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(By Fax: 2509 9055)

2 July 2008

Mrs Percy Ma
Clerk to Panel on the Administration of Justice and Legal Services
Legislative Council
Legislative Council Building
8 Jackson Road, Central
Hong Kong

Dear Mrs Ma,

The Mainland Judgments (Reciprocal Enforcement) Ordinance

The Department of Justice has been informed that the Supreme People's Court will promulgate a judicial interpretation on 4 July 2008 to give effect to the Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters by the Courts of the Mainland and the HKSAR pursuant to Choice of Court Agreements signed on 14 July 2006. In accordance with Article 19 of the Arrangement, the two sides have discussed and agreed that the Arrangement shall come into effect on 1 August 2008.

Pursuant to section 1(2) of the Ordinance, the Secretary for Justice will publish a notice in the Gazette on 4 July 2008 appointing 1 August 2008 as the day when the Ordinance shall come into operation.

We have not yet received a copy of the judicial interpretation but are given to understand that it will basically repeat the terms of the Arrangement as in the case of giving effect to the Arrangement on the Mutual Enforcement of Arbitral Awards. As soon as we have received a copy of the relevant judicial interpretation, we will provide the same to the Panel.

Thank you for your assistance.

Yours sincerely,

(Miss Michelle Tsang)
Senior Assistant Solicitor General

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