoJ has not earmarked any manpower or provision for the relevant item in the coming 3 years.

- End -

CONTROLLING OFFICER'S REPLY

SJ017

(Question Serial No. 1554)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (1) Prosecutions

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

According to the performance measures of the Department of Justice (DoJ), the numbers of cases conducted by Government Counsel and Counsel instructed were 4 282 and 1 173 respectively in 2024, and the numbers of these cases are estimated to be 4 285 and 1 175 in 2025, representing a minimal year-on-year increase. However, the estimated provision for Prosecutions of the DoJ has increased by 28.1% over the revised estimate of \$826.8 million in 2024 to \$1.0588 billion. In this connection, would the Government inform this Committee of the following:

1. the reasons for seeking a substantial increase of provision while there is no significant rise in the numbers of cases; and
2. the areas in which the Government plans to use the additional provision?

Asked by: Hon LAM San-keung (LegCo internal reference no.: 16)

Reply:

(1) & (2)

The estimate for Programme (1) for 2025-26 represents an increase of around 28.1% (about \$232 million) over the revised estimate for 2024-25. This is mainly because the estimate for court costs and for briefing-out expenditure in relation to criminal cases for 2025-26 increase by about \$143 million and \$40 million respectively, accounting for approximately 80% of the increase.

The overall estimated increase in court costs and briefing-out expenditure for 2025-26 is mainly due to the need to earmark provisions for the briefing-out expenditure and court costs of impending/possible new cases and the various cases handled in 2024-25. While the estimate was made based on the information available at the time of preparation, the actual expenditure to be incurred in 2025-26 will ultimately depend on the number of such cases, their complexity, development and outcome and the amount of unanticipated expenditure

(arising from unforeseen cases which could not be predicted when the estimate was prepared and are not entirely within the control of the Department of Justice).

- End -

CONTROLLING OFFICER'S REPLY

SJ018

(Question Serial No. 1555)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (2) Civil

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

According to the indicators, new proceedings (including non-construction arbitration and mediation) brought by the Government will increase by 463 cases from 1 882 cases in 2024 to 2 345 cases in 2025. In this connection, would the Government inform this Committee of the following:

1. On what grounds does the Government estimate that new proceedings brought by the Government in 2025 will increase substantially?
2. Regarding the estimated provision for Programme (2) Civil, there is an increase of 26.6% from the revised estimate of \$670.1 million for 2024 to the estimate of \$848.4 million for 2025. How much of the provision is incurred by the increase in new proceedings brought by the Government?

Asked by: Hon LAM San-keung (LegCo internal reference no.: 17)

Reply:

1. The Government commences legal proceedings on a wide range of matters such as damages claims, contractual disputes, personal injuries and employees' compensation claims, construction disputes and recovery of default payments and debts for various Government bureaux and departments. The estimate of the Civil Division (CD) for 2025 is mainly based on the estimates of various Government bureaux and departments for new proceedings on matters under their respective purview and CD's internal assessment. On the above basis, there will be an increase in the estimated number of new proceedings (including non-construction arbitration and mediation) to be brought by the Government in 2025 over the actual numbers in the past 2 years. Moreover, the Department of Justice (DoJ) may apply for joining in certain proceedings as an intervener as appropriate, in accordance with the common law and laws of Hong Kong in order to fulfill its role as the guardian of the public interest, which will also result in an increase in the estimated number of legal proceedings.
2. The estimate for Programme (2) Civil for the financial year of 2025-26 is about 26.6% higher than the revised estimate for the financial year of 2024-25. This is mainly due to the

need to set aside provisions for new cases that will/may arise and the possible expenditure for a number of cases handled in 2024-25. However, the actual expenditure to be incurred in 2025-26 will ultimately depend on subsequent development and outcome of the cases concerned and the amount of unanticipated expenditures (arising from cases which could not have been anticipated when the estimate was prepared, and this is not entirely within DoJ's control).

- End -

CONTROLLING OFFICER'S REPLY

SJ019

(Question Serial No. 1556)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (3) Constitutional and Policy Affairs

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

According to the Indicators, the number of participants of international and regional events (including meetings of international organisations, promotional and capacity building events relating to the rule of law and dispute resolution) will see a decrease from 42 628 (sic) in 2024 to 32 625 in 2025. In this connection, would the Government inform this Committee of:

1. the reasons for the substantial decrease in the number of participants of these events;
2. the reasons for the 4.4% increase in the estimate to \$134.6 million despite the number of events is expected to be reduced by 3 and the substantial decrease in the estimated number of participants.

Asked by: Hon LAM San-keung (LegCo internal reference no.: 18)

Reply:

1. Due to the pandemic in the past years, a majority of events organised were held virtually or physically in small-scale settings, and the numbers of participants also included viewers through broadcast on television channels. After the pandemic, international and regional events held in 2024 gradually resumed in-person mode, which led to the decrease in the numbers of participants of the events. As international and regional events to be held in 2025 will generally resume in-person mode, the estimated numbers of participants of the events in 2025 have also been further adjusted accordingly.
2. The overall estimate for Programme (3) Constitutional and Policy Affairs for 2025-26 is \$134.6 million. This estimate covers not only the expenses of organising the relevant events but also the salaries of all personnel under this Programme and their related Mandatory Provident Fund/Civil Service Provident Fund contribution, general departmental operating expenses and other charges, etc. The increase in the estimate reflects the net overall increase in the expenditure on these items.

- End -

CONTROLLING OFFICER'S REPLY

SJ020

(Question Serial No. 1557)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (4) Law Drafting

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

It is mentioned in the Estimates that during 2025-26, the Law Drafting Division of the Department of Justice will make available resources for the legislative schedule for 2025-26, which is expected to be heavy, hence the request for an increase in provision by 19.7% to \$222.2 million. In this connection, would the Government inform this Committee of the following:

1. the reasons for the request for additional provision despite the anticipated net decrease of posts;
2. whether there is sufficient in-house manpower to cope with the anticipated substantial increase in legislative work in 2025-26; and
3. in the face of the substantial increase in work, whether the department has any backup plans, for example, to brief out some of its work to counsel in private practice? If yes, what is the estimate involved? If not, what are the reasons?

Asked by: Hon LAM San-keung (LegCo internal reference no.: 19)

Reply:

1. Although there will be a net decrease of 1 post in the Law Drafting Division (LDD) in 2025-26, there will be an increase in personal emoluments and personnel related expenses due to filling of vacancies, coupled with the anticipated increase in general departmental expenses and the need to set aside provision for briefing out work to counsel in private practice. Therefore, the estimated expenditure for 2025-26 will increase by \$36.6 million as compared with the revised estimate for 2024-25.
2. The LDD reviews from time to time its establishment and staff resources to ensure that it can cope with the heavy legislative work. We will redeploy staff internally to handle the workload, and will employ Contract Counsel and Contract Legal Clerks to assist in law drafting as operational needs require.

3. The LDD will brief out its work to counsel in private practice according to operational needs. The estimate for 2025-26 is \$5 million.

- End -

CONTROLLING OFFICER'S REPLY

SJ021

(Question Serial No. 1558)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

Under Analysis of Financial and Staffing Provision, all 5 Programmes indicate that more financial provision is required due to an increase in general departmental expenses and other charges. In this connection, would the Government inform this Committee of the following:

1. What specifically are “general departmental expenses”?
2. Despite the Government’s tight fiscal position, most of the Programmes of the Department of Justice see a substantial increase of nearly 20% in provision in 2025-26 in comparison with 2024-25. Have the divisions explored any measures for reducing expenditure?

Asked by: Hon LAM San-keung (LegCo internal reference no.: 20)

Reply:

1. “General departmental expenses” refer to day-to-day operating expenses, such as wages for contract staff, repairs and maintenance costs and fees for hiring professional services such as property management.
2. The estimate of the total expenditure of \$2.508 billion for 2025-26 is about 25.2% higher than the revised estimate of \$2.003 billion for 2024-25. This is mainly because the estimates for “hire of legal services and related professional fees”, “legal services for construction dispute resolution” and court costs for 2025-26 increase by about \$103 million, \$58 million and \$178 million respectively as compared with the revised estimates for 2024-25, accounting for approximately 70% of the increase. The estimates were made by different divisions and units of the Department of Justice (DoJ) based on the information available at the time of preparation. The increase was due to a number of factors, including the number of cases involved, their complexity and development.

Regarding the measures for reducing expenditure, the Government has announced in the Budget for this year a reduction of recurrent government expenditure of all government

departments by 2% in 2025-26. This arrangement will be extended for 2 more years to 2027-28. Moreover, in view of the reduction in expenditure and enhancement in manpower utilisation, the civil service establishment will be reduced by 2% each in 2026-27 and 2027-28. The DoJ will continue to review the resource allocation and work priorities of its divisions and units, and will strive for higher cost-effectiveness in operation through consolidating internal resources, streamlining procedures and leveraging technology.

- End -

CONTROLLING OFFICER'S REPLY

SJ022

(Question Serial No. 1559)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (5) International Law

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

The 14th Five-Year Plan has established Hong Kong as the centre for development in 8 key areas, many of which are directly related to legal business. The Operating Account of the Department of Justice (DoJ) sets out the expenditure on the promotion and development of Hong Kong as an international legal and dispute resolution services centre in the Asia-Pacific Region, without touching on the expenditures on the other areas. In this connection, would the Government inform this Committee of the following:

1. What was the total expenditure of the DoJ on the promotion and development of the other 7 areas in the past 3 years?
2. On the promotion and development of international shipping, has the DoJ earmarked any provision and introduced any measures to support the legal sector to develop its business in the domain of maritime law?
3. On the promotion and development of regional intellectual property (IP) trading, has the DoJ earmarked any provision and introduced any measures to support the legal sector to develop its business in the domain of IP law?

Asked by: Hon LAM San-keung (LegCo internal reference no.: 21)

Reply:

The Department of Justice (DoJ) has been providing relevant government bureaux and departments with the necessary legal support for the promotion and development of Hong Kong in the other 7 Centres. As the international legal profile of Hong Kong and its robust local and international legal and dispute resolution services form the bedrock for the development of the other 7 Centres, the DoJ has been actively fostering international exchanges and co-operation while seeking to promote and develop local and international legal and dispute resolution services. It will also collaborate with various government bureaux and departments, each fulfilling their respective roles and giving full play to their strengths, to collaboratively advance the development of the 8 Centres.

On the promotion and development of international shipping centre, the measures implemented by the DoJ include:

(i) “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”

Under 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” (the Arrangement) signed on 2 April 2019, Hong Kong is the first and so far the only common law jurisdiction outside the Mainland where, as a seat of arbitration, parties to arbitral proceedings administered by designated arbitral institutions can apply to the Mainland courts for interim measures. Designated arbitral institutions under the Arrangement include, inter alia, the Hong Kong Maritime Arbitration Group (HKMAG). The Arrangement strongly promotes Hong Kong as the seat of arbitration for international maritime arbitrations (especially those involving the Mainland).

(ii) Promotion of Hong Kong’s maritime legal and arbitration services

The DoJ has been striving to promote Hong Kong’s maritime legal and arbitration services through supporting various events. The key maritime legal and dispute resolution promotional events in recent years include the Mock Arbitrations on Maritime Disputes, summits and seminars on maritime arbitration held during the DoJ’s annual flagship event, the Hong Kong Legal Week, and the annual Hong Kong Maritime Week organised by the Hong Kong Maritime and Port Board, with a view to promoting the important role of Hong Kong’s legal and dispute resolution services in supporting the development of the maritime industry in Hong Kong. The DoJ also invited representatives from the maritime legal and dispute resolution industries to appear in video clips which were posted on its social media platforms to further promote Hong Kong’s maritime arbitration services. On 18 November 2024, the DoJ and the HKMAG co-organised a seminar entitled “Hong Kong - Mainland Interim Measures Arrangement: the 5th Anniversary and Its Application to Maritime Cases” to promote the use of the Arrangement, with a highlight on the maritime arbitration services of Hong Kong.

On the promotion and development of regional intellectual property (IP) trading centre, the DoJ co-organised with the Hong Kong Trade Development Council (HKTDC) thematic breakout sessions on dispute resolution at the Business of Intellectual Property Asia Forum in recent years in which world-renowned experts were invited to explore the latest developments and dispute resolution-related issues concerning IP. The 2024 breakout session explored the resolution of IP disputes in e-commerce. A related thematic breakout session is planned to be co-organised again with the HKTDC in 2025.

As all the expenditure will be absorbed by the existing resources of the DoJ, the estimated expenditure of the events cannot be separately identified.

- End -

CONTROLLING OFFICER'S REPLY

SJ023

(Question Serial No. 1560)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

In the Legislative Council meeting on 14 November 2024, the Secretary for Justice pointed out during the debate on the Motion of Thanks that the remark on “the development of the legal profession has nothing to do with the Department of Justice (DoJ)” was not true, and that the DoJ was making great efforts to take forward the work relating to lawyers practising in the Guangdong-Hong Kong-Macao Greater Bay Area (GBA). In this connection, would the Government inform this Committee of the following:

1. Apart from taking forward the policies related to the GBA, what other measures has the DoJ proposed to assist the development of the local legal sector in the past 3 years? What was the expenditure involved in taking forward the measures?
2. In view of the operation of the local legal sector is small in scale by international standard, has the DoJ reviewed the relevant laws and regulations to help enhance the international competitiveness of the local legal sector? If yes, what are the results? If not, what are the reasons?
3. Has the DoJ earmarked any provisions in 2025-26 for introducing other measures to promote the development of the local legal sector apart from taking forward the policies related to the GBA? If yes, what are the details? If not, what are the reasons?

Asked by: Hon LAM San-keung (LegCo internal reference no.: 22)

Reply:

1. The Department of Justice (DoJ) has been actively supporting the development of the local legal sector, and assisting in the exchanges, collaboration and growth of the Hong Kong legal profession by taking forward a series of measures. The measures taken forward in the past 3 years, apart from the policies related to the Guangdong-Hong Kong-Macao Greater Bay Area (GBA), included:

I. Regular measures

- (i) The DoJ organised its annual flagship event, the Hong Kong Legal Week, to bring together legal and dispute resolution experts and academics from around the world to explore important topics including international legal co-operation, mediation, arbitration and rule of law education through a series of activities such as summits and seminars. The Hong Kong Legal Week 2024 was attended by about 2 500 participants in-person or online from nearly 50 jurisdictions, demonstrating Hong Kong's status as the leading international legal and dispute resolution services centre in the Asia-Pacific region;
- (ii) The DoJ co-organised with Herbert Smith Freehills the Hong Kong Mediation Lecture during the Hong Kong Legal Week and invited internationally renowned speakers to share views on different topics of mediation, including the use and sustainable development of mediation along the Belt and Road (B&R), the current state, challenges and opportunities in resolving international disputes through mediation and the latest developments of investor-state mediation. The lecture attracted the participation of Hong Kong legal practitioners and mediators and enhanced their understanding of the international development of mediation, thus facilitating the local mediation sector to seize the opportunities for overseas development and those arising from the handling of cross-boundary disputes, while also providing a platform facilitating exchanges between the Hong Kong and international mediation sectors;
- (iii) The DoJ led relevant legal and dispute resolution talents to tour places within our country and overseas, including the Mainland and countries along the B&R (such as the ASEAN member states and other Southeast Asian and Middle East countries), so as to strengthen exchanges between the Hong Kong legal profession and their counterparts, deepen co-operation and create high-level development to jointly tell the world the true and good stories of Hong Kong, and showcase our strengths in legal and dispute resolution services;
- (iv) The DoJ co-organised with the Hong Kong Trade Development Council (HKTDC) a thematic breakout session on dispute resolution at the B&R Summit to promote to participants from around the globe the strengths of and opportunities for Hong Kong in resolving B&R-related disputes;
- (v) The DoJ co-organised with the HKTDC a thematic breakout session on dispute resolution at the Business of Intellectual Property Asia Forum and invited world-renowned experts to explore the latest developments and dispute resolution-related issues concerning intellectual property, promoting the strengths of Hong Kong in resolving intellectual property disputes in the international arena and the GBA;
- (vi) The DoJ co-organised with the Vis East Moot Foundation Limited the Vis East International Commercial Arbitration Moot to foster research in international commercial arbitration and nurture professionals in international commercial arbitration, further promoting international and Hong Kong-seated arbitration services;

- (vii) The DoJ organised the Investment Law & Investor-State Mediator Training in Hong Kong and invited world-renowned speakers to speak at the training courses, with a view to developing Hong Kong into a training base for international investment law and investment dispute resolution skills. The training provided local and overseas lawyers, mediators and government officials with knowledge and updates of the development of investment law and investment dispute resolution. Past participants were from the GBA, regions along the B&R and various other jurisdictions;
- (viii) The DoJ organised the biennial “Mediate First” Pledge Event with the aim of encouraging all sectors of the community to explore the use of mediation to resolve disputes before resorting to other means of dispute resolution or litigation. Over 930 companies, organisations/associations and individuals had signed the Pledge so far. The “Mediate First” Pledge Event would enhance the understanding and use of mediation in the community, thereby promoting the development of the legal and mediation sectors;
- (ix) The DoJ organised the biennial Mediation Week featuring a range of activities such as demonstrations and seminars to promote and nurture the mediation culture, and showcase the professional mediation services of Hong Kong to the local and international communities. The Mediation Conference held during the event brought together renowned speakers from Hong Kong and overseas to discuss and exchange views on hot topics of mediation, and attracted participants from various jurisdictions around the world. The Mediation Week and Mediation Conference explored a wide range of topics, including new issues related to mediation in the context of Hong Kong, the GBA and the international arena, providing an exchange platform for the sector and thus facilitating the development of the Hong Kong legal and mediation sectors;
- (x) With the proactive efforts of the DoJ, the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Ordinance (Cap. 645) came into effect in January 2024. The new mechanism established under Cap. 645 further fosters exchanges and co-operation between the Mainland and Hong Kong in the areas of legal services, and offers greater scope and opportunities for development of the sector;
- (xi) The DoJ proposed an expansion of the Talent List of Hong Kong to include “legal knowledge engineers” for attracting the relevant talents to come to Hong Kong, so as to address the sector’s needs for artificial intelligence. The arrangement has taken effect from March 2025;
- (xii) The DoJ officially launched the Hong Kong International Legal Talents Training Academy (the Academy) on 8 November 2024 and organised practical legal courses, seminars and international exchange activities and so forth by capitalising on Hong Kong’s bilingual common law system and its unique status as an international open city. By taking forward the establishment of the Academy, Hong Kong could continuously consolidate its position as a regional centre for international legal and dispute resolution services; and
- (xiii) The Government regularised the Pilot Scheme on Facilitation for Persons Participating in Arbitral Proceedings in Hong Kong, which is now named the Immigration Facilitation Scheme for Persons Participating in Arbitral Proceedings in Hong Kong, with

refinements from 1 March 2025 onwards. Under the scheme, persons in possession of a “Letter of Proof” issued by a designated arbitral and dispute resolution institution or a venue provider proving that they are eligible persons seeking participation in arbitral proceedings seated in Hong Kong are permitted to do so as visitors without the need to obtain an employment visa. The regularised and refined scheme expands the categories of eligibility and covers all arbitrations physically taking place in Hong Kong, offering parties to the arbitration and legal practitioners great convenience and more choices of international and local legal experts and related professionals, thus further enhancing Hong Kong’s attractiveness as a seat or destination of arbitration and advancing the development of the local legal sector.

II. Other measures

- (i) The DoJ held the Seminar on Cross-boundary Family Mediation on 16 February 2022 and invited representatives of the legal and family mediation sectors from the Mainland and Hong Kong to examine the changes brought about by the implementation of the new mechanism under the Mainland Judgments in Matrimonial and Family Cases (Reciprocal Recognition and Enforcement) Ordinance (Cap. 639) on cross-boundary family litigation and related mediation in order to raise public awareness of the use of mediation in cross-boundary family disputes. The webinar was attended by 683 participants;
- (ii) The DoJ organised a seminar entitled “A New Chapter to Arbitration in Hong Kong: Outcome Related Fee Structures for Arbitration (ORFSA)” in May 2022 for distinguished speakers to share their insights from different perspectives as to how the ORFSA, which provides additional options for clients and their lawyers to create the most suitable fee arrangements in arbitration, would change the arbitration landscape in Hong Kong. The seminar attracted about 380 participants;
- (iii) The DoJ organised with Invest Hong Kong and the International Chamber of Commerce - Hong Kong seminars on arbitration funding options in Hong Kong in February and June 2023 respectively to promote various arbitration funding options available in Hong Kong, including the ORFSA regime, which has been fully implemented since December 2022, among the legal and dispute resolution sectors and relevant stakeholders. The seminar held in February attracted no less than 230 people from over 20 jurisdictions to register for participation, while the one in June also attracted over 100 in-person and online participants;
- (iv) The DoJ co-organised with the HKTDC a large-scale outreach promotional campaign of “Resolve2Win” to promote Hong Kong’s dispute resolution services in Bangkok, Thailand in March 2023, attracting over 200 participants from various sectors such as financial, legal and professional services. The event was also brought to Shenzhen and Foshan in August 2024 for meeting and discussing with the local political, business and legal sectors through conferences and exchange activities, promoting Hong Kong’s role as a legal hub and exploring new co-operation opportunities between the Mainland and Hong Kong;
- (v) The DoJ supported the hosting of the biennial International Council for Commercial Arbitration Congress (ICCA Congress) in Hong Kong from 5 to 8 May 2024 by the

Hong Kong International Arbitration Centre. As the largest regular international conference in the arbitration community worldwide, the ICCA Congress was known for its major contribution to international dispute resolution and attracted experts from the global arbitration community to Hong Kong, with a view to consolidating Hong Kong's leading position as a centre for international legal and dispute resolution services in the Asia-Pacific region and beyond. Being the first-ever ICCA Congress held in Hong Kong with the largest number of participants thus far, the event attracted over 1 400 legal and arbitration professionals from some 70 jurisdictions;

- (vi) The DoJ has continued to strengthen the promotion of mediation services and deepen the mediation culture. Established in October 2024 for a two-year term, the Working Group on Mediation Regulatory System (Working Group) advises the DoJ on the mediation regulatory regime in Hong Kong, including reviewing and making proposals to reform or improve the current system in relation to the accreditation and disciplinary matters, etc. As at early 2025, having taken into account the advice of the Working Group, the DoJ completed the review of the regulatory system on the accreditation and disciplinary matters of the mediation profession in Hong Kong and put forward preliminary proposals for improving the system;
- (vii) The DoJ established in early October 2024 the Expert Advisory Group on Legal and Dispute Resolution Services (EAG) under the direct steer of the Secretary for Justice (SJ) for a three-year term to advise on matters related to Hong Kong's position as an international legal and dispute resolution services centre. At its first meeting on 31 October 2024, the EAG advised the DoJ on, among others, the formulation of the overall strategies and initiatives for the promotion and development of Hong Kong's legal and dispute resolution services in and outside Hong Kong;
- (viii) To enhance the sports dispute resolution landscape in Hong Kong, the Government has been actively engaging with key stakeholders over the past 2 years to identify the needs of the sector. The Government recognises from conversing with the sector that it is keen to have a neutral, fair and efficient system to handle and resolve sports disputes. Fully committed to developing a sports dispute resolution system, the DoJ established in January 2025 the Advisory Committee on Sports Dispute Resolution (Advisory Committee) under the direct steer of the Deputy SJ. At its first meeting on 10 January, the Advisory Committee considered and endorsed its terms of reference and discussed future work and issues for follow-up to promote the development of sports dispute resolution in Hong Kong at full steam. The Advisory Committee has been actively engaging with key stakeholders. It also met and exchanged views with representatives of the Sports Federation & Olympic Committee of Hong Kong, China in mid-February 2025, and met several Legislative Council members on 25 February 2025 to discuss the way forward for developing sports dispute resolution in Hong Kong; and
- (ix) The DoJ is also fully committed to promoting the development and application of LawTech. To enhance the capability of the local legal and dispute resolution sectors to harness modern technology in their service provision, the Hong Kong Legal Cloud services were officially launched on 1 March 2022. The Hong Kong Legal Cloud, an online facility situated in Hong Kong, is equipped with advanced information security technology to provide the local legal and dispute resolution sectors with safe, secure and affordable data storage services. In January 2025, the DoJ set up the Consultation

Group on LawTech Development (Consultation Group), which comprises representatives of the legal and dispute resolution sectors, law schools and LawTech solution providers, under the direct steer of the Deputy SJ. At its first meeting on 10 February 2025, the Consultation Group discussed the development strategies and policies for promoting the application of LawTech by the legal and dispute resolution sectors.

