

Hong Kong legal practitioners allowed to practise in the Mainland upon passing examination

The Department of Justice (DoJ) welcomed the document released by the General Office of the State Council yesterday (October 22) containing guidelines on the pilot programme for Hong Kong and Macao legal practitioners to obtain Mainland practice qualifications and to practise law in the nine Pearl River Delta municipalities in the Guangdong-Hong Kong-Macao Greater Bay Area. The document specified the requirements for the legal professional qualifying examination, the scope of business and more. It would enable the expansion of professional service by the local practising solicitors and barristers in the Greater Bay Area after obtaining their Mainland practice qualifications.

Since the Standing Committee of the National People's Congress passed the decision on authorising the State Council on the implementation of pilot programme on August 11, the DoJ has maintained close communication with relevant Mainland authorities to reflect views and expectations of the department and Hong Kong legal sector on areas including eligibility for the examination, training methods and the scope of business.

The Secretary for Justice, Ms Teresa Cheng, SC, said, "I am delighted to learn that under the guidelines, the solicitors and barristers with five years of post-qualification experience are allowed to apply for the examination. As such, young legal practitioners are enabled to grasp the opportunities in the Greater Bay Area. I also thank the Ministry of Justice for organising relevant legal training to prepare and equip Hong Kong's legal practitioners for the examination."

Ms Cheng believed that the arrangement by the Central Authorities for Hong Kong solicitors and barristers to provide legal services regarding specified civil and commercial affairs (including litigation and non-litigation businesses) using the Mainland's applicable laws in the Greater Bay Area, as well as to enjoy the same privileges and under the same obligations as Mainland lawyers, will foster the mutually complementary co-operation relationship between Hong Kong and Guangdong. Legal practitioners from Hong Kong will join hands with those in the Mainland to provide legal services to enterprises (including Hong Kong enterprises) in the Greater Bay Area. She encouraged practising solicitors and barristers to capitalise on the development of the Greater Bay Area and further enhance Hong Kong's legal service.

Ms Cheng noted the development of the Guangdong-Hong Kong-Macao Greater Bay Area as an important national strategy, and pointed out that Hong Kong must seize the precious opportunity brought by the Greater Bay Area, leverage in the advantages and enhance business co-operation among the three places, so as to meet the goal of enhancing the cross-boundary co-operative mechanism

on the rule of law aspect and the robust international legal service and dispute resolutions mechanism.