

HONG KONG SPECIAL ADMINISTRATIVE REGION

ORDINANCE NO. 1 OF 2021



Carrie LAM
Chief Executive
18 March 2021

An Ordinance to amend the Arbitration Ordinance to give effect to the Supplemental Arrangement Concerning Mutual Enforcement of Arbitral Awards between the Mainland and the Hong Kong Special Administrative Region made between the Supreme People's Court of the People's Republic of China and the Government of the Hong Kong Special Administrative Region and to make minor textual amendments; and to update the Arbitration (Parties to New York Convention) Order.

[19 March 2021]

Enacted by the Legislative Council.

Part 1

Preliminary

1. Short title and commencement

- (1) This Ordinance may be cited as the Arbitration (Amendment) Ordinance 2021.

Arbitration (Amendment) Ordinance 2021

Part 1
Section 1

Ord. No. 1 of 2021
A9

- (2) Subject to subsection (3), this Ordinance comes into operation on the day on which it is published in the Gazette.
 - (3) Part 2 comes into operation on a day to be appointed by the Secretary for Justice by notice published in the Gazette.
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Part 2

Amendments to Arbitration Ordinance

2. Arbitration Ordinance amended

The Arbitration Ordinance (Cap. 609) is amended as set out in sections 3, 4 and 5.

3. Section 2 amended (interpretation)

(1) Section 2(1), definition of *Mainland award*—

Repeal

“in the Mainland by a recognized Mainland arbitral authority”.

(2) Section 2(1)—

Repeal the definitions of *recognized Mainland arbitral authority* and *the Mainland*.

(3) Section 2(1)—

Add in alphabetical order

“*Mainland* (內地) means the part of China other than Hong Kong, Macao and Taiwan;”.

4. Section 93 repealed (restrictions on enforcement of Mainland awards)

Section 93—

Repeal the section.

5. Section 97 repealed (publication of list of recognized Mainland arbitral authorities)

Section 97—

Repeal the section.

Part 3

Amendment to Arbitration (Parties to New York Convention) Order

- 6. Arbitration (Parties to New York Convention) Order amended**
The Arbitration (Parties to New York Convention) Order (Cap. 609 sub. leg. A) is amended as set out in section 7.

- 7. Schedule amended**
The Schedule—
 - Add in alphabetical order**
 - “Ethiopia
 - Palau
 - Sierra Leone
 - Tonga”.