

立法會
Legislative Council

LC Paper No. LS62/20-21

**Paper for the House Committee Meeting
on 16 April 2021**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 26 March 2021**

Tabling in LegCo : Council meeting of 21 April 2021

Amendment to be made by : Council meeting of 12 May 2021 (or that of 9 June 2021 if extended by resolution)

**Arbitration (Amendment) Ordinance 2021 (Commencement)
Notice**

(L.N. 46)

By L.N. 46, the Secretary for Justice appoints 19 May 2021 as the day on which Part 2 of the Arbitration (Amendment) Ordinance 2021 (Ord. No. 1 of 2021) ("Amendment Ordinance") comes into operation.

2. The Amendment Ordinance was published in the Gazette on 19 March 2021 after the Arbitration (Amendment) Bill 2021 was passed by the Legislative Council ("LegCo") on 17 March 2021. Part 2 of the Amendment Ordinance, which will come into operation on 19 May 2021, amends the Arbitration Ordinance (Cap. 609) to implement the Supplemental Arrangement Concerning Mutual Enforcement of Arbitral Awards between the Mainland and the Hong Kong Special Administrative Region signed on 27 November 2020. The effect is that (i) arbitral awards made in accordance with the arbitration law in the People's Republic of China may be enforced under Cap. 609 regardless of whether it is made by a recognized Mainland arbitral authority specified in a list published under section 97 of Cap. 609, and (ii) applications may be made in the Mainland and in Hong Kong concurrently to enforce a Mainland arbitral award.

3. The other provisions of the Amendment Ordinance have already come into operation on the day on which the Amendment Ordinance was published in the Gazette (i.e. 19 March 2021).

4. No LegCo Brief has been issued on L.N. 46.

5. As advised by the Clerk to the Panel on Administration of Justice and Legal Services, the Panel has not been consulted on L.N. 46.

6. No difficulties have been identified in relation to the legal and drafting aspects of L.N. 46.

Prepared by

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14 April 2021

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