

**立法會**  
**Legislative Council**

LC Paper No. CB(4)1181/20-21  
(These minutes have been seen by  
the Administration)

Ref: CB4/BC/1/20

**Bills Committee on Mainland Judgments in Matrimonial and  
Family Cases (Reciprocal Recognition and Enforcement) Bill**

**Minutes of the fourth meeting held on  
Tuesday, 9 March 2021, at 2:30 pm  
in Conference Room 1 of the Legislative Council Complex**

**Members present** : Dr Hon Priscilla LEUNG Mei-fun, SBS, JP (Chairman)  
Hon Tommy CHEUNG Yu-yan, GBS, JP  
Hon Paul TSE Wai-chun, JP  
Hon Elizabeth QUAT, BBS, JP  
Hon Vincent CHENG Wing-shun, MH, JP

**Members absent** : Hon Alice MAK Mei-kuen, BBS, JP  
Dr Hon Junius HO Kwan-yiu, JP

**Public Officers  
attending** : **Agenda item I**

Department of Justice

Ms Jenny FUNG  
Deputy Solicitor General (Policy Affairs)(Acting)

Miss Deneb CHEUNG  
Senior Assistant Solicitor General (China Law)

Miss Selina LAU  
Senior Government Counsel

Ms Mary HO  
Government Counsel

Miss Celia HO  
Government Counsel

Mr Karl SUEN  
Government Counsel

**Clerk in attendance** : Mr Lemuel WOO  
Chief Council Secretary (4)6

**Staff in attendance** : Ms Vanessa CHENG  
Assistant Legal Adviser 5

Miss Janice HO  
Council Secretary (4)6

Ms Emily LIU  
Legislative Assistant (4)6

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Action

**I. Meeting with the Administration**

[LC Paper No. CB(3)182/20-21, File Ref: L/M(5) to LP CLU 5037/7/3C, LC Paper Nos. LS13/20-21, CB(4)354/20-21(01) to (03), CB(4)389/20-21(01) to (03), CB(4)443/20-21(01) to (02), CB(4)593/20-21(01) to (02), and CB(4)546/20-21(01)]

Discussion

The Bills Committee deliberated (Index of proceedings at **Appendix**).

Clause-by-clause examination of the Bill

2. The Bills Committee completed clause-by-clause examination of the Bill and raised no objection to the amendments proposed by the Administration [LC Paper No. CB(4)546/20-21(01)]. The Administration indicated that it planned to resume the Second Reading debate on the Mainland Judgments in Matrimonial and Family Cases (Reciprocal Recognition and Enforcement) Bill ("the Bill") at the Council Meeting of 5 May 2021. The Chairman would report the Bills Committee's deliberations to the House Committee in due course.

*(Post-meeting note: The Chairman reported the deliberations of the Bills Committee at the House Committee meeting on 16 April 2021. The Administration resumed the Second Reading debate and Third Reading of the Bill at the Council meeting of 5 May 2021.)*

**II. Any other business**

3. There being no other business, the meeting ended at 3:29 pm.

Council Business Division 4  
Legislative Council Secretariat  
29 June 2021

**Bills Committee on Mainland Judgments in Matrimonial and  
Family Cases (Reciprocal Recognition and Enforcement) Bill**

**Proceedings of the fourth meeting held on  
Tuesday, 9 March 2021, at 2:30 pm  
in Conference Room 1 of the Legislative Council Complex**

Time Marker	Speaker(s)	Subject(s)	Action required
<b>Agenda Item I - Meeting with the Administration</b>			
000349- 000612	Chairman	Opening remarks	
000613- 003304	Administration	Briefing by the Administration on its responses to the follow-up actions arising from the discussion at the meeting on 26 February 2021.	
003305- 003902	Chairman Administration Assistant Legal Adviser ("ALA")	<p><u>Continuation of clause-by-clause examination of the Bill</u></p> <p>The Chairman's advice that the amendments to the Bill proposed by the Administration as set out in LC Paper No. CB(4)546/ 20-21(01) would be considered with the relevant clauses concurrently.</p> <p><u>Clause 32</u></p> <p>Members raised no question.</p> <p><u>Clause 33</u></p> <p>ALA's enquiry and the Administration's response regarding what would be regarded as being "manifestly contrary to the public policy of Hong Kong".</p> <p><u>Clause 34</u></p> <p>The Chairman's enquiry on whether a party may apply for the recognition of a new Mainland divorce certificate after the recognition of an existing Mainland divorce certificate had been set aside, and the Administration's response.</p>	
003903- 004028	Chairman Administration	<p><u>Clause 35</u></p> <p>Members raised no question.</p> <p><u>Clause 36</u></p> <p>Members raised no question.</p>	

Time Marker	Speaker(s)	Subject(s)	Action required
004029-004608	Chairman Administration	<p><b>Part 4: Facilitation of Recognition and Enforcement in Mainland of Hong Kong Judgments Given in Matrimonial or Family Cases</b></p> <p><u>Clause 37</u></p> <p>Members raised no question.</p> <p><u>Clause 38</u></p> <p>The Chairman's enquiry and the Administration's response on how the fee under this clause was to be prescribed.</p>	
004609-005058	Mr Paul TSE Administration	<p><u>Clause 39</u></p> <p>Mr TSE's comments about the need for the Hong Kong courts to issue a certificate in addition to a certified copy of a Hong Kong Judgment given in a matrimonial or family case, and the Administration's response.</p>	
005059-005915	Chairman Administration	<p><b>Part 5: Miscellaneous</b></p> <p><u>Clause 40</u></p> <p>The Chairman's enquiry and the Administration's response about the progress regarding the rules to be made by the Chief Judge of the High Court.</p> <p><u>Clause 41 and Schedule 1-3</u></p> <p>Members raised no question.</p> <p><u>Clause 42 and Schedule 4</u></p> <p>The Chairman's enquiry and the Administration's response regarding the identification of the consequential amendments under this clause.</p>	
005916-010030	ALA Administration	ALA's enquiry and the Administration's response regarding possible grounds of appeals that might be made in Hong Kong.	
010031-010212	Chairman Administration	Proposed date for resumption of the Second Reading debate on the Bill.	

<b>Time Marker</b>	<b>Speaker(s)</b>	<b>Subject(s)</b>	<b>Action required</b>
<b>Agenda Item II - Any other business</b>			
010213-010336	The Chairman	Closing remarks	

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Legislative Council Secretariat  
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