

Panel on Administration of Justice and Legal Services**List of outstanding items for discussion
(position as at 27 November 2023)****Proposed
timing for
discussion****1. The latest development of the mechanism on reciprocal enforcement of judgments in civil and commercial matters between Hong Kong and the Mainland**

Proposed by the Department of Justice (“DoJ”). The Administration will brief members on the latest development in implementing the Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters signed between the Supreme People’s Court and the Government of the Hong Kong Special Administrative Region in 2019 (“Arrangement”), including the date on which the Arrangement and the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Ordinance (Cap. 645) will take effect in both places simultaneously, the rules on the relevant practice and procedures made by the Chief Judge of the High Court, and publicity programmes being prepared by the DoJ to familiarise the legal practitioners and the general public with the mechanisms established under the Arrangement and Cap. 645.

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2. Improving the mechanism for mutual service of judicial documents in civil and commercial proceedings between the Mainland and Hong Kong

Proposed by DoJ. According to the Administration, with the strong support of the Central Government, Hong Kong and the Mainland have so far concluded nine arrangements on mutual legal assistance in civil and commercial matters, including the Arrangement for Mutual Service of Judicial Documents in Civil and Commercial Proceedings between the Mainland and Hong Kong Courts signed in 1999. Since the commencement of the arrangement, the requests for mutual service of judicial documents between the courts of the two places increased greatly, indicating the importance of the arrangement in the resolution of cross-boundary disputes. With a view to improving the service mechanism, DoJ, together with the Judiciary, has been discussing with the Supreme People’s Court (“SPC”) in order to increase the possible modes of service of

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judicial documents and enhance efficiency. DoJ strives to conclude the discussions with SPC within this year and have the new service arrangement signed with the support of SPC and the Judiciary.

3. Updates on cooperation with international legal and dispute resolution bodies and attracting their presence or carrying out of activities in Hong Kong

Proposed by DoJ. The Administration will brief members on the recent updates on its cooperation with international legal and dispute resolution bodies, and the relevant policy initiatives in attracting them to establish presence or carry out activities in Hong Kong.

Jan 2024

4. Implementation of the Judiciary's information technology infrastructure and technology related initiatives in the District Court Building at Caroline Hill Road

Proposed by the Judiciary Administration ("Jud Adm"). Jud Adm will consult the Panel on the implementation of the Judiciary's information technology ("IT") infrastructure in the District Court Building ("DCB") at Caroline Hill Road, and to equip the courtrooms and Judiciary offices in the DCB with appropriate IT and audio-visual facilities. These initiatives aim to support the daily operations of the District Court, Family Court and Lands Tribunal.

Feb 2024

5. Progress on strengthening the promotion of Hong Kong's legal and dispute resolution services

Proposed by DoJ. The Administration will brief members on the implementation progress of the policy initiative of the Department of Justice under the 2022 Policy Address regarding strengthening the promotion of Hong Kong's legal and dispute resolution services.

Q2 2024

At the Panel meeting on 25 January 2022, Hon YUNG Hoi-yan suggested that DoJ should provide updated information on the mediation initiatives of the Administration, in particular the

**Proposed
timing for
discussion**

development of community mediation services and the role of the West Kowloon Mediation Centre in promoting such services.

6. Subsidiary legislation relating to Stage 2 of Phase I of the Information Technology Strategy Plan

Proposed by Jud Adm. Jud Adm will consult the Panel on the subsidiary legislation related to Stage 2 of Phase I of the Information Technology Strategy Plan (“ITSP”). The subsidiary legislation aims to regulate or prescribe the practice and procedure for the use of electronic technology in Stage 2 e-Courts.

To be
confirmed

7. Progress on implementation of “Vision 2030 for Rule of Law”

Proposed by DoJ. The Administration will update members on the progress of various projects and activities under “Vision 2030 for Rule of Law”. At the Panel meeting on 25 January 2022, Hon LAM San-keung suggested that secondary school students should be cultivated with a correct concept of rule of law with a view to nurturing interests among those talented students to pursue a legal career in the future.

To be
confirmed

8. LRC Report on Class Actions

Pursuant to Hon Holden CHOW’s proposal to discuss the work progress of introducing a class action regime in Hong Kong (LC Paper No. CB(4)255/17-18(01)), members agreed at the Panel meeting on 27 November 2017 that the issue be included in the Panel’s list of outstanding items for discussion.

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At the Panel meeting on 17 January 2023, members urged for confirmation of a meeting date for the discussion of this item at a Panel meeting.

9. Trainings for judges, judicial officers and legal officers

At the Panel meeting on 25 January 2022, Hon Maggie CHAN, Hon Holden CHOW and Hon Carmen KAN expressed concerns about the trainings provided to judges and judicial officers (“JJOs”), and legal officers on the Constitution of the People’s Republic of China (“the Constitution”), the Basic Law and the Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (“HK National Security Law”).

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Mr CHOW suggested inviting Jud Adm to update members on the latest progress of the provision of relevant trainings to JJOs. Ms KAN was concerned whether, for judges designated to handle cases concerning offence endangering national security, the trainings could provide an accurate understanding of HK National Security Law for making judgments on such cases. Ms CHAN was concerned whether knowledge in the above subjects would be among the entry requirements in the recruitment of JJOs and legal officers as well as the criteria for performance evaluation and consideration of promotion.

At the Panel meeting on 17 January 2023, members urged for confirmation of a meeting date for the discussion of this item at a Panel meeting.

10. The Secretary for Justice’s role as protector of charities

Proposed by Hon Paul TSE at the Panel meeting on 25 January 2022. In relation to formulating a scheme for utilizing the estate of the late Mrs Nina WANG for charitable purposes, which has been outstanding since the relevant Court of Final Appeal judgment was handed down in 2015, Mr TSE requested DoJ to brief members on the Secretary for Justice’s role as protector of charities in relation to charitable interests in trusts and estates, in particular where major public interests are involved.

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11. Legal education and training in Hong Kong

At the Panel meeting on 25 January 2022, Dr Hon Priscilla LEUNG suggested the Panel to discuss the proposal of introducing a public examination, as an alternative to the Post-

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graduate Certificate in Laws, which could lead to legal professional qualifications.

At the Panel meeting on 17 January 2023, members urged for confirmation of a meeting date for the discussion of this item at a Panel meeting.

12. Implementation of LRC Report on Enduring Powers of Attorney: Personal Care – Continuing Powers of Attorney Bill

On 28 December 2017, the Administration launched a consultation on the proposed Continuing Powers of Attorney Bill (“the proposed Bill”) and briefed the Panel on the proposed Bill at its meeting on 22 January 2018. The proposed Bill seeks to implement the Law Reform Commissions of Hong Kong’s Report on Enduring Powers of Attorney: Personal Care. The consultation period ended on 28 April 2018. The Administration is now considering the responses received and will take them into account in refining the proposed Bill. The Administration will brief the Panel on the result of the consultation as well as the proposed way forward on a date to be advised.

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At the Panel meeting on 17 January 2023, members urged for confirmation of a meeting date for the discussion of this item at a Panel meeting.