All the expenditures on the above measures are absorbed by the existing resources of the DoJ and cannot be separately identified.

2. Provisions on solicitor corporations (Part IIAA) and foreign lawyer corporations (Part IIIA) have already been included in the current Legal Practitioners Ordinance (Cap. 159). After the provisions come into operation, solicitors will be able to practise in Hong Kong in the form of a limited company. The DoJ understands that the Law Society of Hong Kong (the Law Society) had obtained on 10 March 2025 an approval-in-principle from the Chief Justice of the Court of Final Appeal for the Solicitor Corporation Rules, the Foreign Lawyer Corporation Rules and the consequential amendments to the relevant subsidiary legislation under Cap. 159. The DoJ will continue to work closely with the Law Society to render necessary assistance in, among others, law drafting and taking forward the legislative amendment process.
3. Apart from taking forward the policies related to the GBA, the DoJ will also continue to actively assist in promoting the development of the local legal sector in 2025-26. The key measures include:
 - (i) The DoJ will continue to organise its flagship event, the Hong Kong Legal Week, and various legal events, and support legal and related organisations in organising promotional events through different means to promote Hong Kong's legal and dispute resolution services internationally and regionally;
 - (ii) The DoJ will hold the "Mediate First" Pledge Event on 9 May 2025, inviting renowned speakers to discuss and exchange views on hot topics of mediation including the Judiciary's measures for promoting mediation, and the Government's initiatives on mediation and their effectiveness. The "Mediate First" Pledge Event will enhance the understanding and use of mediation in the community, thereby promoting the development of the legal and mediation sectors;
 - (iii) The DoJ will continue to lead relevant legal and dispute resolution talents to tour various places so as to strengthen exchanges between the Hong Kong legal profession and their counterparts, deepen co-operation and create high-level development to jointly tell the world the true and good stories of Hong Kong, and showcase our strengths in legal and dispute resolution services;
 - (iv) The Academy is proactively collaborating with local, Mainland and international legal professional bodies to organise capacity building programmes for the legal and dispute resolution sectors in Hong Kong, the Mainland and around the globe. Confirmed programmes include the Conference on Climate Change and International Trade Law co-organised with United Nations Commission on

International Trade Law on 14 March 2025. The Academy is also planning to organise practical training courses on Mainland law and talks on specific legal issues in the Mainland for the local legal sector in 2025;

- (v) The DoJ will proceed with the work of the Working Group and is now pressing ahead with the preparations for consultation with the profession;
- (vi) The DoJ will proceed with the work of the EAG and continue its endeavours to affirm Hong Kong's position as an international legal and dispute resolution services centre in the Asia-Pacific region;
- (vii) The DoJ will proceed with the work of developing a sports dispute resolution system and that of the Advisory Committee, and make preparations for the planned launch of a Sports Dispute Resolution Pilot Scheme within 2025;
- (viii) The DoJ will, by pursuing the work of the Consultation Group, continue to promote the development and application of LawTech to assist the local legal and dispute resolution sectors in boosting efficiency and productivity, and facilitate the development of Hong Kong as a leading centre for international legal and dispute resolution services in the Asia-Pacific region; and
- (ix) The DoJ will keep the implementation of Cap. 645 under review and promote the new mechanism by continuing to reach out to stakeholders and the general public, so as to rationalise and optimise the implementation of the new mechanism.

- End -

CONTROLLING OFFICER'S REPLY

SJ024

(Question Serial No. 1561)

Head: (92) Department of Justice

Subhead (No. & title): (000) Operational expenses

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

According to the reply to the written question raised on 22 January 2025, the Secretary for Justice (SJ) has conducted 23 duty visits to promote Hong Kong as an international legal and dispute resolution services centre in the Asia-Pacific region, incurring total expenditure of nearly \$1 million. Regarding the promotion and development of Hong Kong as an international legal and dispute resolution services centre in the Asia-Pacific Region in the item Other Charges under Subhead 000 Operational expenses, the revised estimate for 2024-25 is \$78.687 million and the estimate for 2025-26 will increase to \$130.2 million. In this connection, would the Government inform this Committee of the following:

1. apart from the duty visits of the SJ, the details of related expenditure, the activities organised and the details of the expenditure on the activities in 2024-25;
2. the intended use of the increased estimate, such as organisation of activities, duty visits and publicity;
3. the effectiveness of the promotion and development of Hong Kong as an international legal and dispute resolution services centre in the Asia-Pacific Region in 2024-25 and whether there are any concrete outcomes.

Asked by: Hon LAM San-keung (LegCo internal reference no.: 23)

Reply:

1. The details of the relevant major events organised by the Department of Justice (DoJ) in 2024-25 are as follows:

I. Regular events

- (i) The DoJ organised its annual flagship event, the Hong Kong Legal Week, to bring together legal and dispute resolution experts and academics from around the world to explore important topics including international legal co-operation, mediation, arbitration and rule of law education through a series of activities such as summits and

seminars. The Hong Kong Legal Week 2024 was attended by about 2 500 participants in-person or online from nearly 50 jurisdictions, demonstrating Hong Kong's status as the leading international legal and dispute resolution services centre in the Asia-Pacific region;

- (ii) The DoJ co-organised with Herbert Smith Freehills the Hong Kong Mediation Lecture during the Hong Kong Legal Week and invited internationally renowned speakers to share views on different topics of mediation, including the use and sustainable development of mediation along the Belt and Road (B&R), the current state, challenges and opportunities in resolving international disputes through mediation and the latest developments of investor-state mediation. The lecture attracted the participation of Hong Kong legal practitioners and mediators and enhanced their understanding of the international development of mediation, thus facilitating the local mediation sector to seize the opportunities for overseas development and those arising from the handling of cross-boundary disputes, while also providing a platform facilitating exchanges between the Hong Kong and international mediation sectors;
- (iii) The DoJ led relevant legal and dispute resolution talents to tour places within our country and overseas, including the Mainland and countries along the B&R (such as the ASEAN member states and other Southeast Asian and Middle East countries), so as to strengthen exchanges between the Hong Kong legal profession and their counterparts, deepen co-operation and create high-level development to jointly tell the world the true and good stories of Hong Kong, and showcase our strengths in legal and dispute resolution services;
- (iv) The DoJ co-organised with the Hong Kong Trade Development Council (HKTDC) a thematic breakout session on dispute resolution at the B&R Summit to promote to participants from around the globe the strengths of and opportunities for Hong Kong in resolving B&R-related disputes;
- (v) The DoJ co-organised with the HKTDC a thematic breakout session on dispute resolution at the Business of Intellectual Property Asia Forum and invited world-renowned experts to explore the latest developments and dispute resolution-related issues concerning intellectual property, promoting the strengths of Hong Kong in resolving intellectual property disputes in the international arena and the Guangdong-Hong Kong-Macao Greater Bay Area (GBA);
- (vi) The DoJ co-organised with the Vis East Moot Foundation Limited the Vis East International Commercial Arbitration Moot to foster research in international commercial arbitration and nurture professionals in international commercial arbitration, further promoting international and Hong Kong-seated arbitration services;
- (vii) The DoJ organised the Investment Law & Investor-State Mediator Training in Hong Kong and invited world-renowned speakers to speak at the training courses, with a view to developing Hong Kong into a training base for international investment law and investment dispute resolution skills. The training provided local, Mainland and overseas lawyers, mediators and government officials with knowledge and updates of the development of investment law and investment dispute resolution. Past participants were from the GBA, regions along the B&R and various other jurisdictions;

- (viii) The DoJ organised the biennial “Mediate First” Pledge Event with the aim of encouraging all sectors of the community to explore the use of mediation to resolve disputes before resorting to other means of dispute resolution or litigation. Over 930 companies, organisations/associations and individuals had signed the Pledge so far. The “Mediate First” Pledge Event would enhance the understanding and use of mediation in the community, thereby promoting the development of the legal and mediation sectors;
- (ix) The DoJ organised the biennial Mediation Week featuring a range of activities such as demonstrations and seminars to promote and nurture the mediation culture, and showcase the professional mediation services of Hong Kong to the local and international communities. The Mediation Conference held during the event brought together renowned speakers from Hong Kong and overseas to discuss and exchange views on hot topics of mediation, and attracted participants from various jurisdictions around the world. The Mediation Week and Mediation Conference explored a wide range of topics, including new issues related to mediation in the context of Hong Kong, the GBA and the international arena, providing an exchange platform for the sector and thus facilitating the development of the Hong Kong legal and mediation sectors;
- (x) The DoJ co-organised with the International Chamber of Commerce (ICC) - Hong Kong the 3rd ICC International Commercial Mediation Competition. Open to local and overseas university students, the competition focused on mediation advocacy skills in international commercial mediation. The winning team was sponsored to join the ICC competition in Paris. The competition not only educated students on the benefits of mediation, but also enhanced Hong Kong’s status as a leading centre for international legal and dispute resolution services in the Asia-Pacific region; and
- (xi) The DoJ officially launched the Hong Kong International Legal Talents Training Academy (the Academy) on 8 November 2024 and organised practical legal courses, seminars and international exchange activities and so forth by capitalising on Hong Kong’s bilingual common law system and its unique status as an international open city. The Academy co-organised the Hong Kong Common Law Practical Training Course with the Supreme People’s Court, the National Training Course for Talents Handling Foreign-related Arbitration (Hong Kong) with the Ministry of Justice, and the Conference on Climate Change and International Trade Law with United Nations Commission on International Trade Law in January, February and March 2025 respectively. By taking forward the establishment of the Academy, Hong Kong could continuously consolidate its position as a regional centre for international legal and dispute resolution services.

II. Other events

- (i) The DoJ supported the hosting of the biennial International Council for Commercial Arbitration Congress (ICCA Congress) in Hong Kong from 5 to 8 May 2024 by the Hong Kong International Arbitration Centre. As the largest regular international conference in the arbitration community worldwide, the ICCA Congress was known for its major contribution to international dispute resolution and attracted experts from the global arbitration community to Hong Kong, with a view to consolidating Hong Kong’s

leading position as a centre for international legal and dispute resolution services in the Asia-Pacific region and beyond. Being the first-ever ICCA Congress held in Hong Kong with the largest number of participants thus far, the event attracted over 1 400 legal and arbitration professionals from some 70 jurisdictions;

- (ii) The DoJ organised a seminar on 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” (the Arrangement) to discuss the benefits and changes brought to arbitration users following the implementation of the Arrangement, facilitate the sharing of practical experience among sectors, and discuss the way forward for future development of mutual assistance between the Mainland and Hong Kong in arbitration matters. The seminar co-organised with the Hong Kong Maritime Arbitration Group was held physically on 18 November 2024, with a total of 55 participants;
- (iii) The DoJ co-organised with the HKTDC a large-scale outreach promotional campaign of “Resolve2Win” and brought the event to Shenzhen and Foshan in August 2024 to meet and discuss with the local political, business and legal sectors through conferences and exchange activities, promoting Hong Kong’s role as a legal hub and exploring new co-operation opportunities between the Mainland and Hong Kong;
- (iv) To promote the interface of non-litigation dispute resolution services in the GBA, the DoJ organised the GBA Mediator Training Course of Hong Kong on 16 August 2024, attracting about 400 participants. Mediation experts from Guangdong and Macao were invited to introduce the respective mediation systems and culture of Guangdong and Macao and share their experiences, explore the latest developments of cross-boundary dispute mediation in the GBA and the cultural difference in and interface of the mediation systems of the 3 places, and discuss topics including the means of and skills in handling cross-boundary disputes; and
- (v) The DoJ’s International Law Division co-organised a number of events with international organisations or supported their events held in Hong Kong, including the China-Asian-African Legal Consultative Organization (AALCO) Exchange and Research Programme on International Law, the Asia-Pacific International Private Law Summit and the 2nd Edition of the Hague Academy of International Law’s Advanced Course in Hong Kong.

The overall expenditure on the above events was absorbed by the existing resources of the DoJ and could not be separately identified.

2. The major events planned to be organised by the DoJ for the promotion and development of Hong Kong as an international legal and dispute resolution services centre in the Asia-Pacific region in 2025-26 are as follows:

- (i) The DoJ will co-organise with the Vis East Moot Foundation Limited the Vis East International Commercial Arbitration Moot from 30 March to 6 April 2025;
- (ii) The DoJ will hold the next edition of the “Mediate First” Pledge Event on 9 May 2025 to promote the “Mediate First” culture through talks and experience sharing sessions;

- (iii) The DoJ will organise the Hong Kong Legal Week 2025 from 1 to 5 December 2025 to continue to explore important topics including international legal co-operation, mediation, arbitration and rule of law through a series of activities such as summits and seminars, and promote Hong Kong's legal and dispute resolution services internationally and regionally by staging various legal events and supporting legal and related organisations in organising promotional events through different means. The Hong Kong Mediation Lecture 2025 is also planned to be held during the Hong Kong Legal Week 2025;
- (iv) The DoJ tentatively plans to hold the next edition of the Investment Law & Investor-State Mediator Training in 2025-26;
- (v) The DoJ plans to co-organise again with the HKTDC a thematic breakout session on dispute resolution at the B&R Summit in 2025;
- (vi) The DoJ plans to co-organise again with the HKTDC a thematic breakout session on dispute resolution at the Business of Intellectual Property Asia Forum in 2025;
- (vii) In regard to the Mainland, the DoJ will co-organise with the Shanghai Commercial Mediation Center the "7th Shanghai-Hong Kong Commercial Mediation Seminar" in the second half of 2025; and
- (viii) The DoJ plans to organise the 7th edition of the Hong Kong Legal Services Forum in Xi'an in May this year to promote Hong Kong's international legal and dispute resolution services.

On duty visits and publicity, the DoJ will continue to lead relevant legal and dispute resolution talents to tour various places so as to strengthen exchanges between the Hong Kong legal profession and their counterparts, deepen co-operation and create high-level development to jointly tell the world the true and good stories of Hong Kong, and showcase our strengths in legal and dispute resolution services.

The DoJ will also make ongoing and robust efforts to explore the signing of memoranda of co-operation with other countries and the feasibility of pursuing other plans for legal collaboration and exchanges in order to foster international exchanges and co-operation between legal officials and professionals in Hong Kong and those in overseas jurisdictions. The DoJ also steps up its endeavours in taking forward the existing secondment programmes for legal professionals with relevant international organisations, so as to foster exchanges and close partnerships.

Apart from various events to be organised or co-organised, duty visits and publicity, the increased estimate will also continue to be used for facilitating and supporting international law-related organisations and dispute resolution institutions to set up offices in Hong Kong. The DoJ has collaborated with a number of international organisations and attained concrete results, including setting up offices in Hong Kong, signing relevant memoranda of co-operation, encouraging exchanges and visits between legal or judicial officers of both sides, partaking in joint capacity-building programmes and forging consensus on other collaboration projects. For example, the Asia-Pacific Regional Office of the Hague

Conference on Private International Law was established in Hong Kong in 2012, and the AALCO Hong Kong Regional Arbitration Centre was officially opened in May 2022, which forms part of the Hong Kong Legal Hub. The DoJ will keep striving to attract those international organisations which have yet to establish a presence in Hong Kong to set up offices here in order to enhance our international influence (especially in the Asia-Pacific region). With the support from the Central People's Government, we have successfully secured the hosting of the headquarters of the International Organization for Mediation in Hong Kong upon its establishment, and will proactively complement the continuous efforts of the Ministry of Foreign Affairs in pursuing the relevant work.

Moreover, as the DoJ had established the Hong Kong International Legal Talents Training Office and the Hong Kong International Legal Talents Training Expert Committee in 2024 and officially launched the Academy in November 2024, the increased estimate is also intended for use by the Academy in organising practical legal courses, seminars, international exchange activities and so forth.

The aforesaid new developments and the related work call for additional resources, hence an increase in the estimate.

3. In 2024-25, the DoJ continued to actively pursue the promotion and development of Hong Kong as an international legal and dispute resolution services centre in the Asia-Pacific region, while putting in place an array of policy initiatives and organising diversified promotional events. The above events were successfully held and encouraging results were noted from the following initiatives:

- (i) A total of 156 persons from 19 countries participated in the Pilot Scheme on Facilitation for Persons Participating in Arbitral Proceedings in Hong Kong, which has been regularised with further refinements from 1 March 2025 onwards. Under the now-named Immigration Facilitation Scheme for Persons Participating in Arbitral Proceedings in Hong Kong, eligible persons seeking participation in arbitral proceedings seated in Hong Kong are permitted to do so as visitors without the need to obtain an employment visa;
- (ii) To consolidate the strategic position of Hong Kong as a regional centre for international legal and dispute resolution services, the DoJ established the Working Group on Mediation Regulatory System (Working Group) in October 2024 to review the regulatory system on the accreditation and disciplinary matters of the mediation profession in Hong Kong and propose measures on reinforcing the professionalism of mediators. Having taken into account the advice of the Working Group, the DoJ has completed the review of the regulatory system on the accreditation and disciplinary matters of the mediation profession in Hong Kong and has put forward preliminary proposals for improving the system;
- (iii) On 6 November 2024, the DoJ issued a Policy Statement on the Incorporation of Mediation Clauses in Government Contracts. The policy took effect from 6 February 2025. The DoJ promulgated The Government of the Hong Kong Special Administrative Region Mediation Rules (2025 Edition) on the same day, and will write to the private sector in the 2nd quarter of 2025 to encourage them to adopt similar mediation clauses. To complement the implementation of the policy, the DoJ had

co-organised with the Civil Service College the first session of mediation training for civil servants on 22 January 2025, with a total attendance of around 200 participants; and

- (iv) Following the entry into force of the GBA Mediator Accreditation Standards and the GBA Mediator Code of Conduct Best Practice in 2021, the GBA Cross-Boundary Disputes Mediation Model Rules and the GBA Mediator Accreditation Rules (Hong Kong Special Administrative Region) were promulgated in December 2022 and March 2024 respectively. A consolidated panel of GBA Mediators was also officially released in December 2024 to foster the interface of mediation talents among Guangdong, Hong Kong and Macao. There are 146 GBA mediators on the panel released in 2024, among whom 49 have been accredited through Hong Kong.

- End -

CONTROLLING OFFICER'S REPLY

SJ025

(Question Serial No. 3170)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

Regarding the Legal Trainee Scheme (the Scheme) of the Department of Justice (DoJ), would the Government inform this Committee of:

1. the number of trainees recruited under the Scheme in the past 3 years and the total expenditure involved; and
2. whether the DoJ will consider relaxing the eligibility criteria by, for example, accepting applicants who graduated within the past 3 years in a bid to attract more legal talents to work for the Government.

Asked by: Hon LAM San-keung (LegCo internal reference no.: 40)

Reply:

1. The Department of Justice (DoJ) engaged 16 Legal Trainees in 2022, and 15 each in 2023 and 2024. The total expenditure on emoluments for these 3 years is about \$62.51 million.
2. To meet the entry requirements for Legal Trainee, applicants should be graduates who have obtained a Postgraduate Certificate in Laws (PCLL) from a local university or students who will obtain the same in the year of their intake. Therefore, all PCLL holders meet the entry requirement regardless of their year of graduation.

In addition, in order to attract more talented lawyers with potential to join the Government, the DoJ has launched the “Early Trawl Pilot Scheme for Legal Trainees” since 2023 to include students who are in their penultimate year of study. Taking the recruitment exercise in 2025 as an example, penultimate year students of undergraduate law programme in post-secondary institutions who will graduate and obtain the PCLL in 2027 can apply for the 2027 early trawl intake of Legal Trainee.

- End -

CONTROLLING OFFICER'S REPLY

SJ026

(Question Serial No. 3021)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (2) Civil, (3) Constitutional and Policy Affairs

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

The Department of Justice has been vigorously promoting the construction of the rule of law to connect Hong Kong with the Greater Bay Area (GBA), such as setting up a dedicated platform for GBA lawyers and actively promoting the establishment of a GBA legal information platform. In this connection, would the Government inform this Committee of the following:

1. How will the Government ensure the upcoming Guangdong-Hong Kong-Macao GBA legal information platform and the dedicated platform for GBA lawyers can effectively collate legal information of the 3 places, enhance the transparency of information and facilitate access to information? What are the specific implementation timetables and anticipated outcomes?
2. Could the Government provide specific case statistics concerning cross-boundary civil and commercial activities since the implementation of the 9 arrangements on mutual legal assistance in civil and commercial matters, including the number of successful cases concluded with mutual legal assistance and the types of legal issues involved? Are there any plans to review the effectiveness of these arrangements on a regular basis?

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 36)

Reply:

1.

The Department of Justice (DoJ) is actively taking forward the setting up of a dedicated platform for the Greater Bay Area (GBA) lawyers. The platform is planned to provide the following functions:

- (1) Promoting training and capacity building for GBA lawyers in a systematic manner, and enriching the legal sector's knowledge of legal practices in the Mainland to better meet the needs of Mainland enterprises;
- (2) Organising activities to promote mutual exchanges and collaboration among GBA legal counterparts, and supporting Hong Kong lawyers in sharing common law

perspectives and experience in handling foreign-related legal matters with Mainland lawyers; and

- (3) Facilitating communication and team building among GBA lawyers, and acting as a bridge of communication between the legal sector and different governments in the GBA by maintaining close liaison regarding the effectiveness and room for improvement of various measures on legal development in the GBA.

The DoJ will set up a dedicated platform for GBA lawyers within 2025 in accordance with the Indicators for Specified Tasks set out in the 2024 Policy Address in response to the strong requests from the legal sector. The subsequent work on setting up the platform, including whether and how legal information of the 3 places will be shared, will be discussed among the stakeholders upon the establishment of the platform.

In regard to the GBA legal information platform, to ensure the effective collation of legal information of Guangdong, Hong Kong and Macao and to enhance the transparency and accessibility of such information, the DoJ will actively liaise with relevant Mainland authorities in a bid to establish a communication and connection channel for the effective collection and collation of information on legal policies, laws and regulations, case precedents, etc. It will also devise a common data standard as necessary to enable the sufficient integration of legal information from different regions. Besides, the platform will adopt a user-friendly interface, tag classification and search engines for users to have quick access to the legal information they require. The DoJ will actively take forward the setting up of the platform within the first half of 2026 to enhance information transparency, foster the development of legal services in the GBA, further strengthen legal exchanges and collaboration among Guangdong, Hong Kong and Macao, and promote the brand of GBA lawyers in order to contribute to the construction of foreign-related rule of law of the country.

2.

