

New milestone for legal regulatory interface in GBA

In light of the signing of the interim measures arrangement between the Supreme People's Court (SPC) and the Macao Special Administrative Region (SAR), the Secretary for Justice, Ms Teresa Cheng, SC, made the following statement today (February 28):

The Mainland and the Hong Kong SAR signed an interim measures arrangement in 2019. I am pleased to learn that the SPC also signed the arrangement with the Macao SAR. Parties to arbitral proceedings, in accordance with the relevant laws and regulations, are allowed to apply to courts in the Mainland and Macao for interim measures as and where necessary. This not only enhances the function of arbitration in resolving cross-border disputes, but also marks a new milestone for legal regulatory interface in the Guangdong-Hong Kong-Macao Greater Bay Area (GBA).

It is in the interest of Guangdong, Hong Kong and Macao to review the existing arrangements on bilateral mutual legal assistance so that efforts can be made to promote negotiation in respect of those with little difference to extend the arrangements to other parties, with a view to reaching a tripartite legal assistance arrangement in civil and commercial matters.

The GBA has unique advantages under "one country, two systems and three jurisdictions" in the GBA. It is essential to promote the legal regulatory interface and connectivity among the three places as well as facilitate the harmonisation of the laws of the three jurisdictions. In the long term, the three places should endeavour to promulgate a set of unified standards of best practices in the common legal aspects and model law applicable to the GBA, thereby facilitating the convergence of legal regulatory interface and rules in order to achieve co-ordinated development.