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6 November 2009

Mr LEE Tin-yan
Senior Government Counsel
Legal Policy Division
Department of Justice
1st Floor, Queensway Government Offices
66 Queensway
Hong Kong

Dear Mr LEE,

Re: Arbitration Bill

We spoke in relation to the captioned bill.

Clause 2(5) of the Bill provides that –

"If the Chinese equivalent of an English expression used in any provision of this Ordinance is different from the Chinese equivalent of the same English expression used in any provision of the UNCITRAL Model Law, those Chinese equivalents are to be treated as being identical in effect."

Please identify the provisions in the bill of which clause 2(5) are applicable.

Further, in the Chinese text of clause 26(3), there is a reference of "質疑" made under Article 13(2) of the Modal Law. However, the Chinese text of Article 13(2) of the Modal Law contains no reference to "質疑". Please clarify.

Yours faithfully,

(LEE Ka-yun, Kelvin)
Assistant Legal Adviser

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