Since 1 July 1997, the Hong Kong Special Administrative Region (HKSAR) has entered into 9 arrangements on mutual legal assistance in civil and commercial matters with the Mainland. The figures we have on hand after consulting the Judiciary are set out below:

- (1) Under the “Arrangement for Mutual Service of Judicial Documents in Civil and Commercial Proceedings between the Mainland and Hong Kong Courts”, the total number of cases for mutual service of judicial documents between the 2 places in 2023 was 2 810, comprising 1 301 cases in which Hong Kong courts were entrusted by Mainland courts to effect service, and 1 509 cases vice versa. Among the cases in 2023, divorce (family matters) accounted for most of the cases, totalling 1 120, which was about 40% of the total.
- (2) Since the commencement of the “Arrangement on Mutual Taking of Evidence in Civil and Commercial Matters between the Courts of the Mainland and the Hong Kong Special Administrative Region” in 2017 and until 31 December 2023, the HKSAR received a total of 87 requests for taking of evidence from the Mainland, and made 7 such requests to the Mainland.
- (3) Hong Kong and the Supreme People’s Court (SPC) signed the “Arrangement Concerning Mutual Enforcement of Arbitral Awards between the Mainland and

the Hong Kong Special Administrative Region” (Arbitral Award Arrangement) in 1999, which entered into force on 1 February 2000. In 2020, both sides entered into the “Supplemental Arrangement Concerning Mutual Enforcement of Arbitral Awards between the Mainland and the Hong Kong Special Administrative Region” (Supplemental Arrangement). The Arbitral Award Arrangement and the Supplemental Arrangement provide a simple and effective mechanism on reciprocal enforcement of arbitral awards between the 2 places, similar to the one provided in the New York Convention.

According to information provided by the SPC, from 1 February 2000 to 31 December 2020, the Mainland courts handled a total of 106 Hong Kong arbitration cases for enforcement. The number of cases in which orders for recognition or enforcement of Hong Kong arbitral awards were made was 11 in 2021, 16 in 2022 and 19 in 2023.

From 1 February 2000 to 31 December 2020, Hong Kong courts handed down orders for enforcement of Mainland arbitral awards in 210 cases. The number was 21 in 2021 (approval rate was 100%), 28 in 2022 (approval rate was 100%) and 22 in 2023 (approval rate was 100%).

- (4) 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) entered into force on 1 October 2019. For arbitrations seated in Hong Kong, parties to arbitral proceedings administered by designated arbitral institutions may apply to the Mainland courts for interim measures, including property preservation, evidence preservation and conduct preservation, before the commencement or in the course of such proceedings.

According to information provided by the SPC, from 1 October 2019 to 31 October 2020, the Mainland courts accepted a total of 32 cases for assistance in interim measures for Hong Kong arbitration, among which 29 were applications for property preservation involving about RMB 11.3 billion, of which 20 cases were concluded and approved. In 2021, 20 cases were accepted, all being applications for property preservation involving about RMB 3.3 billion, of which 16 cases were concluded and approved. In 2022, 28 cases were accepted, with 27 being applications for property preservation involving about RMB 7.6 billion, of which 15 were concluded and approved. In 2023, 20 cases were accepted, with 19 being applications for property preservation involving over RMB 2.8 billion, of which 17 were concluded and approved.

From 1 October 2019 to 31 December 2020, Hong Kong courts received 3 applications under the Interim Measures Arrangement (injunction was granted for 100% of the cases). The number of applications was 2 in 2021 (injunction was granted for 100% of the cases), 0 in 2022 and 2 in 2023 (injunction was granted for 100% of the cases).

- (5) Since the commencement of the “Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters by the Courts of the

Mainland and of the Hong Kong Special Administrative Region Pursuant to Choice of Court Agreements between Parties Concerned”, as at 31 December 2023, Hong Kong courts handled a total of 213 applications for enforcement of civil judgments handed down by Mainland courts. In 2023, Hong Kong courts approved 20 out of the 52 applications received, and approved 4 out of the 12 applications for issue of certified copies of and certificates for Hong Kong judgments.

- (6) Since the commencement of 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”, as at 31 December 2023, the Family Court of the District Court of Hong Kong received a total of 11 applications for registration of Mainland judgments and 2 applications for recognition of Mainland divorce certificates. Besides, Hong Kong courts received a total of 19 applications for issue of certified copies of and certificates for Hong Kong judgments.
- (7) 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” entered into force on 29 January 2024. The relevant statistics are being collated and are currently not available.
- (8) 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” was signed and entered into force on 14 May 2021. As at 31 December 2023, the High Court of Hong Kong has not received any applications for recognition of insolvency proceedings that took place in any designated pilot area in the Mainland¹. That said, the High Court of Hong Kong has recognised the status of administrators in 3 bankruptcy proceedings that took place in non-pilot areas in the Mainland².

Furthermore, the High Court of Hong Kong has handled a total of 6 applications for recognition of and assistance to Hong Kong insolvency proceedings, all of which were approved and issued with a letter of request³. The Mainland courts accepted 2 of these applications for recognition of and assistance to Hong Kong insolvency proceedings⁴.

The DoJ will maintain communication with the Judiciary and the legal sector, and explore ways of enhancing the arrangements with the Judiciary and the SPC as appropriate. Regarding the detailed operation of these arrangements, the Judiciary will discuss matters of mutual concern with the SPC according to the circumstances.

¹ The SPC designated Shanghai, Xiamen and Shenzhen as pilot areas in the 1st phase.

² The High People’s Court of Hainan Province, the High People’s Court of Beijing Municipality and the Intermediate People’s Court of Guangzhou Municipality are involved in the respective cases.

- ³ 3 of the cases were handled by the Intermediate People's Court of Shenzhen Municipality, 2 by the Third Intermediate People's Court of Shanghai Municipality and 1 by the Intermediate People's Court of Xiamen Municipality.
- ⁴ The application for recognition of and assistance to Hong Kong insolvency proceedings lodged by the Hong Kong administrator of Samson Paper Company Limited was accepted by the Intermediate People's Court of Shenzhen Municipality, and the application for recognition of and assistance to Hong Kong insolvency proceedings involving the companies related to Hong Kong Fresh Water International Group was accepted by the Third Intermediate People's Court of Shanghai Municipality.

- End -

CONTROLLING OFFICER'S REPLY

SJ027

(Question Serial No. 3030)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

The measures of “allowing Hong Kong-invested enterprises to adopt Hong Kong law” and “allowing Hong Kong-invested enterprises to choose Hong Kong as the seat of arbitration” will be extended to pilot cities in the Greater Bay Area (GBA). In this connection, would the Government inform this Committee of the following:

Will the Government introduce specialised training and qualification accreditation schemes for legal and arbitration professionals in Hong Kong to enhance their competitiveness in taking part in the resolution of GBA cross-boundary disputes? If yes, what are the details? If not, what are the reasons?

Regarding the choice of applicable law and seat of arbitration, how to ensure a balance of rights and interests between Mainland enterprises and Hong Kong-invested enterprises to avoid disputes arising from systematic differences? What are the specific safeguard mechanisms?

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 25)

Reply:

In view of the principle of respecting party autonomy in arbitration, there is no accreditation requirement on the qualification of arbitrators under the Arbitration Ordinance in Hong Kong. The parties have full autonomy to appoint arbitrators of their own choice without restriction on professional qualifications. Pursuant to section 24 of the Arbitration Ordinance, parties are also free to engage arbitrators from places around the world without restriction on the arbitrators' nationality.

The establishment of the Guangdong-Hong Kong-Macao Greater Bay Area Legal Departments Joint Conference (GBA Joint Conference) has strengthened exchanges and collaboration on legal matters among the 3 places since 2019. On the arbitration front, in order to facilitate the sharing of arbitration talents and enhance the competitiveness of legal and arbitration professionals in Hong Kong in taking part in the resolution of GBA cross-boundary disputes, at the 6th GBA Joint Conference held on 18 November 2024, the 3

respective legal departments of Guangdong, Hong Kong and Macao endorsed the Working Guidelines on the Panel of GBA Arbitrators (the Working Guidelines) and reached consensus on the detailed arrangements for the mechanism of setting up a panel of arbitrators. The 3 places will commence their respective nominations of local arbitrators and selection procedures, endeavouring to announce the first batch of GBA arbitrators within 2025. Although the Working Guidelines are not an accreditation scheme, the panel can serve as a reference for the parties in the GBA.

Besides, Hong Kong organises or supports the organisation of seminars on arbitration from time to time to discuss the latest development of arbitration for the purposes of providing training for Hong Kong legal and arbitration professionals as well as promoting Hong Kong's arbitration services. For example:

- The Department of Justice (DoJ) organised seminars on 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 (the Arrangement) from time to time to discuss the benefits and changes brought to arbitration users following the implementation of the Arrangement, facilitate the sharing of practical experience among sectors, and discuss the way forward for future development of mutual assistance between the Mainland and Hong Kong in arbitration matters.
- With the support from the DoJ, the 26th International Council for Commercial Arbitration Congress (ICCA Congress) was successfully concluded in Hong Kong in May 2024. The ICCA Congress is the largest regular conference in the international arbitration community. The 26th ICCA Congress attracted more than 1 400 participants from 70 regions around the world to gather in Hong Kong, which featured a record-breaking number of participants.

Apart from arbitration, the Government of the Hong Kong Special Administrative Region also attaches great importance to the role of mediation in alternative dispute resolution. The GBA Mediation Platform established by the GBA Joint Conference set mediation standards that are adopted within the GBA in 3 areas, namely the Mediation Accreditation Standards, the Mediator Code of Conduct Best Practice and the Cross-Boundary Disputes Mediation Model Rules. It is hoped that the 3 mediation standards, which set out the fundamental principles and best practices applicable to the GBA for guidance purposes, will be adopted and widely used by mediation institutions in the GBA, so as to achieve the goal of integrating legal rules and mechanisms within the GBA.

The DoJ will continue to proactively promote Hong Kong's legal and dispute resolution services, taking into account stakeholders' views with a view to enhancing the competitiveness of the sector in cross-boundary dispute resolution in the GBA.

The extension of the measures of "allowing Hong Kong-invested enterprises to adopt Hong Kong law" and "allowing Hong Kong invested enterprises to choose Hong Kong as the seat of arbitration" was implemented on 14 February 2025. The former measure was extended from Qianhai, Shenzhen to the entire Shenzhen and Zhuhai, while the latter measure was further extended from the current Pilot Free Trade Zones in the Mainland to include the 9 Mainland cities in the GBA. Upon the extension of the measures, when either party or both

parties are Hong Kong-invested enterprises registered and established in the Pilot Free Trade Zones in the Mainland and the 9 Mainland cities in the GBA, the parties may choose Hong Kong as the seat of arbitration in the absence of “Hong Kong-related elements”.

Both measures give greater freedom to Hong Kong-invested enterprises registered in the relevant areas, in the absence of foreign-related elements, to choose the law that they are more familiar with (including the Hong Kong law) as the applicable law of contracts in light of their needs and circumstances, and choose a suitable jurisdiction outside the Mainland (including Hong Kong) as the seat of arbitration. It should be noted that the policy objective of the 2 measures is not about advocating which jurisdiction is better in terms of law or as a seat of arbitration, but is rather about facilitating the development of a market-oriented and international business environment in the GBA by providing more options for Hong Kong-invested enterprises.

In conjunction with the implementation of the 2 extended measures, the DoJ will continue its efforts in actively promoting exchanges and co-operation among the sectors of the 2 places, in order to deepen the understanding of stakeholders (including the legal and dispute resolution sectors and businesses from Hong Kong, the Mainland and overseas) about the unique strengths of Hong Kong’s common law system and dispute resolution rules and services which are internationally aligned, with the view of assisting them in making the most suitable choice as regards the applicable law of contracts and seat of arbitration in light of their own circumstances and needs.

- End -

CONTROLLING OFFICER'S REPLY

SJ028

(Question Serial No. Q3031)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

The Constitution and the Basic Law form the constitutional cornerstone of Hong Kong, providing the legal basis for the safeguarding of national sovereignty, security and development. The HKSAR Government has all along spared no effort in promoting and developing rule of law education through mobilising active co-operation among various departments. Examples include the establishment of the Steering Committee on Rule of Law Education, the implementation of national education by the Education Bureau, and the emphasis on enhancing young people's sense of national identity and awareness in the rule of law in the Youth Development Blueprint. In this connection, would the Government inform this Committee of:

1. the specific estimate for the promotion of rule of law education, and how funding is allocated to various projects and activities; and
2. how the current effectiveness of the rule of law education is evaluated; and whether there are any specific indicators or data to assess the public's understanding of and respect for law?

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 26)

Reply:

1. In order to enhance the promotion of the rule of law education in Hong Kong and to facilitate the collaboration of and co-operation in this area of work among government departments and non-governmental organisations, the Department of Justice (DoJ) established the Steering Committee on Rule of Law Education (Steering Committee) in February 2023 to provide advice and assistance to the DoJ on the strategies and programmes (including the ROLE Stars Train-the-Leaders Programme (TTL Programme)) for the promotion of the rule of law education in Hong Kong. All members of the Steering Committee serve on a voluntary basis with the DoJ providing secretariat support to the Steering Committee. The manpower and expenditure involved are absorbed by the existing resources of the DoJ.

Officers of different divisions of the DoJ have engaged and participated in the TTL Programme and other events promoting the rule of law education. As the promotion of the rule of law education is undertaken by these officers among their other duties, the estimated expenditure actually involved cannot be separately identified.

2. 2 phases of courses have been completed since the launch of the TTL Programme in November 2023, with a total attendance of about 290 trainees from 21 organisations undertaking youth-related and community work and more than 100 secondary schools in Hong Kong.

The DoJ has been obtaining feedback and views from trainees and other stakeholders after the activities held under the TTL Programme. Most of the respondents were very satisfied with the courses and most of the trainees indicated interest in attending the courses in the next phase.

Rule of law education is a long-term task requiring continual and dedicated efforts. It is not suitable to just quantify its effectiveness in a simple way. While the DoJ has not set any rigid performance indicator or reference data in this regard, it will keep monitoring the effectiveness of the TTL Programme and the status of follow-up promotion in the community through diversified means including, among others, trainees' experience sharing and reports on specific work on promotion of the rule of law in the community.

- End -

CONTROLLING OFFICER'S REPLY

SJ029

(Question Serial No. 3032)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

It is mentioned in the new Budget that the headquarters of the International Organization for Mediation (IOMed) will open by the end of this year at the earliest. We understand that the IOMed Preparatory Office has successfully organised and held 5 sessions of negotiations since its establishment. In this connection, would the Government inform this Committee of the following:

1. How will IOMed operate? What are the specific mediation procedures and standards?
2. What is the role of Hong Kong in the establishment of IOMed? How to attract other countries' participation to make Hong Kong the capital for international mediation?
3. How will the Government provide funding and resources to support the operation of IOMed? Are there any planned estimates? Will the funding allocation for other public services be affected in the long run?

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 27)

Reply:

1 - 3

The International Organization for Mediation (IOMed) will be the world's first international inter-governmental legal organisation dedicated to resolving international disputes through mediation, aiming to realise win-win co-operation between disputing parties. Serving as an important mechanism for the implementation of international disputes settlement by peaceful means as stipulated in the Charter of the United Nations, IOMed offers a new option for the peaceful resolution of international disputes. It will be the first and only international inter-governmental organisation specialising in resolving international disputes by way of mediation, on par with the International Court of Justice of the United Nations and the Permanent Court of Arbitration in The Hague, which specialise in other means of dispute resolution. Therefore, the establishment of the IOMed headquarters in Hong Kong will significantly raise the international profile of Hong Kong as the centre for mediation in the

world, attracting dispute parties, mediators, lawyers and other professionals to Hong Kong for the purpose of mediation.

The establishment of the IOMed Preparatory Office in Hong Kong, the conclusion of negotiations on the Convention on the Establishment of IOMed (IOMed Convention) and the facilitation of consensus among different parties on situating the future IOMed headquarters in Hong Kong are all important initiatives of the Central People's Government, showcasing its staunch support for developing the Hong Kong Special Administrative Region (HKSAR) into a centre for international legal and dispute resolution services in the Asia-Pacific region under the National 14th Five-Year Plan. Upon its establishment, IOMed will provide amicable, flexible, economical and efficient mediation services for international disputes, thereby affirming Hong Kong's position as the centre for international mediation.

According to the current plan, IOMed will be officially established with its headquarters to be formally set up in the HKSAR following the adoption, signing and entry into force of the IOMed Convention. Same as other international inter-governmental organisations, IOMed, once established, will make its own arrangements and decisions for its Secretariat and future operation.

At this stage, the Department of Justice (DoJ) will continue to work closely with the Ministry of Foreign Affairs to fully facilitate the preparatory work of IOMed under the guidance and support of the Central People's Government, so as to ensure a smooth execution of the relevant arrangements, including the secondment of Government Counsel of the DoJ to the IOMed Preparatory Office to provide support. Even when no secondment arrangement is in place upon the establishment of the IOMed Secretariat, the DoJ will also continue to proactively assist in the work of IOMed.

To address the increase in workload for supporting IOMed and the related work, the Finance Committee of the Legislative Council approved in its meeting on 26 April 2024 the creation of 1 permanent post of Deputy Principal Government Counsel in the DoJ's International Law Division with an annual salary cost of \$2,480,040. The DoJ also created 2 permanent Senior Government Counsel posts and 1 permanent Personal Secretary I post to strengthen support at non-directorate level. The annual salary cost of the non-directorate posts is \$3,801,720. Meanwhile, the DoJ has been working closely with other relevant bureaux and departments to take forward the renovation works pertaining to the conversion of the Old Wan Chai Police Station into the IOMed headquarters with a substantial completion expected by mid-2025. The estimated recurrent expenditure incurred by this project is \$28.96 million each year.

- End -

CONTROLLING OFFICER'S REPLY

SJ030

(Question Serial No. 0445)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (1) Prosecutions

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

It is stated in the Matters Requiring Special Attention in 2025-26 that the Department of Justice (DoJ) will enhance the public's understanding of the criminal justice system and their role in the system. In this connection, please inform this Committee of the following:

(1) To this end, how many related activities will be organised this year? What are the details and the estimated manpower and expenditure of such activities?

(2) With reference to DoJ's previous reply on this subject in the Examination of Estimates of Expenditure 2023-24, it is noted that the DoJ only organised visits to secondary schools and the "Prosecution Week" in its bid to enhance the public's understanding of the criminal justice system. Has the DoJ gauged public views on the activities and assessed the effectiveness of such work done in the past? What are the details of the work and the estimated expenditure and manpower for stepping up the publicity or educational activities in this year?

Asked by: Hon LIAO Cheung-kong, Martin (LegCo internal reference no.: 1)

Reply:

(1) The Department of Justice (DoJ) has been striving to foster rule of law education, including promoting knowledge of the criminal justice system among the public and instilling in them a respect for the rule of law and a law-abiding spirit in their everyday lives, safeguarding the core value of the rule of law in co-operation with different sectors of the community. Among its efforts to enhance the public's understanding of the criminal justice system in recent years, the DoJ produced animated short videos, "Studio DoJ", to explain fundamental principles of criminal law to the public in an easy-to-understand manner. In addition, prosecutors of the DoJ also took part in the television drama released by the Independent Commission Against Corruption, "ICAC Investigators 2024", making an appearance to discuss criminal law.

The DoJ officially launched the ROLE Stars Train-the-Leaders Programme (TTL Programme) in November 2023. Focusing on the concept of the rule of law, the TTL

Programme discusses in a lucid manner topics related to Hong Kong's rule of law and legal system under the principle of "one country, two systems", including basic knowledge of the general procedures in criminal trials. The TTL Programme seeks to enhance the rule of law education on all fronts, and promote consistent and correct messages on the rule of law in the community. Meanwhile, the course content attaches equal importance to the practice of the rule of law through visiting different law enforcement agencies and conducting mock court activities (with adaptations of simple criminal cases as exercises), seeking to further deepen the trainees' understanding of the legal system and the implementation of procedures in real life, so as to facilitate them in disseminating correct messages on the rule of law in the community.

2 phases of courses have been completed since the launch of the TTL Programme, with a total attendance of about 290 trainees from 21 organisations undertaking youth-related and community work and more than 100 secondary schools in Hong Kong.

The DoJ will draw reference from the experience of the 2 phases of the TTL Programme and proceed to roll out the third phase of the TTL Programme within this year with the assistance of the Steering Committee on Rule of Law Education and its working groups. It is expected that the existing courses will be continued to train more members from different sectors to enhance their fundamental knowledge of the concepts and practice of the rule of law. Preparation for new training activities is also planned for strengthening the trainees' understanding of the law in specific areas, such as common criminal offences and civil law closely related to our daily life, such that the course contents will better meet the actual needs of the trainees, and thus further enhance their capability and confidence in disseminating correct messages on the rule of law in the community.

The manpower and expenditure involved are absorbed by the existing resources of the DoJ.

- (2) The DoJ will review and assess the effectiveness of its activities from time to time to ensure that its targets are met. In general, previous activities for promoting public understanding of the criminal justice system have been widely participated in with satisfactory results. For instance, hundreds of students had attended the activities under the Prosecution Week in recent years, thus enhancing their understanding of Hong Kong's criminal justice system.

The DoJ has been obtaining feedback and views from trainees and other stakeholders after the activities held under the TTL Programme. Most of the respondents were very satisfied with the courses and most of the trainees indicated interest in attending the courses in the next phase. As mentioned above, the DoJ will, by drawing reference from the experience of the 2 phases of the TTL Programme and views of trainees and other stakeholders, improve the contents and teaching method of the courses in an ongoing manner, such as including more real-life examples and cases in the courses and incorporating more interactive elements.

The manpower and expenditure involved are absorbed by the existing resources of the DoJ.

- End -

CONTROLLING OFFICER'S REPLY

SJ031

(Question Serial No. 0475)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (2) Civil

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

Regarding the work matters of Programme (2) Civil, please inform this Committee of the following:

- (1) With reference to the analysis of financial and staffing provision in 2024-25, there was a net decrease of 8 posts in the Civil Division; and there will be a decrease of 1 post in 2025-26. What are the details of the relevant posts and the expenditure involved?
- (2) Under Matters Requiring Special Attention in 2025-26, the division will provide support in the implementation of the Pilot Scheme on Community Mediation. What are the details of the work as well as the estimated expenditure and manpower?

Asked by: Hon LIAO Cheung-kong, Martin (LegCo internal reference no.: 2)

Reply:

- (1) In 2025-26, 1 post rendering logistics support will be deleted under the Programme for Civil, involving an annual salary cost of around \$200,000.
- (2) The Department of Justice (DoJ), in collaboration with the Environment and Ecology Bureau (EEB) and the Food and Environmental Hygiene Department (FEHD), will launch a two-year Pilot Scheme on Community Mediation (Pilot Scheme). Through training of property management staff, the Pilot Scheme will help them gain a better understanding of mediation and its value in peaceful dispute resolution, and acquire mediation skillsets in resolving daily disputes, with a view to deepening the culture of community mediation and promoting the wider use of mediation in the community.

The DoJ is discussing the specific details of the Pilot Scheme with the EEB and the FEHD.

- End -

CONTROLLING OFFICER'S REPLY

SJ032

(Question Serial No. 0476)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (3) Constitutional and Policy Affairs

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

Under Matters Requiring Special Attention in 2025-26, the Department of Justice (DoJ) will further enhance the competitiveness of Hong Kong's legal regime and promote Hong Kong's diversified legal and dispute resolution services domestically and internationally to meet the needs of all walks of life (including the general public), and to integrate with the national development. In this connection, please inform this Committee of the following:

(1) Regarding the performance indicators, while the number of international and regional events (including meetings of international organisations, promotional and capacity building events relating to the rule of law and dispute resolution) organised increased from 23 in 2023 to an estimated (sic) 43 in 2024, the number of participants dropped from 53 639 to 42 468. In 2025-26, the estimated number of events organised is 40 and the estimated number of participants drops further to 32 625. What are the reasons for the estimations? What are the reasons for the continuous drop in the number of participants?

