

Arbitration (Amendment) Bill 2016
Debate and voting arrangements

- Object of the Bill :** To amend the Arbitration Ordinance (Cap. 609) to:
- (a) clarify that intellectual property right (“IPR”) disputes may be arbitrated and it is not contrary to the public policy of Hong Kong to enforce arbitral awards involving IPRs;
 - (b) update the Arbitration (Parties to New York Convention) Order (Cap. 609A); and
 - (c) provide for incidental and related matters.

First debate	: Clauses with no amendment – Clauses 2 to 6 and 8
Voting	: To vote on the above clauses standing part of the Bill together
Second debate	: Clauses with amendments proposed by the Secretary for Justice – Clauses 1, 7 and 9
Joint debate on the original clauses and the amendments.	
Clauses 1 and 7	
<ul style="list-style-type: none">- to amend clause 1(3) to change the commencement date of Part 2 of the Bill (except the new section 103J (Arbitral proceedings in relation to short-term patents) in clause 5) from 1 October 2017 to the first day of the seventh month following the month in which the Ordinance is published in the Gazette, so as to allow the intellectual property arbitration community a period of around six months after passage of the Bill to prepare for the enactment of the relevant amendments, and to make consequential amendments to the proposed section 1(1) and (4) in clause 7.	
Clause 9	
<ul style="list-style-type: none">- as Angola has acceded to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (“the New York Convention”), to amend clause 9(2) in respect of the Schedule to the Arbitration (Parties to New York Convention) Order to include Angola as a contracting party to the New York Convention, in addition to the two proposed state parties, namely Andorra and Comoros.	
Voting	: To vote on the above amendments, and then the original clauses or the clauses as amended standing part of the Bill

Secretary for Justice’s amendments

(set out in LC Paper No. CB(3) 636/16-17 issued on 2 June 2017)