(2) Has the DoJ put in place any new measures or events in 2025-26 to promote Hong Kong's diversified legal and dispute resolution services, and to integrate with the national development? What are the manpower and estimates involved? If yes, what are the details? If not, what are the reasons?

Asked by: Hon LIAO Cheung-kong, Martin (LegCo internal reference no.: 3)

Reply:

(1) Due to the pandemic in the past years, a majority of events organised were held virtually or physically in small-scale settings, and the numbers of participants also included viewers through broadcast on television channels. After the pandemic, international and regional events held in 2024 gradually resumed in-person mode, which led to the decrease in the numbers of participants of the events. As international and regional events to be held in 2025 will generally resume in-person mode, the estimated numbers of participants of the events in 2025 have also been further adjusted accordingly.

- (2) The key measures and events of the Department of Justice (DoJ) in 2025-26 for promoting Hong Kong's diversified legal and dispute resolution services are as follows:

I. Events

- (i) The DoJ co-organises with the Vis East Moot Foundation Limited the Vis East International Commercial Arbitration Moot to foster research in international commercial arbitration and to nurture professionals in international commercial arbitration. The Vis East International Commercial Arbitration Moot of 2025 will be held from 30 March to 6 April 2025;
- (ii) The DoJ organises the biennial "Mediate First" Pledge Event with the aim of encouraging all sectors of the community to explore the use of mediation to resolve disputes before resorting to other means of dispute resolution or litigation. The next edition of the "Mediate First" Pledge Event will be held on 9 May 2025 to promote the "Mediate First" culture through talks and experience sharing sessions;
- (iii) The DoJ organises its annual flagship event, the Hong Kong Legal Week, to bring together legal and dispute resolution experts and academics from around the world to explore important topics including international legal co-operation, mediation, arbitration and rule of law education through a series of activities such as summits and seminars. The Hong Kong Mediation Lecture 2025 is planned to be held during the Hong Kong Legal Week 2025;
- (iv) The DoJ has been conducting with the Asian Academy of International Law the Investment Law & Investor-State Mediator Training in Hong Kong since 2018. The training does not only contribute to the capacity building of dispute resolution talents in Hong Kong and overseas, but also further capitalises on Hong Kong's bilingual common law system and international status, consolidating Hong Kong's strategic position as an international legal and dispute resolution services centre in the Asia-Pacific region under the National 14th Five-Year Plan. The next edition of the training is tentatively planned to be held in 2025-26;
- (v) The DoJ has been co-organising with the Hong Kong Trade Development Council (HKTDC) a thematic breakout session on dispute resolution at the Belt and Road (B&R) Summit to promote to participants from around the globe the strengths of and opportunities for Hong Kong in resolving B&R-related disputes. A related thematic breakout session is planned to be co-organised again with the HKTDC in 2025;
- (vi) The DoJ has been co-organising with the HKTDC a thematic breakout session on dispute resolution at the Business of Intellectual Property Asia Forum, inviting world-renowned experts to explore the latest developments and dispute resolution-related issues concerning intellectual property, and promote the strengths of Hong Kong in resolving intellectual property disputes in the international arena and the Guangdong-Hong Kong-Macao Greater Bay Area (GBA). A related thematic breakout session is planned to be co-organised again with the HKTDC in 2025;

(vii) In regard to the Mainland, the DoJ will co-organise with the Shanghai Commercial Mediation Center the “7th Shanghai-Hong Kong Commercial Mediation Seminar” in the second half of 2025;

(viii) As Xi’an is a key node city of the B&R Initiative, the DoJ plans to organise the 7th Hong Kong Legal Services Forum there in May this year to introduce and promote Hong Kong’s international legal and dispute resolution services to the legal sector and enterprises in Shaanxi and neighbouring regions; and

(ix) The DoJ will continue to lead relevant legal and dispute resolution talents to tour various places so as to strengthen exchanges between the Hong Kong legal profession and their counterparts, deepen co-operation and create high-level development to jointly tell the world the true and good stories of Hong Kong, and showcase our strengths in legal and dispute resolution services.

II. Measures

In 2025-26, the DoJ will also put in place a host of measures to promote Hong Kong’s diversified legal and dispute resolution services, showcasing our strengths as an international legal and dispute resolution services centre and the centre for mediation in a bid to integrate with national development.

(i) Deepening mediation culture

With the policy on the incorporation of mediation clauses in government contracts taking effect from 6 February 2025, the DoJ promulgated The Government of the Hong Kong Special Administrative Region Mediation Rules (2025 Edition) on the same day to encourage the private sector to adopt similar mediation clauses. To complement the implementation of the policy, the DoJ had co-organised with the Civil Service College the first session of mediation training for civil servants on 22 January 2025.

The Working Group on Mediation Regulatory System (Working Group) was established in October 2024 to advise the DoJ on the mediation regulatory regime in Hong Kong. Having taken into account the advice of the Working Group, the DoJ has completed the review of the regulatory system on the accreditation and disciplinary matters of the mediation profession in Hong Kong, and will propose measures to strengthen the system within 2025. Preparations for consultation with the profession are now underway.

Furthermore, the DoJ will launch a two-year Pilot Scheme on Community Mediation (Pilot Scheme) in collaboration with the Environment and Ecology Bureau (EEB) and the Food and Environmental Hygiene Department (FEHD). Through training of property management staff, the Pilot Scheme will help them gain a better understanding of mediation and its value in peaceful dispute resolution, and acquire mediation skillsets in resolving daily disputes, with a view to deepening the culture of community mediation and promoting the wider use of mediation in the community. The DoJ is discussing the specific details of the Pilot Scheme with the EEB and the FEHD.

(ii) The Sports Dispute Resolution Pilot Scheme

The DoJ established the Advisory Committee on Sports Dispute Resolution in January 2025 and plans to officially launch a Sports Dispute Resolution Pilot Scheme within 2025 to promote the wider use of sports dispute resolution in Hong Kong and leverage our institutional advantages in dispute resolution. It will also be conducive to consolidating the city's status as an international legal and dispute resolution services centre.

(iii) Strengthening collaboration in legal and dispute resolution among Guangdong, Hong Kong and Macao

At the 6th GBA Legal Departments Joint Conference on 18 November 2024, the DoJ and the legal departments of Guangdong and Macao endorsed the Working Guidelines on the Panel of GBA Arbitrators and are seeking to announce the first batch of GBA arbitrators within 2025.

As regards the manpower and estimates involved, the DoJ established in October 2022 the Legal Enhancement and Development Office under the Secretary for Justice (SJ)'s Office under the direct steer of the SJ to render high-level strategic support to the SJ and Deputy SJ, including assisting in the further formulation and co-ordination of the work on promoting Hong Kong as an ideal regional and international hub for deal-making and dispute resolution, as well as a leading centre for international legal services and capacity building in this region and beyond. Officers of different divisions of the DoJ will be involved in the work on promoting Hong Kong's diversified legal and dispute resolution services. As the implementation of the aforesaid activities and measures is undertaken by these officers among their other duties, the manpower and expenditure involved cannot be separately identified.

- End -

CONTROLLING OFFICER'S REPLY

SJ033

(Question Serial No. 0478)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (3) Constitutional and Policy Affairs

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

It is stated in the Matters Requiring Special Attention in 2025-26 that the Department of Justice (DoJ) will support the Secretary for Justice as Chairman of the Law Reform Commission (LRC) to lead the project of “Systematic Review of the Statutory Laws of Hong Kong”. In this connection, please inform this Committee of the following:

The Law Society of Hong Kong pointed out in its Position Paper on the Impact of Artificial Intelligence on the Legal Profession issued last year that in legal research use cases, artificial intelligence (AI) tools were used to analyse a large number of case laws, statutes, regulations, treaties and other materials. Will the DoJ support the LRC to use the functions of consolidation, management and analysis of AI as supplementary tool to expedite the review of provisions? If yes, what are the details and cost estimates? If not, what are the reasons?

Asked by: Hon LIAO Cheung-kong, Martin (LegCo internal reference no.: 4)

Reply:

Artificial intelligence (AI) is a tool with huge potential. The proper use of it can help legal professionals conduct legal research more effectively, enhance the efficiency and accuracy of their work. Over the past few years, remarkable progress has been achieved in the application of AI technologies in the legal field. The Department of Justice (DoJ) has been actively encouraging the legal and dispute resolution sectors to make good use of AI and various types of LawTech for enhancing efficiency and competitiveness. It also adopts an open and positive attitude regarding the proper use of AI in the department.

The Hong Kong Generative AI Research and Development Center is established with the funding support from the InnoHK Research Clusters under the Hong Kong Special Administrative Region Government. It is currently developing a local large language model (LLM) and a generative AI document processing copilot application based on that LLM. The Digital Policy Office has invited government officers of different grades from various bureaux and departments to participate in the pilot programme. The DoJ, including the Law Reform Commission (LRC) Secretariat, will join the programme with a view to gradually applying AI technologies in the department's work.

Since the LRC Secretariat spearheaded the systematic review of statutory laws of Hong Kong in February 2022, it has all along been assisting responsible bureaux in taking forward such work with the aid of technology as far as practicable. The LRC Secretariat welcomes and maintains an open attitude on the use of AI to support the work on the “Systematic Review of the Statutory Laws of Hong Kong”. It will keep exploring the possibility of using suitable AI systems in its work, and actively participate in and offer feedback on the pilot use in applying such technologies. At the same time, due prudence will be exercised on the premise that the use of AI complies with the requirements on accuracy, information security and other aspects and is in line with the policy on the use of such technologies.

The expenditure on using AI in the DoJ will be absorbed by its existing resources. As the technologies may also be used by different divisions of the department, the expenditure of the LRC Secretariat on this aspect is unable to be separately calculated.

- End -

CONTROLLING OFFICER'S REPLY

SJ034

(Question Serial No. 0051)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

It is mentioned in paragraph 168 of the Budget Speech that the Department of Justice collaborated with the relevant Mainland authorities and achieved the extension of the measure of “allowing Hong Kong-invested enterprises to adopt Hong Kong law” and the measure of “allowing Hong Kong-invested enterprises to choose Hong Kong as the seat of arbitration” to other pilot cities in the Greater Bay Area (GBA). In this connection, would the Government inform this Committee of the following:

On 14 February this year, the Supreme People's Court and the Ministry of Justice in the Mainland jointly announced an array of initiatives, including extending the coverage of the measure of “allowing Hong Kong-invested enterprises to adopt Hong Kong law” to Hong Kong enterprises in Shenzhen and Zhuhai, and the measure of “allowing Hong Kong-invested enterprises to choose Hong Kong as the seat of arbitration” to the 9 GBA cities in the Mainland. In view of the considerable number of Hong Kong enterprises in cities beyond the GBA, does the Government have any plans to discuss with the Mainland authorities the extension of the above arrangements to cities beyond the GBA? If yes, what are the details? If not, what are the reasons?

Asked by: Hon LO Wai-kwok (LegCo internal reference no.: 13)

Reply:

The Department of Justice (DoJ) is most grateful to the relevant Mainland authorities (including the Supreme People's Court and the Ministry of Justice) as well as the legal and business communities for their immense support. The 2 measures of “allowing Hong Kong-invested enterprises to adopt Hong Kong law” and “allowing Hong Kong-invested enterprises to choose Hong Kong as the seat of arbitration” have been included in the “Second Agreement Concerning Amendment to the Mainland and Hong Kong Closer Economic Partnership Arrangement Agreement on Trade in Services” signed by the Ministry of Commerce of the People's Republic of China and the Government of the Hong Kong Special Administrative Region in October 2024 as liberalisation measures for facilitating trade in services. Upon their implementation on 14 February 2025, the measures provide Hong Kong-invested enterprises registered in Shenzhen and Zhuhai with greater freedom to choose

Hong Kong law as the applicable law of their contracts by stipulating relevant provisions in their contracts, and allowing Hong Kong-invested enterprises registered in the 9 cities in the Greater Bay Area (GBA) to choose Hong Kong as the seat of arbitration.

The GBA is one of the most open and economically vibrant regions in the country, and the Mainland cities of the GBA have also been home to one of the regions with the highest number of Hong Kong-invested enterprises in the Mainland. As of the end of 2023, there are over 32 000 Hong Kong-invested enterprises established in Guangzhou, and the numbers of Hong Kong-invested enterprises are over 88 000 in Shenzhen, over 11 000 in Zhuhai and Huizhou each, and over 8 000 in Dongguan.

The DoJ will closely monitor the implementation of the extended measures and continue to maintain close communication with the sectors and the Mainland authorities, to timely consolidate practical experience and explore further extension (such as to include other Mainland cities of the GBA and cities beyond the GBA) of the 2 measures of “allowing Hong Kong-invested enterprises to adopt Hong Kong law” and “allowing Hong Kong-invested enterprises to choose Hong Kong as the seat of arbitration” in due course, so as to promote integration of cross-boundary legal regulatory frameworks between the 2 places, to foster continuous improvement of the business environment in the country, and to support the local sectors in consolidating and expanding their businesses, in a bid to make fuller use of Hong Kong’s connectivity with both the Mainland and the world, through its common law system and its unique edges against the backdrop of “one country, two systems, three jurisdictions”.

- End -

CONTROLLING OFFICER'S REPLY

SJ035

(Question Serial No. 3160)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (1) Prosecutions

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

The provision for 2025-26 under this Programme is \$1,058.8 million, which is considerably higher than the revised provision for 2024-25 by 28.1%. According to the Controlling Officer's explanation, the change is mainly due to the anticipated increase in court costs, general departmental expenses, other charges and filling of vacancies. In this connection, will the Government inform this Committee of the details of the justification for the increase in provision for 2025-26?

Asked by: Hon LOONG Hon-biu, Louis (LegCo internal reference no.: 40)

Reply:

The estimate for Programme (1) for 2025-26 represents an increase of around 28.1% (about \$232 million) over the revised estimate for 2024-25. This is mainly because the estimate for court costs and for briefing-out expenditure in relation to criminal cases for 2025-26 increase by about \$143 million and \$40 million respectively, accounting for approximately 80% of the increase.

The overall estimated increase in court costs and briefing-out expenditure for 2025-26 is mainly due to the need to earmark provisions for the briefing-out expenditure and court costs of impending/possible new cases and the various cases handled in 2024-25. While the estimate was made based on the information available at the time of preparation, the actual expenditure to be incurred in 2025-26 will ultimately depend on the number of such cases, their complexity, development and outcome and the amount of unanticipated expenditure (arising from unforeseen cases which could not be predicted when the estimate was prepared and are not entirely within the control of the Department of Justice).

- End -

CONTROLLING OFFICER'S REPLY

SJ036

(Question Serial No. 0242)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (3) Constitutional and Policy Affairs

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

The Department of Justice has been actively supporting the deepening of professional exchanges and collaboration between the legal sectors in Hong Kong and the Mainland, including organising the Hong Kong Legal Services Forum in the Mainland on a biennial basis and promoting Hong Kong's legal and dispute resolution services in the Guangdong-Hong Kong-Macao Greater Bay Area. Regarding the promotion of the Hong Kong International Organization for Mediation (IOMed) to Mainland cities, what are the estimated expenditure and staffing involved for this year? What new measures are in place for promoting the IOMed in Mainland cities to enhance the understanding of Hong Kong's mediation culture?

Asked by: Hon NG Wing-ka, Jimmy (LegCo internal reference no.: 102)

Reply:

The International Organization for Mediation (IOMed) will be the world's first international inter-governmental legal organisation dedicated to resolving international disputes through mediation, aiming to realise win-win co-operation between disputing parties. Serving as an important mechanism for the implementation of international disputes settlement by peaceful means as stipulated in the Charter of the United Nations, IOMed offers a new option for the peaceful resolution of international disputes. It will be the first and only international inter-governmental organisation specialising in resolving international disputes by way of mediation, on par with the International Court of Justice of the United Nations and the Permanent Court of Arbitration in The Hague, which specialise in other means of dispute resolution. Therefore, the establishment of the IOMed headquarters in Hong Kong will significantly raise the international profile of Hong Kong as the centre for mediation in the world, attracting dispute parties, mediators, lawyers and other professionals to Hong Kong for the purpose of mediation.

The establishment of the IOMed Preparatory Office in Hong Kong, the conclusion of negotiations on the Convention on the Establishment of IOMed (IOMed Convention) and the facilitation of consensus among different parties on situating the future IOMed headquarters in Hong Kong are all important initiatives of the Central People's Government, showcasing

its staunch support for developing the Hong Kong Special Administrative Region (HKSAR) into a centre for international legal and dispute resolution services in the Asia-Pacific region under the National 14th Five-Year Plan. Upon its establishment, IOMed will provide amicable, flexible, economical and efficient mediation services for international disputes, thereby affirming Hong Kong's position as the centre for international mediation.

According to the current plan, IOMed will be officially established with its headquarters to be formally set up in the HKSAR following the adoption, signing and entry into force of the IOMed Convention. Same as other international inter-governmental organisations, IOMed, once established, will make its own arrangements and decisions for its Secretariat and future operation.

At this stage, the Department of Justice (DoJ) will continue to work closely with the Ministry of Foreign Affairs to fully facilitate the preparatory work of IOMed under the guidance and support of the Central People's Government, so as to ensure a smooth execution of the relevant arrangements, including the secondment of Government Counsel of the DoJ to the IOMed Preparatory Office to provide support. Even when no secondment arrangement is in place upon the establishment of the IOMed Secretariat, the DoJ will also continue to proactively assist in the work of IOMed.

To address the increase in workload for supporting IOMed and the related work, the Finance Committee of the Legislative Council approved in its meeting on 26 April 2024 the creation of 1 permanent post of Deputy Principal Government Counsel in the DoJ's International Law Division with an annual salary cost of \$2,480,040. The DoJ also created 2 permanent Senior Government Counsel posts and 1 permanent Personal Secretary I post to strengthen support at non-directorate level. The annual salary cost of the non-directorate posts is \$3,801,720.

As its endeavours to publicise Hong Kong's international legal and dispute resolution services, the DoJ has organised the Hong Kong Legal Services Forum (the Forum) on a biennial basis since 2010 to promote Hong Kong's international legal and dispute resolution services to enterprises and other service users in the Mainland. The 6th Forum was held in Chengdu in August 2023 with the theme of "Sichuan, Chongqing and Hong Kong Join Hands for a Brighter Future", attracting more than 1 200 local legal practitioners and trade representatives. As Xi'an is a key node city of the Belt and Road Initiative, the DoJ plans to organise the 7th Forum there in May this year to introduce and promote Hong Kong's international legal and dispute resolution services to the legal sector and enterprises in Shaanxi and neighbouring regions. Same as the 6th Forum, the 7th Forum, in addition to exploring legal issues faced by businesses, will also feature mock mediation and arbitration sessions to showcase Hong Kong's mediation and arbitration practices.

On enhancing the understanding of Hong Kong's mediation culture among Mainland cities, the DoJ held various exchange activities to showcase the same, including organising with the Hong Kong Trade Development Council the promotional event of "Resolve2Win" in the Guangdong-Hong Kong-Macao Greater Bay Area (GBA) in August last year, and inviting mediation experts from Guangdong, Hong Kong and Macao to stage a mock mediation in the Hong Kong Legal Week 2024. The legal departments of the 3 places also released on 30 December 2024 a consolidated panel of GBA Mediators which effectively promoted the interface of regulatory frameworks on mediation among the 3 places and a wider use of mediation in the GBA, thus deepening the understanding and awareness of Hong Kong's

modes of mediation among Mainland cities. While continuing to follow up on the way forward of GBA mediators and conduct accreditation each year based on the relevant standards, the DoJ will also continue to promote exchanges and co-operation among the legal departments of the 3 places and organisations in the sector through different events.

- End -

CONTROLLING OFFICER'S REPLY

SJ037

(Question Serial No. 1615)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

Paragraph 166 of the Budget Speech mentions about legal co-operation in the Greater Bay Area. Since the introduction of the Guangdong-Hong Kong-Macao Greater Bay Area (GBA) Legal Professional Examination in 2020, how many eligible Hong Kong legal practitioners have enrolled in the examination? Besides, what is the passing rate of the examination since the implementation of the pilot measures? What is the number of Hong Kong legal practitioners who have obtained qualification to practise as GBA lawyers?

Asked by: Hon SO Cheung-wing (LegCo internal reference no.: 16)

Reply:

The Guangdong-Hong Kong-Macao Greater Bay Area (GBA) Legal Professional Examination was held 4 times from 2021 to 2024, with a total of more than 1 800 Hong Kong and Macao legal practitioners having sat for the examinations. As at the end of February 2025, over 540 Hong Kong and Macao legal practitioners have obtained the Lawyer's License (GBA).

- End -

CONTROLLING OFFICER'S REPLY

SJ038

(Question Serial No. 1616)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

Paragraph 166 of the Budget Speech mentions about legal co-operation with the Greater Bay Area (GBA). Following the introduction of Guangdong-Hong Kong-Macao Greater Bay Area Legal Professional Examination (GBA Examination) in 2020, the Standing Committee of the National People's Congress published the new Pilot Measures in September 2023, stipulating the requirements for obtaining a GBA lawyer's license and lowering the practice experience threshold for Hong Kong legal practitioners to enrol in the GBA Examination from 5 years to 3 years. On the other hand, practitioners who obtained their qualifications for legal practice overseas from a non-common law jurisdiction are currently required to have at least 5 years of practice experience before they are allowed to sit the Overseas Lawyers Qualification Examination in Hong Kong. In view of this, would consideration be given to drawing reference from the revised threshold of GBA Examination and lowering the practice experience threshold for legal practitioners from a non-common law jurisdiction from 5 years to 3 years?

Asked by: Hon SO Cheung-wing (LegCo internal reference no.: 17)

Reply:

Currently, unless the Law Society of Hong Kong otherwise determines, an applicant whose jurisdiction of admission is a non-common law jurisdiction is eligible to sit the Overseas Lawyers Qualification Examination¹ provided that he/she has had not less than 5 years of experience in the practice of the law of any non-common law jurisdiction.

¹ Section 5(1) of the Overseas Lawyers (Qualification for Admission) Rules (Cap. 159Q)

Besides, lawyers with an academic background in foreign (including Mainland) laws and the qualifications for legal practice in a non-common law jurisdiction may also apply for registration as foreign (including Mainland) lawyers² to advise on matters relating to foreign (including Mainland) laws in Hong Kong.

We consider that ample room for development has been provided for these lawyers under the current regulatory framework. As the Hong Kong legal sector adopts a self-regulatory regime, the 2 legal professional bodies, namely the Law Society of Hong Kong and the Hong Kong Bar Association, must be engaged in the discussion on whether and how to provide greater facilitation for these lawyers. Any amendments to existing ordinances, such as the Overseas Lawyers (Qualification for Admission) Rules (Cap. 159Q), must be examined carefully. We will continue to monitor the latest development of the legal market and maintain close communication with various stakeholders, while listening to the views of different parties and relaying the same to the 2 legal professional bodies in a timely manner.

² According to section 2(1) of the Legal Practitioners Ordinance (Cap. 159), “*foreign lawyer (外地律師)* means a person registered as a foreign lawyer under Part IIIA”. Section 39A(1) of Part IIIA of Cap. 159 provides that the Law Society of Hong Kong may register as a foreign lawyer a person who, not being a solicitor who holds a practising certificate or a barrister who holds a practising certificate, is qualified to practise foreign law. The definition of “*foreign lawyer (外地律師)*” in Cap. 159 therefore covers Mainland lawyers practising Mainland law in Hong Kong.

CONTROLLING OFFICER'S REPLY

SJ039

(Question Serial No. 2644)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (3) Constitutional and Policy Affairs

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

What was the breakdown of the expenditure on judicial review proceedings lodged and handled by the Department of Justice on the issues related to sexual minorities in the past 10 years?

Asked by: Hon TIK Chi-yuen (LegCo internal reference no.: 24)

Reply:

Over the past 5 years (Note 1), the Department of Justice has handled 9 judicial review applications involving sexual minorities related issues (including related appeal proceedings). To date, the relevant total expenditure amounts to around \$16 million. As some of these legal proceedings are ongoing, the related legal costs are yet to be assessed and taxed, and further expenditure may be incurred.

Note 1: To ensure timely and appropriate response to the question, we only provide the relevant information for the past 5 years.

- End -

CONTROLLING OFFICER'S REPLY

SJ040

(Question Serial No. 0115)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (1) Prosecutions

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

1. Since the enactment and implementation of the Hong Kong National Security Law and the Safeguarding National Security Ordinance, how many people have been arrested by the Hong Kong Police Force for involving in the offences of endangering national security? What are the number of successful prosecutions and penalties? What are the relevant court costs involved?

Asked by: Hon WONG Ying-ho, Kennedy (LegCo internal reference no.: 27)

Reply:

As at 1 March 2025, a total of 320 persons were arrested for allegedly engaging in acts and activities endangering national security under all the relevant laws since the enactment of the Hong Kong National Security Law. In these cases, prosecutions were instituted against 186 persons and 5 companies, of which 161 persons and 1 company were convicted, among which some were already sentenced and some awaiting sentencing.

As for the other required information, we do not maintain the relevant figures.

- End -

CONTROLLING OFFICER'S REPLY

SJ041

(Question Serial No. 0119)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (3) Constitutional and Policy Affairs

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

The numbers of international and regional events (including meetings of international organisations, promotional and capacity building events relating to the rule of law and dispute resolution) organised last year and to be organised this year by the Department of Justice (DoJ) nearly double that of the year before last, but the numbers of participants have decreased year on year from over 50 000 to an estimate of some 30 000 this year. What are the reasons and the expenditures on the organisation of these events by the DoJ in the past 5 years?

Asked by: Hon WONG Ying-ho, Kennedy (LegCo internal reference no.: 31)

Reply:

Due to the pandemic in the past years, a majority of events organised were held virtually or physically in small-scale settings, and the numbers of participants also included viewers through broadcast on television channels. After the pandemic, international and regional events held in 2024 gradually resumed in-person mode, which led to the decrease in the numbers of participants of the events. As international and regional events to be held in 2025 will generally resume in-person mode, the estimated numbers of participants of the events in 2025 have also been further adjusted accordingly.

The Department of Justice (DoJ) established in October 2022 the Legal Enhancement and Development Office under the Secretary for Justice (SJ)'s Office under the direct steer of the SJ to render high-level strategic support to the SJ and Deputy SJ, including assisting in the further formulation and co-ordination of the work on promoting Hong Kong as an ideal regional and international hub for deal-making and dispute resolution, as well as a leading centre for international legal services and capacity building in this region and beyond. Other units of the DoJ will also assist in organising international and regional events as and when required. The overall expenditure cannot be separately identified and will be absorbed by the existing resources of the DoJ.

- End -

CONTROLLING OFFICER'S REPLY

SJ042

(Question Serial No. 0120)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (3) Constitutional and Policy Affairs

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

1. How many promotional activities the Secretary for Justice (SJ) and Deputy SJ have attended to promote the strengths of Hong Kong's legal system and services in the Mainland or overseas in each of the past 3 years? Where were these activities held and what was the expenditure on each such attendance?
2. What activities did the SJ and Deputy SJ attend in their duty visits in each of the past 3 years, and what was the expenditure involved?

Asked by: Hon WONG Ying-ho, Kennedy (LegCo internal reference no.: 32)

Reply:

The Department of Justice (DoJ) has been actively promoting Hong Kong's legal services in the Mainland and overseas through various channels, including duty visits. Please refer to the **Annex** for details of the duty visits made by the Secretary for Justice (SJ) and Deputy SJ during the tenure of the current-term Government.

As the itineraries of the duty visits might have covered or served multiple purposes, the actual expenses incurred for each activity cannot be separately identified.

Annex

Information on the duty visits made by the SJ and Deputy SJ in the past 3 years from 2022-23 to 2024-25 is as follows:

Date of visit	Place of visit	Purpose of visit	Total expenditure [#]
SJ			
2022-23 (starting from 1 July 2022)	Nil		
2023-24 (7 times)	Beijing, Guangzhou, Shenzhen, Chengdu, Macao and Vietnam	To lead delegations to have exchanges on strengthening the co-operation on legal and dispute resolution services between the Mainland and Hong Kong; to further understand the latest developments of the Mainland's legal system; to attend the 6th Joint Conference on Advancing Hong Kong's Full Participation in and Contribution to the Belt and Road Initiative (Belt and Road Joint Conference) and the 3rd Belt and Road Forum for International Cooperation, the 12th Mainland, Hong Kong and Macao legal seminar and the 13th China-ASEAN Prosecutors-General Conference and bilateral meetings with various ASEAN member states	About \$357,000
2024-25 (18 times up to 28 February 2025)	Shenzhen, Macao, Beijing, Guangzhou, Foshan, Zhuhai, Singapore, Brunei Darussalam, Vietnam, Malaysia, Saudi Arabia and the United Arab Emirates	To attend the Shenzhen Side Events of the International Council for Commercial Arbitration Congress 2024 Hong Kong, the opening ceremony of the "New Achievements, New Opportunities, New Actions: Symposium on the External Legal Affairs of the Macao SAR Commemorating the 25th Anniversary of Macao's Return to the Motherland", the Belt and Road Joint Conference, the opening ceremony of the Practical Legal Training for Guangdong-Hong Kong-Macao Greater Bay Area (GBA) Lawyers, the inaugural Forum of Chief Legal Advisors organised by the Attorney-General's	About \$694,000

Date of visit	Place of visit	Purpose of visit	Total expenditure [#]
		Chambers of Singapore and visits to local public policy and dispute resolution-related institutions, the opening ceremony of the 4th GBA Enterprise Legal Services Forum, the Chinese-speaking Lawyers' Convention 2024, the 14th China-ASEAN Prosecutors-General Conference and bilateral meetings with ASEAN member states, and the opening ceremony of the Hong Kong International Arbitration Centre Beijing Representative Office; to visit the Macao Special Administrative Region; to attend the China Conference: Southeast Asia to promote Hong Kong's role as a super connector empowered by its unique advantages under "one country, two systems" in the provision of top-quality legal services; to lead delegations to promote Hong Kong's legal and dispute resolution services and strengthen the exchanges and co-operation between Hong Kong and other places; and to attend other activities for promoting Hong Kong's legal and dispute resolution services such as conferences, forums and seminars	
Deputy SJ			
2022-23 (3 times starting from 1 July 2022)	The Middle East, Europe and Thailand	To attend meetings with the 3 prominent organisations of private international law (namely the International Institute for the Unification of Private Law, the Hague Conference on Private International Law and the United Nations (UN) Commission on International Trade Law) and to meet with other relevant international institutions/organisations (e.g. UN International Court of Justice and the Permanent Court of Arbitration); to attend a large-scale outreach	About \$747,000

Date of visit	Place of visit	Purpose of visit	Total expenditure [#]
		<p>promotional event entitled “Resolve2Win - Legal Services of Hong Kong, Opportunities for All” and to hold the signing ceremony of the “Mediate First” Pledge; to enhance connections between Hong Kong and the Middle East in various areas such as trade, investment and culture with a view to realising vast business opportunities for Hong Kong and telling the good stories of Hong Kong by promoting the city on all fronts; to further strengthen the ties and collaboration with the legal sector in Thailand; and to promote and consolidate Hong Kong’s leading position as a centre for international legal and dispute resolution services in the Asia-Pacific region</p>	
<p>2023-24 (10 times)</p>	<p>Guangdong, Huizhou, Hainan, Shenzhen, Changsha, Foshan, Macao, Xinjiang, Saudi Arabia and Switzerland</p>	<p>To further implement and take forward the work of the working group on Guangdong-Hong Kong co-operation on legal and dispute resolution services and the working group on Hong Kong-Shenzhen legal co-operation; to renew the Co-operative Arrangement on Legal Matters between Shenzhen Municipal People’s Government and the Department of Justice of the Hong Kong Special Administrative Region Government and to strengthen the rule of law construction in the GBA; to lead a delegation comprising young lawyers and law students in visits to deepen their understanding of the latest developments of the Mainland’s legal system and the role of Hong Kong’s legal services in assisting enterprises to contribute to the high-quality national development, and to demonstrate the DoJ’s commitment to connecting with young lawyers; to attend the 2023 GBA Legal Forum</p>	<p>About \$964,000</p>

Date of visit	Place of visit	Purpose of visit	Total expenditure [#]
		(Shenzhen); to attend the 2nd Conference of Global Economic Development and Security Forum of the Boao Forum for Asia; to attend the 5th GBA Legal Departments Joint Conference; to attend a forum on China-Uzbekistan co-operation; to attend the inaugural Riyadh International Disputes Week; to attend the 55th regular session of the UN Human Rights Council; to help businesses seize the opportunities arising from the Belt and Road Initiative; and to attend other activities for promoting Hong Kong's legal and dispute resolution services such as conferences, forums and seminars	
2024-25 (11 times up to 28 February 2025)	Dongguan, Beijing, Xinjiang, Huizhou, Shenzhen, Guangzhou, Hengqin, Zhongshan and Macao	To attend the 3rd Seminar on Promotion of Legal Practice of GBA Lawyers and Experience Sharing Session; to attend the 8th China-Eurasia Expo; to attend the 1st high-level joint meeting under the standing interfacing platform on judicial and legal co-operation in the GBA; to attend a GBA study tour themed "Deepening Legal Cooperation, Youth Shaping Tomorrow" under the rule of law youth education programme "Teen Talk"; to attend the 24th Plenary of Hong Kong/Guangdong Co-operation Joint Conference; to attend the Launch Ceremony of "One Centre & Two Bases" (namely the foreign-related legal talent training centre in Zhuhai, and the international commercial mediation talent training base and the international dispute resolution and risk management talent training base in Hengqin) & Hengqin International Dispute Resolution and Risk Management Talent Training Base's 1st Training Session for Recognized Professional Commercial Mediators;	About \$147,000

Date of visit	Place of visit	Purpose of visit	Total expenditure [#]
		to attend the 6th GBA Legal Departments Joint Conference; to attend the 9th “one country, two systems” and Basic Law seminar organised by the Bauhinia Magazine; and to, with GBA Legal Departments, actively promote the flow of legal talents among the 3 places, take forward the interface of regulatory frameworks and establish a diversified dispute resolution mechanism in the GBA with a view to providing legal support for the development of a world-class Bay Area and promoting the construction of the rule of law in the GBA, thereby contributing to the country’s high-quality development	

Subject to the actual itinerary of each visit, the total expenditure might have included charges for accommodation and passage, subsistence allowance for duty outside Hong Kong and sundry expenses of the SJ, Deputy SJ and entourage from their offices (if any).

- End -

CONTROLLING OFFICER'S REPLY

SJ043

(Question Serial No. 0121)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (3) Constitutional and Policy Affairs

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

1. It is expected that the renovation works for the Headquarters of the International Organization for Mediation will be substantially completed by mid-2025. What is the current progress of the works? What are the establishment required and the expenditure on management involved?
2. The Department of Justice (DoJ) will explore further opportunities for Hong Kong legal and dispute resolution professionals to provide services in the Mainland. What are the details of the work involved? On the other hand, from the international perspective, does the Government have any plans to further attract and nurture international mediation talents? How will the Government promote Hong Kong's legal and dispute resolution services to the Middle East and ASEAN member states?
3. What is the current number of legal talents in Hong Kong with qualifications in international mediation? What are the DoJ's future work on related training and the estimated expenditure involved?

Asked by: Hon WONG Ying-ho, Kennedy (LegCo internal reference no.: 33)

Reply:

1.
The Hong Kong Special Administrative Region (HKSAR) Government has been actively forging ahead with the establishment of the headquarters of the International Organization for Mediation (IOMed) in the HKSAR. The Department of Justice (DoJ) has been working closely with other relevant bureaux and departments to take forward the renovation works pertaining to the conversion of the Old Wan Chai Police Station into the IOMed headquarters with a substantial completion expected by mid-2025, so as to deliver the headquarters to the IOMed Preparatory Office for preparation of the opening by the end of this year/early next year at the earliest. IOMed is an international inter-governmental organisation which will operate independently upon its establishment in Hong Kong. The DoJ will support the work of IOMed as needs require.

To address the increase in workload for supporting IOMed and the related work, the Finance Committee of the Legislative Council approved in its meeting on 26 April 2024 the creation of 1 permanent post of Deputy Principal Government Counsel in the DoJ's International Law Division with an annual salary cost of \$2,480,040. Besides, the DoJ also created 2 permanent Senior Government Counsel posts and 1 permanent Personal Secretary I post to strengthen support at non-directorate level. The annual salary cost of the non-directorate posts is \$3,801,720.

2.

Hong Kong's position as an international legal and dispute resolution services centre in the Asia-Pacific region is established under the National 14th Five-Year Plan and the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area (GBA). In this connection, the DoJ is committed to reinforcing the competitiveness of Hong Kong's legal profession, and is actively exploring further opportunities for local legal and dispute resolution professionals to provide services in the Mainland. The major policy measures include:

(1) Facilitating the provision of legal and dispute resolution services in the Mainland by the Hong Kong legal sector and exploring further opportunities for the sector

The DoJ actively sought to provide Hong Kong legal practitioners with a more convenient route to obtain practice qualification in the Mainland through the Mainland and Hong Kong Closer Economic Partnership Agreement (CEPA) platform. The threshold for Hong Kong legal practitioners to practise in the Mainland was lowered under the Agreement Concerning Amendment to the CEPA Agreement on Trade in Services signed in November 2019.

The DoJ has also been following up on the liberalisation measures under CEPA which facilitate the Hong Kong legal sector to provide legal services in the Mainland, by maintaining contact with the sector and discussing with the Mainland authorities in a timely manner, so as to further deepen the liberalisation measures.

(a) The GBA Legal Professional Examination (GBA Examination) and the National Unified Legal Professional Qualification Examination

At present, Hong Kong legal practitioners, upon passing the GBA Examination and obtaining a Lawyer's License (GBA), are allowed to provide legal services in 9 Mainland cities in the GBA (i.e. Guangzhou, Shenzhen, Zhuhai, Foshan, Huizhou, Dongguan, Zhongshan, Jiangmen and Zhaoqing of Guangdong Province) on certain civil and commercial matters to which the Mainland laws apply. The GBA Examination has been successfully held 4 times. As at the end of February this year, over 540 Hong Kong and Macao legal practitioners have obtained the Lawyer's License (GBA).

Hong Kong legal practitioners may also be employed by Mainland law firms as legal consultants to handle legal matters for which they have been approved to practise in Hong Kong and overseas.

The DoJ will continue to actively support the pilot measures for the GBA Examination and GBA lawyers for the professional development of GBA lawyers.

In addition, eligible Hong Kong residents may obtain legal professional qualification in the Mainland by enrolling in the National Unified Legal Professional Qualification Examination.

(b) Partnership associations and representative offices in the Mainland

Since March 2019, the geographical scope for setting up partnership associations by Hong Kong and Mainland law firms has been expanded from Guangzhou, Shenzhen and Zhuhai to the entire Mainland. The revised trial measures in Guangdong Province were implemented in August 2019, which included removing the minimum capital injection ratio of 30% required of Hong Kong law firms, permitting legal practitioners from Hong Kong, Macao and Mainland to be employed in the name of the partnership associations, and allowing partnership associations to handle and undertake legal matters on administrative litigation. As at February this year, there were a total of 24 partnership associations involving Hong Kong law firms in the GBA, and we understand that there are also partnership associations in Shandong Province, Hainan Province, Hunan Province, Shaanxi Province, Sichuan Province and Jiangsu Province that involve Hong Kong law firms.

Apart from setting up partnership associations, Hong Kong law firms can also set up representative offices in the Mainland. According to the figures provided by the Law Society of Hong Kong (LSHK), there were a total of 62 representative offices set up by Hong Kong law firms in the Mainland as at late January this year.

(2) Promoting Hong Kong's legal and dispute resolution services

The DoJ has been actively promoting Hong Kong's legal and dispute resolution services in the Mainland, assisting the legal sector to explore further opportunities and facilitating their collaboration with stakeholders in the Mainland. As Xi'an is a key node city of the Belt and Road Initiative, the DoJ plans to organise the 7th Hong Kong Legal Services Forum there in May this year to introduce and promote Hong Kong's international legal and dispute resolution services to the legal sectors and enterprises in Shaanxi and its neighbouring areas.

Meanwhile, the DoJ has also been actively taking forward the extension of the measures of "allowing Hong Kong-invested enterprises to adopt Hong Kong law" and "allowing Hong Kong-invested enterprises to choose Hong Kong as the seat of arbitration" to other pilot cities in the GBA. The 2 measures have been included in the "Second Agreement Concerning Amendment to the Mainland and Hong Kong Closer Economic Partnership Arrangement Agreement on Trade in Services" signed by the Ministry of Commerce of the People's Republic of China and the Government of the Hong Kong Special Administrative Region in October 2024 as liberalisation measures for facilitating trade in services. Upon their implementation on 14 February 2025, the measures provide Hong Kong-invested enterprises registered in Shenzhen and Zhuhai with greater freedom to choose Hong Kong law as the applicable law of their contracts by stipulating relevant provisions in their contracts, and allowing Hong Kong-invested enterprises registered in the 9 Mainland cities in the GBA to choose Hong Kong as the seat of arbitration. The extension of the 2 measures will not only bring more opportunities to the legal and dispute resolution sectors to provide services for Hong Kong-invested enterprises, but will also promote a deeper and wider co-operation between the legal and dispute resolution professions of the 2 places, thereby enhancing Hong Kong's strategic position as the international legal and dispute resolution centre in the Asia-Pacific region under the National 14th Five-Year Plan. More importantly, through allowing

more options for enterprises, fuller use could be made of Hong Kong's unique strengths in its internationally aligned common law system and dispute resolution services, thereby facilitating the development of a market-oriented, international and predictable business environment underpinned by the rule of law in the GBA.

Besides, the 6th GBA Legal Departments Joint Conference held in Zhongshan on 18 November 2024 actively promoted the flow of legal talents among the 3 places and took forward the integration of regulatory frameworks and the establishment of a diversified dispute resolution mechanism in the GBA to provide legal support for the development of a world-class Bay Area. On 30 December 2024, the legal departments of the 3 places officially released the consolidated GBA Mediator Panel 2024 online which comprises a total of 146 mediators from Hong Kong, Guangdong and Macao. The establishment of the GBA Mediator Panel implements the measure in the Action Plan on the Construction of Rule of Law in the GBA released earlier by the DoJ. It will effectively promote the interface of mediation regulatory frameworks of the 3 places and a wider use of mediation in the GBA, thereby further enhancing the multifaceted dispute resolution mechanism in the GBA.

The 6th GBA Legal Departments Joint Conference also endorsed the Working Guidelines on the Panel of GBA Arbitrators and confirmed the working mechanism of setting up a panel of arbitrator. The legal departments of the 3 places will commence their respective selection procedures of local arbitrators, endeavouring to announce the first batch of GBA arbitrators within this year to bring in more quality arbitration talents to the legal services market of the GBA and create more opportunities for Hong Kong's arbitration sector.

To provide better support to the brand building and business development of Hong Kong lawyers in the GBA and to enhance legal information exchange, the DoJ will strive to take forward its work in setting up a dedicated platform for GBA lawyers and establishing a GBA legal information platform.

On mediation training, the DoJ held the GBA Mediator Training Courses of Hong Kong on 16 August 2024 to enhance Hong Kong mediators' understanding of the respective mediation systems, culture and practices of Guangdong and Macao and their skills and experience in handling cross-boundary disputes, interfacing and co-ordinating different dispute resolution services in the GBA.

At international level, the DoJ has spared no effort in further attracting international mediation talents and nurturing international mediation talents.

Specifically, the DoJ has collaborated with the Asian Academy of International Law to launch training courses in Hong Kong encompassing investment laws and mediation skills for international investment disputes since 2018. The past 3 training courses provided such training for a total of 133 participants from 49 jurisdictions. The latest round of training courses was held in 2024, attracting around 140 participants from over 20 jurisdictions. The DoJ has tentatively scheduled the next round of training courses to be held in 2025-26. The training courses not only contribute to the capacity building of dispute resolution talents in Hong Kong and overseas, but also further capitalise on Hong Kong's bilingual common law system and international status, consolidating Hong Kong's strategic position as an international legal and dispute resolution services centre in the Asia-Pacific region under the National 14th Five-Year Plan.

Moreover, the Government drew up the first Talent List Hong Kong in 2018, with a view to attracting quality people in a more effective and focused manner to support Hong Kong's development into a high value-added and diversified economy. The Talent List has been continuously optimised over the years. Mediators specialising in resolving international commercial, financial and investor-state disputes are included in the "dispute resolution professionals" segment on the current Talent List, with a view to attracting more such talents to Hong Kong.

In addition, the DoJ officially launched the Hong Kong International Legal Talents Training Academy (the Academy) in November 2024. It will continue to capitalise on Hong Kong's bilingual common law system and its unique status as an international open city endowed with the unique edges of "one country, two systems". Through organising practical courses, seminars and international exchange activities on legal and dispute resolution (including international arbitration and mediation) and so forth, we aim to promote the exchange of international legal talents and reinforce Hong Kong's status as a centre for international legal and dispute resolution services in the Asia-Pacific region in a bid to develop Hong Kong as a capacity building centre, and play a better role in the building of foreign-related legal infrastructure in the country through active participation in the next decade of the Belt and Road Initiative.

Meanwhile, the DoJ is committed to promoting the co-operation with international legal and dispute resolution institutions and attracting their presence or organisation of activities in Hong Kong, among which includes, as mentioned in Part 1, taking forward the establishment of the IOMed headquarters in Hong Kong to provide amicable, flexible, economical and efficient mediation services for international disputes, thereby affirming Hong Kong's position as the capital for international mediation.

Besides, the DoJ and the International Chamber of Commerce (ICC) - Hong Kong co-organised the 3rd ICC International Commercial Mediation Competition from 8 to 12 December 2024, striving to promote the practice of mediation and providing a platform for the next generation of dispute resolution talents to acquire the valuable skills of commercial mediation and mediation advocacy.

In connection with the ways for the DoJ to promote Hong Kong's legal and dispute resolution services to the Middle East and ASEAN member states, firstly, following the Chief Executive's visit to the Middle East in 2023 that opened up market opportunities between the Middle East and Hong Kong, the Deputy Secretary for Justice led a delegation in March 2024 to participate in the inaugural Riyadh International Disputes Week (RIDW), with the support from the DoJ for the Hong Kong International Arbitration Centre (HKIAC) to host a thematic event during the RIDW.

On 22 April 2024, the Memorandum of Understanding (MoU) of co-operation was signed between the DoJ and the Ministry of Justice of the Kingdom of Saudi Arabia (KSA) in Hong Kong to strengthen co-operation on issues relating to dispute avoidance and resolution. In addition, our Middle East counterparts, such as the Abu Dhabi Global Market and the Dubai International Arbitration Centre, visited Hong Kong in May 2024 and expressed staunch support for hosting the International Council for Commercial Arbitration Congress in Hong Kong in 2024.

From 18 to 24 May 2024, the Secretary for Justice (SJ) led a delegation comprising representatives from the LSHK, Hong Kong Bar Association (HKBA), Hong Kong Trade Development Council, Invest Hong Kong, Hong Kong Exchanges and Clearing Limited and related sectors, on a visit to Riyadh in KSA, and Abu Dhabi and Dubai in United Arab Emirates, to promote Hong Kong's legal and dispute resolution services and enhance co-operation and exchanges between Hong Kong and the Middle East.

In February 2025, the DoJ supported the HKIAC in organising a symposium during the RIDW to promote Hong Kong's legal and dispute resolution services to Middle East countries.

On ASEAN member states, the SJ visited Brunei, a member state of ASEAN (Association of Southeast Asian Nations), from 22 to 24 September 2024, and led a Hong Kong delegation comprising representatives from the LSHK, the HKBA and related sectors to visit Vietnam and Malaysia, 2 other ASEAN member states, from 24 to 28 September to promote Hong Kong's legal and dispute resolution services and enhance co-operation and exchanges between Hong Kong and these ASEAN member states. Over 20 meetings and events were organised during the visit, through which the delegation introduced Hong Kong's unique strengths under the common law system and Hong Kong's strategic position as a centre for international legal and dispute resolution services in the Asia-Pacific region, as well as Hong Kong's strategic role as a "super connector" and "super value-adder" between the Mainland and the rest of the world.

Apart from the visits to the Middle East and ASEAN, the DoJ also organised training activities that involved these regions. On 14 March 2025, the Academy and the United Nations Commission on International Trade Law (UNCITRAL) co-organised the Conference on Climate Change and International Trade Law, which covered topics like climate change and insolvency and dispute prevention and settlement, and jointly examined the texts and work of UNCITRAL on arbitration, mediation and dispute resolution in digital economy, including its contribution to the achievement of climate action goals through its collaboration with the DoJ in launching the Inclusive Global Legal Innovation Platform on Online Dispute Resolution (iGLIP on ODR). The Conference was conducted online and in-person, providing capacity building opportunities for over 100 participants including local and overseas officials (along with those from the Middle East and ASEAN member states), legal practitioners, academics and other professionals.

In 2025-26, the Academy plans to co-organise a workshop on "Use of International Instruments to Legally Enable End-to-End Digitalisation of Trade" with UNCITRAL at the Asia Pacific Economic Cooperation meeting in Korea, and hold seminar and practical training course on criminal law for prosecutors from ASEAN member states which cover, among others, Hong Kong common law, laws of evidence, anti-money laundering and Hong Kong legal profession, with the aim of deepening ASEAN member states' understanding of Hong Kong's legal system and services, thereby promoting Hong Kong's legal and dispute resolution services.

The DoJ is determined to enhance international exchanges and co-operation to consolidate the HKSAR's role in the Belt and Road Initiative. Examples include the signing of MoUs with Japan, Korea, Thailand, Brunei and Saudi Arabia respectively over the past few years to foster co-operation on legal and dispute resolution matters between the DoJ and the relevant

jurisdictions. The DoJ will continue to explore the signing of MoU on co-operation on legal and dispute resolution matters with other jurisdictions.

3.

Regarding the pool of international mediation talents in Hong Kong, according to the Mediation Mechanism for Investment Disputes in the Investment Agreement under the CEPA, Hong Kong and the Mainland respectively designated their own mediation institutions and mediators for the resolution of investment disputes and published the list of mediation institutions and mediators mutually agreed by both sides. At present, Hong Kong has 2 mutually agreed designated mediation institutions, namely the Hong Kong Mediation Council Limited under the HKIAC and the Mainland-Hong Kong Joint Mediation Center, and 19 mutually agreed designated mediators, who have received training in investor-state mediation for resolving international disputes involving a state party.

As the manpower required and other related expenditures incurred by the DoJ in organising legal talents training on legal and dispute resolution (including international mediation) are absorbed by the existing resources of the DoJ, the estimated expenditure cannot be separately identified.

- End -

CONTROLLING OFFICER'S REPLY

SJ044

(Question Serial No. 0122)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (4) Law Drafting

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

1. Under Matters Requiring Special Attention in the Estimates, the Department of Justice (DoJ) mentions that it will make available resources needed for the legislative schedule for 2025-26, which is expected to be heavy.

What are the specific details of the heavy legislative schedule for this year? How will the DoJ make available resources and what are the staffing and expenditure involved?

Asked by: Hon WONG Ying-ho, Kennedy (LegCo internal reference no.: 34)

Reply:

1. On law drafting, the Department of Justice (DoJ) is primarily responsible for completing the drafting of Government legislation in accordance with the drafting instructions issued by the relevant bureau/department in line with the bureau/department's legislative schedule. The specific details of the legislative schedule for introduction of bills in the current year have been uploaded to the webpage of the Legislative Council (<https://www.legco.gov.hk/yr2025/english/hc/papers/hccb2-27-1-e.pdf>).

The Law Drafting Division of the DoJ reviews from time to time its establishment and staff resources to ensure that it can cope with the heavy legislative schedule. We will redeploy staff internally to handle the workload, and will employ Contract Counsel and Contract Legal Clerks to assist in law drafting as operational needs require.

- End -

CONTROLLING OFFICER'S REPLY**SJ045****(Question Serial No. 0123)**Head: (92) Department of JusticeSubhead (No. & title): (-) Not SpecifiedProgramme: (5) International LawControlling Officer: Director of Administration and Development (Jessie WONG)Director of Bureau: Secretary for JusticeQuestion:

1. What were the numbers of, expenditures on and effectiveness of the activities of international organisations in which the Department of Justice (DoJ) participated to foster international co-operation and the activities co-organised by the DoJ and international organisations in the past 5 years?
2. What were the sizes, numbers and content of and expenditures on the capacity building events for local, regional and international legal talents organised and supported by the DoJ in the past 5 years? What are the detailed arrangements and estimates for the proposed activities in the coming year?

Asked by: Hon WONG Ying-ho, Kennedy (LegCo internal reference no.: 35)Reply:

1.

In a bid to raise Hong Kong's international profile and endeavour to promote Hong Kong's international legal and dispute resolution services, the Department of Justice (DoJ) has all along been proactively promoting international exchanges and co-operation, and participating in relevant activities.

In the past 5 years, the International Law Division (ILD) of the DoJ co-organised a number of activities with international organisations and supported their activities held in Hong Kong, including:

Year of organisation	Activity
2020	<ul style="list-style-type: none"> • A conference co-organised with United Nations Commission on International Trade Law (UNCITRAL) to celebrate the 40th anniversary of the United Nations Convention on Contracts for the International Sale of Goods • The UNCITRAL Working Group III Pre-Intersessional Meeting

Year of organisation	Activity
	<ul style="list-style-type: none"> • Webinars on related topics hosted in Hong Kong in collaboration with the Asian Academy of International Law (AAIL) with the agreement of the Hague Academy of International Law (HAIL)
2021	<ul style="list-style-type: none"> • The UNCITRAL Working Group III Inter-sessional Meeting • The Judicial Conference and Judicial Roundtable of the 4th UNCITRAL Asia Pacific Judicial Summit • Webinars hosted in Hong Kong in collaboration with HAIL and the AAIL
2022	<ul style="list-style-type: none"> • The 1st Asia-Pacific Private International Law Summit • Hague Conference on Private International Law (HCCH) Conventions Supporting Transnational Litigation in Civil or Commercial Matters: A Workshop to celebrate the Tenth Anniversary of the Regional Office for Asia and the Pacific
2023	<ul style="list-style-type: none"> • The HCCH Asia Pacific Week 2023 • The Judicial Conference and Judicial Roundtable of the 5th UNCITRAL Asia Pacific Judicial Summit • The 3rd Asian-African Legal Consultative Organization (AALCO) Annual Arbitration Forum • HAIL's Advanced Course in Hong Kong
2024	<ul style="list-style-type: none"> • The China-AALCO Exchange and Research Programme on International Law • The Asia-Pacific International Private Law Summit • The 2nd edition of HAIL's Advanced Course in Hong Kong

Meanwhile, the Hong Kong International Legal Talents Training Academy (the Academy) was officially launched on 8 November 2024. The Academy co-organised the Conference on Climate Change and International Trade Law with UNCITRAL on 14 March 2025.

In addition, Government Counsel of the ILD regularly attend conferences and activities of various international organisations (such as the HCCH, UNCITRAL and the Asia-Pacific Economic Cooperation (APEC)). In the past 5 years, ILD counsel attended in person or online a number of conferences and activities held in other countries or regions, including conferences and workshops held by APEC; meetings and activities of the Financial Action Task Force and the Asia/Pacific Group on Money Laundering, and the 56th UNCITRAL session; the signing ceremony of the Beijing Convention and the related international seminar; the 62nd AALCO Annual Session and meetings of the Council on General Affairs and Policy (CGAP) of the HCCH; and meetings of UNCITRAL Working Group III.

2.

Regular and other capacity building events organised and co-organised by the DoJ in the past 5 years to support local, regional and international legal talents are as follows:

Regular events

- (i) The DoJ organises the annual flagship event, the Hong Kong Legal Week, to bring together legal and dispute resolution experts and academics from around the world to

explore important topics including international legal co-operation, mediation, arbitration and rule of law education through a series of activities such as summits and seminars. The Hong Kong Legal Week 2024 was attended by about 2 500 participants in-person or online from nearly 50 jurisdictions, demonstrating Hong Kong's status as the leading international legal and dispute resolution services centre in the Asia-Pacific region.

- (ii) The DoJ co-organises with the Hong Kong Trade Development Council (HKTDC) the Belt and Road (B&R) Summit, which is an important international platform for promoting business collaboration along the B&R. The summit gathers principal government officials and business leaders from countries and regions along and related to the B&R to jointly explore business opportunities of tremendous value arising from the B&R Initiative. The 9th B&R Summit held in 2024 was attended by about 6 000 political and business leaders from B&R countries and regions, including government representatives from about 10 countries, a number of international business leaders, and over 100 delegations and 38 central state-owned enterprises from the Mainland.
- (iii) The DoJ co-organised with the HKTDC the Business of Intellectual Property Asia Forum (BIP Asia Forum) in 2024, which was attended by over 3 000 participants to explore the potential of intellectual property (IP). The BIP Asia Forum provides an ideal platform for IP professionals and business owners from all over the world to exchange their views on the latest development of IP. The DoJ has co-organised thematic breakout sessions with the HKTDC in recent years to promote Hong Kong's legal and dispute resolution services. The topic of the thematic breakout session in 2024 was "IP and Dispute Resolution in the Digital Era: Embracing Challenges and Seizing Opportunities in E-commerce".
- (iv) The DoJ co-organises with the Vis East Moot Foundation Limited the Vis East International Commercial Arbitration Moot to foster research in international commercial arbitration and to nurture professionals in international commercial arbitration. The Vis East International Commercial Arbitration Moot of 2024 was held on 20 March 2024, with the participation of more than 650 students and coaches from 149 schools and over 300 arbitrators.
- (v) The DoJ co-organises with Herbert Smith Freehills the Hong Kong Mediation Lecture in the Hong Kong Legal Week, where internationally renowned speakers are invited to share views on different topics of mediation including the current state, challenges and opportunities in resolving international disputes through mediation, the latest development of investor-state mediation, the relationship between modern mediation practice and the equity system, and the mediation principles of confidentiality and privilege in court-annexed and court-based mediation services, with a view to facilitating in-depth exchanges between Hong Kong and international mediation sectors. The Hong Kong Mediation Lecture 2024 was held on 6 November 2024 during the Hong Kong Legal Week 2024.
- (vi) The DoJ co-organises the biennial "Mediate First" Pledge Event with the aim of encouraging all sectors of the community to explore the use of mediation to resolve disputes before resorting to other means of dispute resolution or litigation. The "Mediate First" Pledge Event 2023 was held under the theme of "Mediate First - Let's

Do This Together”. A drama was staged and a diversity of speakers from different sectors were invited to discuss the use of mediation for resolving various disputes. The event concluded with a signing ceremony of the “Mediate First” Pledge and the Star Logo Award Ceremony. Held at the Hong Kong Convention and Exhibition Centre in a hybrid mode on 5 May 2023, the event attracted a total of 288 in-person participants and 1 064 online participants.

- (vii) The DoJ organises the biennial Mediation Week featuring a range of activities such as demonstration sessions and seminars to promote and nurture mediation culture and showcase the professional mediation services of Hong Kong to the local and international communities. The Mediation Conference held during the event brings together renowned speakers from Hong Kong and overseas to discuss and exchange views on hot topics of mediation such as the United Nations Convention on International Settlement Agreements Resulting from Mediation, online dispute resolution, family and matrimonial disputes in the Guangdong-Hong Kong-Macao Greater Bay Area (GBA) and the metaverse, attracting participants from various jurisdictions around the world and promoting the wider use of mediation locally, in the GBA and internationally. The Mediation Week and the Mediation Conference 2024 were held by the DoJ from 6 to 10 May 2024 with the theme of “Mediate First: Bridge Cultures, Build Futures”, aiming at further promoting and encouraging the public to use mediation to resolve various types of disputes.

Other events

- (viii) The GBA mediation platform was endorsed and established at the GBA Legal Departments Joint Conference in December 2020. The legal departments of the three governments jointly promote the extensive use of mediation for dispute resolution in the GBA. The platform promulgated and endorsed the GBA Mediator Accreditation Standards and the GBA Mediator Code of Conduct Best Practice in 2021, and endorsed the GBA Cross Boundary Disputes Mediation Model Rules in 2022. It was endorsed at the GBA Legal Departments Joint Conference in December 2023 that the local rules implementing the GBA Mediator Accreditation Standards would be formulated and promulgated by the three places respectively. A consolidated panel of GBA Mediators was also officially released in December 2024 to foster the interface of mediation talents among Guangdong, Hong Kong and Macao.
- (ix) The DoJ organised a seminar entitled “A New Chapter to Arbitration in Hong Kong: Outcome Related Fee Structures for Arbitration (ORFSA)” in May 2022. Distinguished speakers shared their insights from different perspectives as to how the ORFSA, which provides additional options for clients and their lawyers to create the most suitable fee arrangements in arbitration, would change the arbitration landscape in Hong Kong. The seminar attracted about 380 participants.
- (x) The DoJ organised with Invest Hong Kong and the ICC-Hong Kong seminars on arbitration funding options in Hong Kong in February and June 2023 respectively to promote various arbitration funding options available in the city, including the ORFSA regime, which has been fully implemented since December 2022, among the legal and dispute resolution sectors and relevant stakeholders. The seminar held in February

attracted no less than 230 people from over 20 jurisdictions to register for participation, while the one in June also attracted over 100 in-person and online participants.

- (xi) The DoJ held the Seminar on Cross-boundary Family Mediation on 16 February 2022. In order to raise public awareness of the use of mediation in cross-boundary family disputes, representatives of the legal and family mediation sectors from the Mainland and Hong Kong were invited to examine the changes brought about by the implementation of the new mechanism under the Mainland Judgments in Matrimonial and Family Cases (Reciprocal Recognition and Enforcement) Ordinance on cross-boundary family litigation and related mediation. The webinar was attended by 683 participants.
- (xii) The DoJ co-organised with the HKTDC a large-scale outreach promotional campaign entitled “Resolve2Win”, and promoting Hong Kong’s dispute resolution services in Bangkok, Thailand in March 2023, and Shenzhen and Foshan in August 2024. The event attracted more than 500 participants from different sectors such as financial, legal and professional services.
- (xiii) The DoJ organised the sixth Hong Kong Legal Services Forum with the theme of “Sichuan, Chongqing and Hong Kong Join Hands for a Brighter Future” in Chengdu in August 2023 to promote Hong Kong’s international legal and dispute resolution services. The Secretary for Justice led a delegation of over 100 members to explore legal issues of interest to Sichuan and Chongqing enterprises in the context of international trade and foreign investments, and introduce Hong Kong’s international legal and dispute resolution services. The forum attracted an attendance of over 1 200 local legal practitioners and trade representatives.
- (xiv) The DoJ supported the hosting of the biennial International Council for Commercial Arbitration (ICCA) Congress in Hong Kong from 5 to 8 May 2024 by the Hong Kong International Arbitration Centre. As the largest regular international arbitration conference of its kind worldwide, the ICCA Congress is known for its major contribution to international dispute resolution and attracts experts from the global arbitration community to Hong Kong, with a view to consolidating Hong Kong’s leading position as a centre for international legal and dispute resolution services in the Asia-Pacific region and beyond. This was the first ICCA Congress ever hosted in Hong Kong and has been the most well-attended one to date, attracting the participation of over 1 400 professionals from the legal and arbitration sectors of more than 70 jurisdictions.
- (xv) The DoJ signed a Memorandum of Co-operation with the Ministry of Justice of Korea in 2019. The DoJ and the Ministry of Justice of Korea co-organised the Joint Legal Workshop on 30 July 2024 with the theme of Success for Korean Business Growth in Hong Kong and Beyond, attracting the participation of a number of guests from the business and legal sectors of Hong Kong and Korea. The workshop fostered exchanges between Hong Kong and Korea where the participants explored the business opportunities brought by Korean companies to Hong Kong and other regions.
- (xvi) The DoJ co-organised with the International Chamber of Commerce (ICC) - Hong Kong the 3rd ICC International Commercial Mediation Competition from 8 to 12 December

2024. The mediation competition served as a valuable platform for university students from around the globe to engage in contests and exchanges, to gain a deeper understanding of the whole mediation process through simulated mediation for commercial disputes, and to learn through practice the skills and professional knowledge required for mediation.

In addition, subsequent to its official launch in November 2024, the Academy co-organised the Hong Kong Common Law Practical Training Course with the Supreme People's Court and the National Training Course for Talents Handling Foreign-related Arbitration (Hong Kong) with the Ministry of Justice in January and February 2025 respectively. The Academy is proactively collaborating with local, Mainland and international legal professional bodies to organise capacity building programmes for the legal and dispute resolution sectors in Hong Kong, the Mainland and around the globe. Confirmed programmes include: introductory talks on the legal system of Hong Kong co-organised with the Hong Kong International Academy Against Corruption on 27 March 2025 for prosecutors and representatives from anti-corruption agencies from South Asia and Africa, etc., "Practical Training on Hong Kong Common Law and Dispute Resolution" to be held in Xi'an from 24 to 26 May 2025, a workshop on "Use of International Instruments to Legally Enable End-to-End Digitalisation of Trade" to be co-organised with UNCITRAL at the Asia Pacific Economic Cooperation meeting in Korea in August 2025, and talks and practical training courses on criminal law for prosecutors from ASEAN member states to be held in Hong Kong in late September 2025. Meanwhile, the Academy is planning to organise practical training on Mainland law and talks on specific legal issues in the Mainland for the local legal sector in 2025.

To further raise the international profile of Hong Kong, the DoJ will continue to support or organise various activities and courses this year. Government officials, judges, academics, legal and other professionals and bodies, from local and overseas, will also be invited to attend or speak at the activities organised/co-organised by the DoJ.

The activities to be conducted by the DoJ in the coming year are as follows:

- (i) the Vis East International Commercial Arbitration Moot to be co-organised with the Vis East Moot Foundation Limited in March 2025;
- (ii) the "Mediate First" Pledge Event 2025 to be organised in May 2025 with the aim of further promoting and encouraging the public to use mediation to resolve various types of disputes;
- (iii) the 7th edition of the Hong Kong Legal Services Forum to be organised in Xi'an in May 2025 with a view to promoting Hong Kong's international legal and dispute resolution services;
- (iv) the B&R Summit to be co-organised with the HKTDC in September 2025; and
- (v) the Hong Kong Legal Week 2025 to be organised from 1 to 5 December 2025 to continuously explore important topics, including international legal co-operation, mediation, arbitration and rule of law through a series of activities such as summits and seminars.

In addition, the activities to be conducted by the ILD in the coming year include the Judicial Conference and Judicial Roundtable of the UNCITRAL Asia Pacific Judicial Summit and a workshop on “Use of International Instruments to Legally Enable End-to-End Digitalisation of Trade” to be held at the Asia Pacific Economic Cooperation meeting in Korea.

As the above activities are organised and supported by different units of the DoJ and the work is undertaken by the existing staff among their other duties, the expenditures involved cannot be separately identified and all related expenditures are absorbed by the existing resources of the DoJ.

- End -

CONTROLLING OFFICER'S REPLY**SJ046****(Question Serial No. 0124)**Head: (92) Department of JusticeSubhead (No. & title): (-) Not SpecifiedProgramme: (1) ProsecutionsControlling Officer: Director of Administration and Development (Jessie WONG)Director of Bureau: Secretary for JusticeQuestion:

1. In the past 2 years, there was an annual average of some 1 000 cases conducted by barristers and solicitors instructed to prosecute at different levels of courts. What were the types, counsel's fees, court costs and ultimate penalties of these cases in the past 3 years?

Asked by: Hon WONG Ying-ho, Kennedy (LegCo internal reference no.: 36)Reply:

The numbers of cases conducted by barristers or solicitors instructed to prosecute ("fiat counsel") in place of Government Counsel at different levels of courts for the past 3 years are tabulated below:

Number of cases conducted	2022	2023	2024
Appellate Courts ¹	22	4	33
Court of First Instance	126	82	108
District Courts	731	569	593
Magistrates' Courts	619 ²	617 ²	421 ²
Others ³	11	14	18
Total	1 509	1 286	1 173

¹ Including magistracy appeals and appeals heard in the Court of Appeal and the Court of Final Appeal.

² Apart from prosecuting in place of Government Counsel in the Magistrates' Courts, fiat counsel are also engaged to prosecute in place of Court Prosecutors in the Magistrates' Courts, attending to all cases before a particular magistrate on a full or half-day basis. Such engagement is based on the number of court days rather than the number of cases. The numbers of court days undertaken by fiat counsel in place of Court Prosecutors in the Magistrates' Courts for the past 3 years are as follows:

Number of court days undertaken by fiat counsel in place of Court Prosecutors in the Magistrates' Courts	2022	2023	2024
	2 172	2 505	3 136

³ Including applications for restraint orders, death inquests, bail applications, taxation of costs and miscellaneous proceedings in the High Court.

We do not maintain a detailed breakdown of briefed-out criminal cases by type of cases.

Regarding criminal cases, the briefed-out counsel's fees and court costs for the past 3 financial years are as follows:

Year	Briefed-out counsel's fees (\$)	Court costs (\$)
2021-22	170,678,036	62,157,522
2022-23	122,503,875	61,438,839
2023-24	116,798,684	56,215,786

As briefed-out criminal cases are conducted at different levels of courts mentioned above, various options of penalties of different levels of courts are involved. We do not maintain a detailed breakdown of the ultimate penalties of these cases.

- End -

CONTROLLING OFFICER'S REPLY

SJ047

(Question Serial No. 0125)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (1) Prosecutions

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

1. Regarding the preparation and filing of indictments in the Court of First Instance within 7 days of committal of the accused in the Magistrates' Courts, and the preparation and delivery of charge sheets to the Registrar of the District Court within 14 days after the date of the order of transfer of the case from the Magistrates' Courts to the District Court, these 2 types of work were 100% completed within the prescribed timeframes over the years. What is the average time for completing each of these 2 types of work? Is there any room for further speeding up the work? Did the department make use of technologies during the course of work as appropriate to help expedite the process? If yes, what are the details and the resources required? How much manpower can be saved?

Asked by: Hon WONG Ying-ho, Kennedy (LegCo internal reference no.: 37)

Reply:

Regarding the preparation and filing of indictments in the Court of First Instance and the preparation and delivery of charge sheets to the District Court, the time required for individual cases is generally affected by various factors, including the nature and complexity of the cases. The Prosecutions Division will actively consider how to optimise the process of the above work to ensure that these 2 types of work are completed within the pledged timeframes, and actively explore whether there is any room for further speeding up the work, including the use of technologies to help expedite the process.

- End -

CONTROLLING OFFICER'S REPLY

SJ048

(Question Serial No. 3053)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (2) Civil

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

1. Regarding the Civil Division, the civil litigation cases current on 1 (sic) December last year stood at 43 657.

What are the reasons for the huge backlog of cases and the types of cases and the litigation costs involved? Are there any solutions being explored?

Asked by: Hon WONG Ying-ho, Kennedy (LegCo internal reference no.: 38)

Reply:

The major work of the Civil Division (CD) is to provide legal support for Government bureaux and departments in response to their needs, including representing the bureaux and departments at different levels of courts, statutory boards and tribunals in all forms of litigation and legal proceedings, covering different areas such as land, immigration matters, revenue, commercial and contractual disputes and personal injuries.

As at the end of last year, the outstanding civil litigation cases included new and ongoing cases. Due to the complexity of individual litigation cases and the varying lengths of time from the commencement to the conclusion of litigation (including appeals and subsequent litigation costs matters), the caseload of the CD often stands at a high level.

The CD reviews from time to time its workload and staff resources and will flexibly deploy manpower to ensure that it can properly handle the work under its purview. The estimated expenditure for 2025-26 will provide for manpower and resources to meet its anticipated workload.

- End -

CONTROLLING OFFICER'S REPLY

SJ049

(Question Serial No. 0440)

Head: (92) Department of Justice

Subhead (No. & title): (000) Operational expenses

Programme: (2) Civil, (5) International Law

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

The headquarters of the International Organization for Mediation (IOMed), which will open by the end of this year at the earliest, is conducive to affirming the positioning of Hong Kong as the capital for international mediation.

In this connection, please inform this Committee of the estimated recurrent expenditure to be paid from public funds in respect of the IOMed each year and whether any targets have been set to achieve break-even.

Asked by: Hon YIM Kong (LegCo internal reference no.: 1)

Reply:

The Hong Kong Special Administrative Region (HKSAR) Government has been actively forging ahead with the establishment of the headquarters of the International Organization for Mediation (IOMed) in the HKSAR. The Department of Justice (DoJ) has been working closely with other relevant bureaux and departments to take forward the renovation works pertaining to the conversion of the Old Wan Chai Police Station into the IOMed headquarters with a substantial completion expected by mid-2025, so as to deliver the headquarters to the IOMed Preparatory Office for preparation of the opening by the end of this year/early next year at the earliest. The estimated recurrent expenditure incurred by this project is \$28.96 million each year.

To address the increase in workload for supporting IOMed and the related work, the Finance Committee of the Legislative Council approved in its meeting on 26 April 2024 the creation of 1 permanent post of Deputy Principal Government Counsel in the DoJ's International Law Division with an annual salary cost of \$2,480,040. Besides, the DoJ also created 2 permanent Senior Government Counsel posts and 1 permanent Personal Secretary I post to strengthen support at non-directorate level. The annual salary cost of the non-directorate posts is \$3,801,720.

IOMed is an international inter-governmental organisation, and same as other like organisations, it will make its own arrangements and decisions for its Secretariat and future

operation once established. At this stage, the DoJ will continue to work closely with the Ministry of Foreign Affairs to fully facilitate the preparatory work of IOMed under the guidance and support of the Central People's Government, so as to ensure a smooth execution of the relevant arrangements.

- End -

CONTROLLING OFFICER'S REPLY

SJ050

(Question Serial No. 0587)

Head: (92) Department of Justice

Subhead (No. & title): (000) Operational Expenses

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

The estimate of the total recurrent expenditure for 2025-26 is about 25.5% higher than the revised estimate for 2024-25, of which the operational expenses show an increase of about 17.6%. In 2025-26, it is expected that there will be a net decrease of 9 posts while the key performance indicators are similar to that of the previous year.

In this connection, would the Government explain whether there are any justifications for the substantial increase in the estimated expenditure?

Asked by: Hon YIM Kong (LegCo internal reference no.: 35)

Reply:

The estimate of the total recurrent expenditure for 2025-26 is about 25.5% higher than the revised estimate for 2024-25. This is mainly because the estimates for “hire of legal services and related professional fees”, “legal services for construction dispute resolution” and court costs for 2025-26 increase by about \$103 million, \$58 million and \$178 million respectively as compared with the revised estimates for 2024-25, accounting for approximately 70% of the increase. The estimates were made by different divisions and units of the Department of Justice based on the information available at the time of preparation. The increase was due to a number of factors, including the number of cases involved, their complexity and development.

- End -

CONTROLLING OFFICER'S REPLY

SJ051

(Question Serial No. 0588)

Head: (92) Department of Justice

Subhead (No. & title): (700) General non-recurrent

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

According to the Estimates, there is a commitment balance of \$1.654 million for hire of service for translation and Chinese typing under the subhead General non-recurrent of the Operating Account.

In view of the growing maturity of the development of artificial intelligence (AI) and voice recognition in the Mainland and abroad, the use of such technologies for translation and typing can significantly enhance service efficiency and accuracy. In this connection, how will the Government enhance its governance efficiency and service standards and cut administrative costs by making full use of digitalisation and AI technology?

Asked by: Hon YIM Kong (LegCo internal reference no.: 36)

Reply:

The commitment for hire of service for translation and Chinese typing under the subhead General non-recurrent of the Operating Account is earmarked for meeting unexpected or surge in service demand, including demand for translation in languages other than English.

The Department of Justice will actively support the Government's policy initiative to promote digitalisation through various information technology systems. It will also explore the use of artificial intelligence technologies to enhance operational efficiency and productivity within the department in a bid to meet the increase in business demand and operational needs.

- End -

CONTROLLING OFFICER'S REPLY

SJ052

(Question Serial No. 0589)

Head: (92) Department of Justice

Subhead (No. & title): (700) General non-recurrent

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

In the Estimates, there is a general non-recurrent expenditure item under the Operating Account for “one-off funding support for the development and enhancement of an online dispute resolution and deal making platform by a non-governmental organisation”. The funding support is said to be used for the development, enhancement and initial operation of an online dispute resolution and deal making platform (eBRAM platform).

In this connection, given that the commitment balance for the eBRAM platform is \$26 million, please inform this Committee of the estimated expenditure for this year. Have any reviews been conducted to evaluate whether the services of the platform meet the target goals and how effective they are?

Asked by: Hon YIM Kong (LegCo internal reference no.: 37)

Reply:

The Government strives to promote the development of LawTech to enhance the competitiveness of the legal and dispute resolution sectors, thereby consolidating Hong Kong's status as an international legal and dispute resolution services centre in the Asia-Pacific region. As an integral part of its promotion of the development of LawTech, the Government has been actively supporting the development of online dispute resolution and deal-making platforms (Online Platforms) by eBRAM International Online Dispute Resolution Centre Limited (eBRAM), a non-governmental organisation, to provide the public with more convenient and cost-effective online deal-making and dispute resolution services.

In January 2021, the Finance Committee of the Legislative Council approved the funding support of \$100 million for eBRAM to develop the Online Platforms. According to the Memorandum of Understanding (MoU) on the funding support signed between the Government and eBRAM, the funding would be released in phases starting from 2021. Currently, the remaining 2 phases of funding totalling \$26 million are yet to be released. The Government has been monitoring and following up on, among others, the operation (including its business operation, promotion work, training and capacity building activities, business plans and financial management), progress in developing the Online Platforms and

marketing plans of eBRAM, and has been liaising with eBRAM and reviewing the effectiveness of its operation. According to the report submitted by eBRAM, the usage of its various Online Platforms showed a significant upward trend, for example, the users of its Deal-making Portal increased by nearly 7 times within a year after its official launch, and the active users of the Hong Kong Legal Cloud rose by more than 25% when compared with that in the previous year (i.e. from 1 October 2022 to 30 September 2023), which reflects that the operation of eBRAM has been thriving. The Government will continue to closely monitor the operation of eBRAM and conduct thorough assessment before the release of funding. As for this year's expenditure, according to the MoU on the funding support, the Government may release \$13 million to eBRAM this year upon assessment.

- End -

CONTROLLING OFFICER'S REPLY

SJ053

(Question Serial No. 1490)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (5) International Law

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

Regarding the training of international legal talents for Hong Kong, would the Government advise on the following:

1. the current manpower, establishment, ranks, salary expenses by rank and total salary expenses of the Hong Kong International Legal Talents Training Academy (the Academy);
2. a yearly breakdown of the numbers, details, numbers of participants and related expenditures of the activities or courses organised by the Academy since its establishment, and the estimated figures for 2025; and
3. the numbers, details, numbers of participants and related expenditures of the activities organised by the Department of Justice on training international legal talents in the past 5 years.

Asked by: Hon YUNG Hoi-yan (LegCo internal reference no.: 21)

Reply:

1.

Set up in October 2024, the Hong Kong International Legal Talents Training Office (the Training Office) is responsible for taking forward the establishment of the Hong Kong International Legal Talents Training Academy (the Academy), planning and organising capacity building programmes, and setting out a clear and detailed long-term road map for the Academy. At present, 4 time-limited posts have been created under the Training Office for a period of 5 years, including 1 time-limited supernumerary post of Assistant Principal Government Counsel (DL1)/DL1-equivalent non-civil service position (i.e. Director of the Training Office). The annual salary cost of the post is \$2,088,840.

The remaining 3 time-limited posts include 1 Senior Government Counsel post (i.e. Deputy Director of the Training Office), 1 Government Counsel post (i.e. Assistant Director of the

Training Office) and 1 Law Clerk post (i.e. Programme Coordinator of the Training Office). The annual salary cost of these 3 non-directorate posts is \$3,303,360.

2.

As at 1 March 2025, the Academy has organised the following capacity building programmes:

<u>Date</u>	<u>Name of training programme</u>	<u>Target</u>	<u>Number of participants</u>	<u>Duration of activities</u>	<u>Qualifications of trainers</u>
6 to 17 January 2025	Hong Kong Common Law Practical Training Course (co-organised with the Supreme People's Court (SPC))	Judges from the SPC, the High People's Court of Guangdong Province and courts of the 9 Mainland cities in the Guangdong-Hong Kong-Macao Greater Bay Area	25	2 weeks	Judges and judicial officers, and senior legal practitioners in Hong Kong and members of the Hong Kong International Legal Talents Training Expert Committee
16 February to 1 March 2025	National Training Course for Talents Handling Foreign-related Arbitration (Hong Kong) (co-organised with the Ministry of Justice)	Mainland in-house counsel, experienced arbitrators, lawyers and arbitration practitioners	79	2 weeks (divided into 2 classes, 1 week per class)	Experienced local legal professionals and members of the Hong Kong International Legal Talents Training Expert Committee

The Academy is proactively collaborating with local, Mainland and international legal professional bodies to organise capacity building programmes for the legal and dispute resolution sectors in Hong Kong, the Mainland and around the globe. Confirmed programmes include: the Conference on Climate Change and International Trade Law co-organised with United Nations Commission on International Trade Law (UNCITRAL) on 14 March 2025, an introductory talk on the legal system of Hong Kong co-organised with the Hong Kong International Academy Against Corruption on 27 March 2025 for prosecutors and representatives of anti-corruption agencies from South Asia and Africa, etc., “Practical

Training on Hong Kong Common Law and Dispute Resolution” to be held in Xi’an from 24 to 26 May 2025, a workshop on “Use of International Instruments to Legally Enable End-to-End Digitalisation of Trade” to be co-organised with UNCITRAL at the Asia-Pacific Economic Cooperation meeting in Korea in August 2025, and the talk and practical training course on criminal law for prosecutors from ASEAN member states to be held in Hong Kong in late September 2025. The Academy is also planning to organise practical training courses on Mainland law and talks on specific legal issues in the Mainland for the local legal sector in 2025.

As the manpower required and other related expenditures incurred by the Academy in organising legal talents training programmes are absorbed by the existing resources of the Department of Justice (DoJ), the estimated expenditure of the activities cannot be separately identified.

3.

The capacity building events organised or supported by the DoJ on training international legal talents in the past 5 years include:

Year of organisation	Event
2020	<ul style="list-style-type: none"> • A conference co-organised with UNCITRAL to celebrate the 40th anniversary of the United Nations Convention on Contracts for the International Sale of Goods • The UNCITRAL Working Group III Pre-Intersessional Meeting • Webinars on related topics hosted in Hong Kong in collaboration with the Asian Academy of International Law (AAIL) with the agreement of the Hague Academy of International Law (HAIL) • The 2nd ICC International Commercial Mediation Competition – Hong Kong
2021	<ul style="list-style-type: none"> • The UNCITRAL Working Group III Inter-sessional Meeting • Webinars on related topics hosted in Hong Kong in collaboration with the AAIL with the agreement of HAIL • 2021/22 Investment Law & Investor-State Mediator Training – the Investment Law Module
2022	<ul style="list-style-type: none"> • The 1st Asia-Pacific Private International Law Summit • Hague Conference on Private International Law (HCCH) Conventions Supporting Transnational Litigation in Civil or Commercial Matters: A Workshop to celebrate the Tenth Anniversary of the Regional Office for Asia and the Pacific • Vision 2030 for Rule of Law International Symposium • 2021/22 Investment Law & Investor-State Mediator Training – the Investor-State Mediation Module
2023	<ul style="list-style-type: none"> • The HCCH Asia Pacific Week 2023 • The Judicial Conference and Judicial Roundtable of the 5th UNCITRAL Asia Pacific Judicial Summit • The Legal Forum on Interconnectivity and Development • The 3rd Asian-African Legal Consultative Organization (AALCO) Annual Arbitration Forum

	<ul style="list-style-type: none"> • HAIL's Advanced Course in Hong Kong
2024	<ul style="list-style-type: none"> • The China-AALCO Exchange and Research Programme on International Law • The Asia-Pacific International Private Law Summit • The 2nd edition of HAIL's Advanced Course in Hong Kong • The Lecture on Foreign Related Rule of Law Education co-organised by the DoJ and the East China University of Political Science and Law pursuant to the Arrangement on Legal Exchange and Co-operation between the Department of Justice of the Hong Kong Special Administrative Region and the East China University of Political Science and Law • The 2nd Legal Forum on Interconnectivity and Development • 2024 Investment Law & Investor-State Mediator Training • The 3rd ICC International Commercial Mediation Competition – Hong Kong
2025 (as at 1 March)	<ul style="list-style-type: none"> • Hong Kong Common Law Practical Training Course co-organised by the Academy and the SPC • National Training Course for Talents Handling Foreign-related Arbitration (Hong Kong) co-organised by the Academy and the Ministry of Justice

The overall expenditures on the above measures are absorbed by the existing resources of the DoJ and cannot be separately identified.

- End -

CONTROLLING OFFICER'S REPLY

SJ054

(Question Serial No. 1506)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (2) Civil

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

Regarding the promotion of mediation and arbitration, would the Government advise on the following:

1. the current numbers of mediators in Hong Kong and arbitrators in the Guangdong-Hong Kong-Macao Greater Bay Area (GBA);
2. the numbers, details, modes, numbers of participants and related expenditures of the activities organised by the Department of Justice (DoJ) for promoting the use of arbitration or mediation in the GBA, Mainland cities, and the Macao Special Administrative Region in each of the past 5 years;
3. the numbers, details, modes, numbers of participants and related expenditures of the activities organised by the DoJ for promoting the use of arbitration or mediation in the Belt and Road countries in each of the past 5 years;
4. the current manpower, establishment, ranks, salary expenses by rank and total salary expenses of the Alternative Dispute Resolution Team, the Legal Enhancement and Development Office and Team 3 of the Mutual Legal Assistance Unit, and the number of time-limited posts; and
5. the reasons for a substantial increase in the estimated number of new proceedings (including non-construction arbitration and mediation) brought by the Government in 2025 over 2023 and 2024.

Asked by: Hon YUNG Hoi-yan (LegCo internal reference no.: 17)

Reply:

1. The Department of Justice (DoJ) does not maintain information on the current numbers of mediators in Hong Kong and arbitrators in the Guangdong-Hong Kong-Macao Greater Bay Area (GBA). Currently, Hong Kong has no statutory qualification

requirements for mediators or arbitrators and it is not necessary for them to enrol or register with any organisations.

The Hong Kong Mediation Accreditation Association Limited, established in August 2012, is a non-statutory and industry-led body that provides accreditation and disciplinary oversight for mediators in Hong Kong. As of 19 February 2025, there were 2 303 General Mediators, 333 Family Mediators and 67 Family Mediation Supervisors registered on its mediator panels.

The establishment of the GBA Legal Departments Joint Conference (GBA Joint Conference) has strengthened exchanges and collaboration on legal matters among the 3 places since 2019. On the arbitration front, in order to facilitate the sharing of arbitration talents and enhance the competitiveness of legal and arbitration professionals in Hong Kong in taking part in the resolution of GBA cross-boundary disputes, at the 6th GBA Joint Conference held on 18 November 2024, the 3 respective legal departments of Guangdong, Hong Kong and Macao endorsed the Working Guidelines on the Panel of GBA Arbitrators and reached consensus on the detailed arrangements for the mechanism of setting up a panel of arbitrators. The 3 places will commence their respective nominations of local arbitrators and selection procedures, endeavouring to announce the first batch of GBA arbitrators within 2025.

2. Due to the impact of the pandemic, promotional visits to the GBA, Mainland cities, and the Macao Special Administrative Region (Macao SAR) between 2020 and early 2023 were restrained. Since then and up to 2024, the DoJ has organised various major events for promoting the use of arbitration or mediation in the GBA, Mainland cities, and the Macao SAR as follows:

Year	Events
2023	<ul style="list-style-type: none">● In August 2023, the DoJ organised the 6th Hong Kong Legal Services Forum with the theme of “Sichuan, Chongqing and Hong Kong Join Hands for a Brighter Future” in Chengdu to promote Hong Kong’s international legal and dispute resolution services. The Secretary for Justice (SJ) led a delegation of over 100 members to explore legal issues of interest to Sichuan and Chongqing enterprises in the context of international trade and foreign investments, and introduce Hong Kong’s international legal and dispute resolution services. The Forum attracted an attendance of over 1 200 local legal practitioners and trade representatives.● In September 2023, the Deputy SJ led a delegation comprising representatives of the Hong Kong Bar Association (HKBA) and the Law Society of Hong Kong (LSHK), a Legislative Councillor and representatives from other related sectors to promote Hong Kong’s legal and dispute resolution services in Hainan. The promotional work has enhanced exchanges between the legal sectors of Hainan and Hong Kong, including promoting the unique strengths of Hong Kong’s legal and dispute resolution services to representatives of Mainland enterprises and the legal sector, exploring co-operation opportunities of both sides in legal and arbitration services in areas

Year	Events
	including intellectual property and finance, and fostering a better understanding of the latest developments of Hong Kong's legal sector in Hainan. A seminar co-organised by the DoJ under the theme of strengthening Hainan-Hong Kong co-operation for mutual benefit and win-win results attracted the attendance of around 280 participants.
2024	<ul style="list-style-type: none"> • The DoJ fully supported the LSHK and the Hainan Lawyers Association in co-organising a webinar specifically for Hainan and relevant lawyers on 28 February 2024 to strengthen co-operation and exchanges between the 2 places. • During the visit to Shenzhen and Foshan in August 2024, the DoJ co-organised with the Hong Kong Trade Development Council (HKTDC) a large-scale outreach promotional campaign entitled "Resolve2Win". The SJ led a delegation of around 20 members comprising representatives from the HKBA, the LSHK and other related sectors to promote Hong Kong's dispute resolution services. The event attracted more than 300 participants from different sectors such as financial, legal and professional services. Moreover, the delegation and the Foshan Federation of Industry and Commerce organised a symposium in Foshan to understand the development of local enterprises and the demand for cross-boundary legal services, and exchanged views on how Hong Kong's comprehensive legal and dispute resolution services could facilitate the development of enterprises in the GBA. • In November 2024, the Deputy SJ led a delegation of young legal professionals to visit Shenzhen and Foshan.

All expenditures related to the above events were absorbed by the existing resources of the DoJ and cannot be separately identified.

- Due to the impact of the pandemic, promotional visits to other regions between 2020 and early 2023 were restrained. Since then and up to 2024, the DoJ has organised various major events for promoting the use of arbitration or mediation in the Belt and Road (B&R) countries as follows:

Year	Events
2023	<ul style="list-style-type: none"> • In March 2023, the DoJ co-organised with the HKTDC a large-scale outreach promotional campaign entitled "Resolve2Win" in Bangkok, Thailand. The Deputy SJ led a delegation of 30 members comprising Hong Kong legal professionals to promote Hong Kong's dispute resolution services. During the event, the Signing Ceremony of the "Mediate First" Pledge was held, which was the first time Hong Kong promoted the campaign overseas. The event

Year	Events
	attracted more than 200 participants from different sectors such as financial, legal and professional services.
2024	<ul style="list-style-type: none"> ● In March 2024, the DoJ fully supported the Hong Kong International Arbitration Centre (HKIAC) in organising the inaugural Riyadh International Disputes Week (RIDW) in Riyadh, Saudi Arabia to promote Hong Kong’s professional legal services to Middle East countries. ● In early March 2024, the Deputy SJ led a delegation of the legal and dispute resolution sectors to visit Riyadh, Saudi Arabia to participate in the RIDW to promote Hong Kong’s strengths in legal and dispute resolution services and assist the sectors in exploring opportunities under the B&R Initiative. The delegation attended a thematic event entitled “Hong Kong and Riyadh: Legal and Dispute Resolution Services for Businesses along the Belt and Road” organised by the HKIAC. The event attracted more than 150 registrants from the business and legal sectors in the Middle East and other regions. ● From 18 to 24 May 2024, the SJ led a delegation of around 30 members comprising representatives from the LSHK, the HKBA, the HKTDC, Invest Hong Kong, Hong Kong Exchanges and Clearing Limited and related sectors, on a visit to Riyadh in the Kingdom of Saudi Arabia, and Abu Dhabi and Dubai in United Arab Emirates, to promote Hong Kong’s legal and dispute resolution services and enhance co-operation and exchanges between Hong Kong and the Middle East. ● The SJ visited Brunei, a member state of ASEAN (Association of Southeast Asian Nations), from 22 to 24 September 2024, and led a Hong Kong delegation comprising representatives from the LSHK, the HKBA and related sectors to visit Vietnam and Malaysia, 2 other ASEAN member states, from 24 to 28 September to promote Hong Kong’s legal and dispute resolution services and enhance co-operation and exchanges between Hong Kong and these ASEAN member states. Over 20 meetings and events were organised during the visit, through which the delegation introduced Hong Kong’s unique strengths under the common law system and Hong Kong’s strategic position as a centre for international legal and dispute resolution services in the Asia-Pacific region, as well as Hong Kong’s strategic role as a “super connector” and “super value-adder” between the Mainland and the rest of the world.

All expenditures related to the above events were absorbed by the existing resources of the DoJ and cannot be separately identified.

4. The promotion of mediation is mainly undertaken by the Alternative Dispute Resolution Team of the Civil Division (CD), with the assistance of the Legal Enhancement and Development Office (LEAD Office) under the Secretary for Justice's Office and Team 3 of the Mutual Legal Assistance Unit of the International Law Division from time to time as necessary. The relevant establishment and estimated annual expenditure on emoluments for 2025-26 are tabulated below:

	Establishment for 2025-26	Estimated annual expenditure on emoluments for 2025-26 (notional annual mid-point salary value)
Alternative Dispute Resolution Team	2 Deputy Principal Government Counsel (DPGC), 6 Senior Government Counsel (SGC), 8 Government Counsel (GC), 3 Law Clerks (LC), 2 Personal Secretaries (PS) I, 1 PS II and 2 Assistant Clerical Officers	\$27,640,320
LEAD Office ^{Note}	2 Principal Government Counsel, 1 DPGC, 1 Assistant Principal Government Counsel (APGC), 3 SGC, 3 GC, 1 LC and 2 PSs I	\$20,284,680
Team 3 of the Mutual Legal Assistance Unit	1 DPGC, 2 SGC and 1 PS I	\$6,281,760

Note: Among the posts in the LEAD Office, 1 DPGC, 1 APGC, 1 SGC and 2 GC are time limited. Staff on loan from other divisions are not included in the above table.

5. The Government commences legal proceedings on a wide range of matters such as damages claims, contractual disputes, personal injuries and employees' compensation claims, construction disputes and recovery of default payments and debts for various bureaux and departments. The estimate of the CD for 2025 is mainly based on the estimate for new proceedings on matters under the purview of different Government bureaux and departments and the internal forecast of the CD. As such, there will be an increase in the estimated number of new proceedings (including non-construction arbitration and mediation) to be brought by the Government in 2025 over the actual numbers in the past 2 years. Moreover, the DoJ may apply for joining in certain proceedings as an intervener as appropriate, in accordance with the common law and laws of Hong Kong in order to fulfill its role as the guardian of the public interest, which will also result in an increase in the estimated number of legal proceedings.

- End -

CONTROLLING OFFICER'S REPLY

SJ055

(Question Serial No. 3848)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

It is stated in paragraph 29(c) of the Budget Speech that the headquarters of the International Organization for Mediation (IOMed) will open by the end of this year at the earliest. In this connection, would the Government inform this Committee of:

- 1) the current preparatory work on the IOMed headquarters;
- 2) the progress of the conversion works of the Old Wan Chai Police Station into the IOMed headquarters;
- 3) the measures taken by the Department of Justice (DoJ) to expand the pool of international mediation talents in Hong Kong; and
- 4) the DoJ's plans for related promotional and exchange activities for 2025-26 (to be tabulated by theme, time, target participant and publicity channel of the activities, and the manpower and estimated expenditure involved)?

Asked by: Hon KAN Wai-mun, Carmen (LegCo internal reference no.: 67)

Reply:

1, 2 & 4

The Hong Kong Special Administrative Region (HKSAR) Government has been actively forging ahead with the establishment of the headquarters of the International Organization for Mediation (IOMed) in the HKSAR. The Department of Justice (DoJ) has been working closely with other relevant bureaux and departments to take forward the renovation works pertaining to the conversion of the Old Wan Chai Police Station into the IOMed headquarters with a substantial completion expected by mid-2025, so as to deliver the headquarters to the IOMed Preparatory Office for preparation of its opening by the end of this year/early next year at the earliest.

IOMed will be an international inter-governmental legal organisation dedicated to resolving international disputes through mediation. According to the current plan, IOMed will be officially established with its headquarters to be formally set up in the HKSAR following the adoption, signing and entry into force of the IOMed Convention. Same as other international inter-governmental organisations, IOMed, once established, will make its own arrangements and decisions for its Secretariat and future operation.

At this stage, the DoJ will continue to work closely with the Ministry of Foreign Affairs to fully facilitate the preparatory work of IOMed under the guidance and support of the Central People's Government, so as to ensure a smooth execution of the relevant arrangements, including the secondment of Government Counsel of the DoJ to the IOMed Preparatory Office to provide support. Even when no secondment arrangement is in place upon the establishment of the IOMed Secretariat, the DoJ will also continue to proactively assist in the work of IOMed.

To address the increase in workload for supporting IOMed and the related work, the Finance Committee of the Legislative Council approved in its meeting on 26 April 2024 the creation of 1 permanent post of Deputy Principal Government Counsel in the DoJ's International Law Division with an annual salary cost of \$2,480,040. Besides, the DoJ also created 2 permanent Senior Government Counsel posts and 1 permanent Personal Secretary I post to strengthen support at non-directorate level. The annual salary cost of the non-directorate posts is \$3,801,720.

3

Regarding the expansion of the pool of international mediation talents in Hong Kong, the DoJ has been striving to attract and nurture international mediation talents. The DoJ has been co-organising with the Asian Academy of International Law the Investment Law & Investor-State Mediator Training in Hong Kong since 2018. The past 3 training courses provided such training for a total of 133 participants from 49 jurisdictions. The latest round of training courses was held in 2024, attracting around 140 participants from over 20 jurisdictions. The training does not only contribute to the capacity building of dispute resolution talents in Hong Kong and overseas, but also further capitalises on Hong Kong's bilingual common law system and its unique status as an international open city, consolidating Hong Kong's strategic position as an international legal and dispute resolution services centre in the Asia-Pacific region under the National 14th Five-Year Plan.

According to the Mediation Mechanism for Investment Disputes in the Investment Agreement under the Mainland and Hong Kong Closer Economic Partnership Agreement, Hong Kong and the Mainland respectively designated their own mediation institutions and mediators for the resolution of investment disputes and published the list of mediation institutions and mediators mutually agreed by both sides. At present, Hong Kong has 2 mutually agreed designated mediation institutions, namely the Hong Kong Mediation Council Limited under the Hong Kong International Arbitration Centre and the Mainland-Hong Kong Joint Mediation Center, and 19 mutually agreed designated mediators, who have received training in investor-state mediation for resolving international disputes involving a state party.

Moreover, the Government drew up the first Talent List Hong Kong in 2018, with a view to attracting quality people in a more effective and focused manner to support Hong Kong's

development into a high value-added and diversified economy. The Talent List has been continuously optimised over the years. Mediators specialising in resolving international commercial, financial and investor-state disputes are included in the “dispute resolution professionals” segment on the current Talent List, with a view to attracting more such talents to Hong Kong.

Measures and events introduced by the DoJ for expanding the pool of international mediation talents in Hong Kong include:

I. Events

- The DoJ organises the annual flagship event, the Hong Kong Legal Week, to bring together legal and dispute resolution experts and academics from around the world to explore important topics including international mediation through a series of activities such as summits and seminars. The Hong Kong Mediation Lecture 2025 is planned to be held during the Hong Kong Legal Week 2025.
- The DoJ organises the biennial “Mediate First” Pledge Event with the aim of encouraging all sectors of the community to explore the use of mediation to resolve disputes before resorting to other means of dispute resolution or litigation. In March 2023, the Deputy Secretary for Justice promoted Hong Kong’s dispute resolution services in Bangkok, Thailand, where the signing ceremony of the “Mediate First” Pledge was held overseas for the first time, promoting Hong Kong’s development as the capital for mediation. The next edition of the “Mediate First” Pledge Event will be held on 9 May 2025 to promote the “Mediate First” culture through seminars and experience sharing sessions.
- The DoJ tentatively plans to hold the next Investment Law & Investor-State Mediator Training in 2025-26.
- The DoJ will co-organise with the Shanghai Commercial Mediation Center the “7th Shanghai-Hong Kong Commercial Mediation Seminar” in the second half of 2025.
- The DoJ co-organised with the International Chamber of Commerce (ICC) - Hong Kong the 3rd ICC International Commercial Mediation Competition from 8 to 12 December 2024, attracting the participation of 18 teams from around the world. The mediation competition served as a valuable platform for university students from around the globe to engage in contests and exchanges. For Hong Kong, the competition brought together budding talents from the international mediation community to experience for themselves the city's appeal as a centre for international legal and dispute resolution services in the Asia-Pacific region and as the capital for mediation.

II. Measures

(i) Deepening mediation culture

The DoJ will continue to strengthen the promotion of mediation services and deepen the mediation culture. An increase in the number of mediation cases is conducive to the promotion of sustainable development of local and international mediation talent pools.

The policy on the incorporation of mediation clauses in government contracts took effect from 6 February 2025. The DoJ promulgated The Government of the Hong Kong Special Administrative Region Mediation Rules (2025 Edition) on the same day to encourage the private sector to adopt similar mediation clauses.

To improve the environment for sports dispute resolution, the DoJ established in January 2025 the Advisory Committee on Sports Dispute Resolution (Advisory Committee) under the direct steer of the Deputy Secretary for Justice. At its first meeting on 10 January, the Advisory Committee considered and endorsed its terms of reference and discussed future work and issues for follow-up to promote the development of sports dispute resolution in Hong Kong at full steam. The Advisory Committee has been actively engaging with key stakeholders. It also met and exchanged views with representatives of the Sports Federation & Olympic Committee of Hong Kong, China in mid-February 2025, and met several Legislative Council members on 25 February 2025 to discuss the way forward for developing sports dispute resolution in Hong Kong.

(ii) Reviewing the regime

Established in early October 2024 by the DoJ for a two-year term, the Working Group on Mediation Regulatory System advises the DoJ on the mediation regulatory regime in Hong Kong, including reviewing and making recommendations to reform or improve the current regime in relation to the accreditation and disciplinary matters, etc. As at early 2025, having taken into account the advice of the Working Group, the DoJ has completed the review of the system on the accreditation and disciplinary matters of the mediation profession in Hong Kong and has formulated preliminary proposals for improving the system, thus making the system more capable of meeting local needs, and at the same time being the leading system in the sector that aligns with international standards.

(iii) Listening to the advice on the overall strategies and initiatives for Hong Kong's legal and dispute resolution services

The DoJ established the Expert Advisory Group on Legal and Dispute Resolution Services (EAG) in early October 2024. The EAG, chaired directly by the Secretary for Justice, advises on matters related to Hong Kong as an international centre for legal and dispute resolution services for a term of 3 years. The first meeting of the EAG was held on 31 October 2024 to advise the DoJ on the promotion and development of the legal and dispute resolution services of Hong Kong, and to formulate the overall strategies and initiatives for the promotion and development of Hong Kong's legal and dispute resolution services in and outside Hong Kong.

(iv) Strengthening collaboration in legal and dispute resolution among Guangdong, Hong Kong and Macao

To provide better support to the brand building and business development of Hong Kong lawyers and mediators in the Greater Bay Area (GBA), the Deputy Secretary for Justice met with representatives from the legal departments of Guangdong and Macao at the 6th GBA Legal Departments Joint Conference held on 18 November 2024 to actively promote the interface of legal talents among the 3 places, and take forward the interface of regulatory

frameworks and the establishment of a multifaceted dispute resolution mechanism in the GBA to provide legal support for the development of a world-class Bay Area. On 30 December 2024, the legal departments of the 3 places officially released the consolidated GBA Mediator Panel 2024 online which comprises a total of 146 mediators from Hong Kong, Guangdong and Macao. The establishment of the GBA Mediator Panel implements the measure in the Action Plan on the Construction of Rule of Law in the GBA released earlier by the DoJ. It will effectively promote the interface of mediation regulatory frameworks of the 3 places and a wider use of mediation in the GBA, thereby further enhancing the multifaceted dispute resolution mechanism in the GBA. At the same time, the DoJ will strive to take forward its work in setting up a dedicated platform for GBA lawyers and establishing a GBA legal information platform. On the training front, the DoJ held the GBA Mediator Training Course of Hong Kong on 16 August 2024 to enhance Hong Kong mediators' understanding of the respective mediation systems, culture and practices of Guangdong and Macao and their skills and experience in handling cross-boundary disputes, interfacing and co-ordinating different dispute resolution services in the GBA.

- End -

CONTROLLING OFFICER'S REPLY

SJ056

(Question Serial No. 3849)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

It is mentioned in paragraph 168 of the Budget Speech that on the basis of the successful implementation of the measure of “allowing Hong Kong-invested enterprises to adopt Hong Kong law” in Qianhai, the Department of Justice (DoJ) collaborated with the relevant Mainland authorities and achieved the extension of the above measure and the measure of “allowing Hong Kong-invested enterprises to choose Hong Kong as the seat of arbitration” to other pilot cities in the Greater Bay Area, providing Hong Kong investors with a more facilitative business environment. In this connection, would the Government inform this Committee of the following:

- 1) What is the working mechanism to be put in place by the DoJ to implement the measures of “allowing Hong Kong-invested enterprises to adopt Hong Kong law” and “allowing Hong Kong-invested enterprises to choose Hong Kong as the seat of arbitration” in 2025-26? What are the staffing and estimated expenditure involved in the work?
- 2) As the measure of “allowing Hong Kong-invested enterprises to adopt Hong Kong law” has been extended from Hong Kong-invested enterprises registered in Qianhai to cover those registered in Shenzhen and Zhuhai, what are the DoJ’s plans in briefing Hong Kong and overseas business and industrial sectors on the extension?
- 3) What are the DoJ’s measures to motivate Mainland enterprises to adopt Hong Kong law as the applicable law in their contracts with Hong Kong-invested enterprises or choose Hong Kong’s dispute resolution services for handling contractual disputes with Hong Kong-invested enterprises? What are the staffing and estimated expenditure involved in the work?

Asked by: Hon KAN Wai-mun, Carmen (LegCo internal reference no.: 68)

Reply:

1. The work relating to the extension of the measures of “allowing Hong Kong-invested enterprises to adopt Hong Kong law” and “allowing Hong Kong-invested enterprises to choose Hong Kong as the seat of arbitration” are absorbed by the existing manpower

and resources of the Legal Enhancement and Development Office under the Secretary for Justice (SJ)'s Office.

2. Upon the announcement of the details of the extended measures by the relevant Mainland authorities on 14 February 2025, the Department of Justice (DoJ) has forthwith informed stakeholders from the legal and business sectors of the specific details of the extended measures. Reader-friendly leaflets have also been published on social media platforms and the DoJ's website. The DoJ has proactively made use of various platforms to explain the details and promote the 2 measures to stakeholders and the general public, including:
 - on 18 February 2025, a DoJ's representative attended a meeting of the Legislative Council (LegCo) Panel on Commerce, Industry, Innovation and Technology to brief panel members on the CEPA Amendment Agreement II, including the details of the 2 extended measures, and to answer members' questions. Members welcomed the extension;
 - on 19 February 2025, DoJ's representatives attended the CEPA Forum co-organised by the Ministry of Commerce and the HKSAR Government, and hosted the breakout session on financial and legal services. During the session, together with the representatives from the Supreme People's Court and the Ministry of Justice, DoJ's representatives introduced the implementation details of the 2 measures to representatives from the business, legal and dispute resolution sectors, and answered questions from them. The participants made active responses;
 - on 24 February 2025, the SJ attended an event titled "Exchange with Outstanding Celebrities" celebrating the 125th anniversary of the Chinese General Chamber of Commerce, Hong Kong. In the event, the SJ introduced the latest development regarding the extension of the 2 measures and the development of Hong Kong legal and dispute resolution sectors in the Greater Bay Area to an audience of about 100 people comprising members of the Chamber, and professionals from the industrial and business sectors. The participants agreed that the extension would bring new development opportunities for the Hong Kong legal sector and Hong Kong-invested enterprises, and looked forward to the DoJ striving for further extension of the measures in due course; and
 - on 14 March 2025, the SJ attended a meeting of the LegCo Panel on Administration of Justice and Legal Services to brief members on the details of the 2 extended measures. Members supported the measures as they would bring more opportunities to the sectors, and hoped that the DoJ would continue to pursue a further extension of the measures.

The DoJ will closely monitor the implementation of the extended measures, and continue to take forward the relevant briefings and promotion work, including those for local and overseas chambers of commerce and arbitration institutions for them to further understand the specific details and strengths of the measures.

3. The DoJ makes ongoing efforts to organise and support diversified exchange activities to promote Hong Kong's legal and dispute resolution services, including professional exchange activities targeting Mainland enterprises. For instance, the SJ led a senior delegation comprising representatives from various international and local law firms to visit Guangzhou and Shenzhen in December 2024 for exchanges with the legal and compliance teams of Mainland enterprises. Through case analyses and discussions on hot topics on practical issues, the delegation shared the experience of Hong Kong legal sector in areas such as foreign-related legal risk management and dispute avoidance and resolution, with the aim of deepening Mainland enterprises' understanding of the strengths of Hong Kong's legal services, and enabling them to choose Hong Kong's legal and dispute resolution services when appropriate.

Officers of different divisions of the DoJ will be engaged to participate in the promotion work on Hong Kong's legal and dispute resolution services. As the promotion work is undertaken by these officers among their other duties, the estimated expenditure involved cannot be separately identified. The relevant staffing and expenditure are absorbed by the existing resources of the DoJ.

- End -

CONTROLLING OFFICER'S REPLY

SJ057

(Question Serial No. 3942)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

Regarding the use of mediation services in legal aid cases, would the Government inform this Committee of the following:

whether the Government has considered extending the application of mediation services, such as introducing an option for mediation in more civil cases; and whether it has any plans to further boost the popularity of mediation services by, for example, stepping up the promotion among applicants and offering them enhanced guidance? If yes, what are the details?

Asked by: Hon KONG Yuk-foon, Doreen (LegCo internal reference no.: 40)

Reply:

According to the information provided by the Legal Aid Department (LAD), the LAD supports the use of mediation by legally-aided persons to resolve disputes, and will cover the reasonable costs they incurred in mediation in various types of legally aided civil proceedings. The civil cases covered mainly include matrimonial cases, personal injuries claims, traffic accident cases, employees' compensation, landlord and tenant disputes, professional negligence claims and employment disputes. In order to promote the use of mediation in legal aid cases, the LAD will take the initiative to provide legal aid applicants and aided persons with information on mediation services such as funding for mediation, suitability of the cases, costs implications and procedures for attempting mediation. The LAD is also committed to answering their queries, if any, concerning mediation in legal aid cases so as to facilitate them in using mediation in their cases.

Over the years, the Department of Justice (DoJ) has spared no efforts in promoting the wider use of mediation among the public through organising different promotional events and implementing a range of measures to deepen mediation culture. The Government has also taken the lead across government departments to use mediation more extensively in resolving disputes. Relevant activities are as follows:

- (i) The biennial "Mediate First" Pledge Event aiming at encouraging all sectors of the community to explore the use of mediation to resolve disputes before resorting to

other means of dispute resolution or litigation. The next edition of the “Mediate First” Pledge Event will be held on 9 May 2025 to promote the “Mediate First” culture through talks and experience sharing sessions;

- (ii) The biennial Mediation Week featuring a range of activities such as mock sessions and seminars to promote mediation culture. The Mediation Conference held during the event brings together renowned speakers from Hong Kong and overseas to discuss and exchange views on hot topics of mediation which are suitable for public participation, such as family disputes, neighbourhood relationship and peer mediation. The last Mediation Week was held in May 2024;
- (iii) The Hong Kong Mediation Lecture co-organised by the DoJ and Herbert Smith Freehills during the DoJ’s annual flagship event, the Hong Kong Legal Week, where internationally renowned speakers were invited to share views on different topics of mediation, including the use and sustainable development of mediation along the Belt and Road, the current state, challenges and opportunities of resolving international disputes through mediation and the latest developments of investor-state mediation. The Hong Kong Mediation Lecture 2025 is planned to be held during the Hong Kong Legal Week 2025;
- (iv) The biennial Mediation Essay Competition co-organised by the DoJ, the Education Bureau, Asia Conflict Resolution Institute Limited and Rotary International District 3450 to encourage students to develop a positive and constructive attitude towards dispute resolution. It is hoped that through the competition, students will better appreciate the effectiveness of mediation as a daily skill in resolving disputes amicably. The last Mediation Essay Competition was held in 2024;
- (v) The DoJ supports the annual Secondary School Peer Mediation Competition co-organised by the Rotary International District 3450, the Joint Mediation Helpline Office and the Academy of Guangdong-Hong Kong-Macao Greater Bay Area Joint Mediation Limited, with the aim of promoting the use of mediation among students and advocating the resolution of student disputes through communication, thereby fostering a culture of peace. The last Secondary School Peer Mediation Competition was held on 22 March 2025;
- (vi) The DoJ has collaborated with the Asian Academy of International Law to launch training courses in Hong Kong encompassing investment laws and mediation skills for international investment disputes since 2018. The training courses not only contribute to the capacity building of dispute resolution talents in Hong Kong and overseas, but also further capitalise on Hong Kong’s bilingual common law system and international status, consolidating Hong Kong’s strategic position as a centre for international legal and dispute resolution services in the Asia-Pacific region under the National 14th Five-Year Plan. The DoJ has tentatively scheduled the next round of training courses to be held in 2025-26;
- (vii) The policy on the incorporation of mediation clauses in government contracts took effect from 6 February 2025. The DoJ promulgated The Government of the Hong Kong Special Administrative Region Mediation Rules (2025 Edition) on the same day to encourage the private sector to adopt similar mediation clauses. To

complement the implementation of the policy, the DoJ co-organised with the Civil Service College the first session of mediation training for civil servants on 22 January 2025;

- (viii) The DoJ is preparing to launch a two-year Pilot Scheme on Community Mediation (Pilot Scheme) in collaboration with the Environment and Ecology Bureau and the Food and Environmental Hygiene Department. Through training of property management staff, the Pilot Scheme will help them gain a better understanding of mediation and its value in peaceful dispute resolution, and acquire mediation skillsets in resolving daily disputes, with a view to deepening the culture of community mediation and promoting the wider use of mediation in the community; and
- (ix) The Government will enhance the accreditation and disciplinary system for the local mediation profession and review Hong Kong's current accreditation and regulatory regime for mediators in response to the changing needs for dispute resolution of the public, enterprises and various sectors of the community and to ensure the effective operation, high standard of quality and professionalism of the mediation regime so as to enhance their confidence in mediation. The DoJ will review the local accreditation, training and regulatory regimes for mediators from a comprehensive and holistic perspective, taking into account the latest developments in mediation across the world and the practical needs of the Hong Kong mediation industry.

- End -

CONTROLLING OFFICER'S REPLY

SJ058

(Question Serial No. 3654)

Head: (92) Department of Justice

Subhead (No. & title): (-) Not Specified

Programme: (-) Not Specified

Controlling Officer: Director of Administration and Development (Jessie WONG)

Director of Bureau: Secretary for Justice

Question:

A breakdown of the expenditure involved in the study on the introduction of gender recognition legislation in the past 5 years.

Asked by: Hon TIK Chi-yuen (LegCo internal reference no.: 182)

Reply:

2 time-limited posts, namely 1 Senior Government Counsel (SGC) and 1 Government Counsel (GC), were created during the period from 2018-19 to 2021-22 to provide legal support to the Inter-departmental Working Group on Gender Recognition (IWG). The annual expenditures of the above posts were about \$2.6 million in both 2020-21 and 2021-22.

Since the lapse of the 2 aforesaid time-limited posts on 31 March 2022, the relevant work has been and continues to be undertaken by 1 SGC and 1 GC. As these 2 counsel and other officers providing support to the IWG undertake other duties, the manpower or expenditure involved cannot be separately identified.

- End -