

Public consultation on proposed code of practice for third party funding of mediation starts today

The Department of Justice (DoJ) today (August 16) launched a two-month public consultation to seek views on the draft Code of Practice for Third Party Funding of Mediation.

The provisions in relation to third party funding of arbitration and mediation enacted by the Arbitration and Mediation Legislation (Third Party Funding) (Amendment) Ordinance 2017 (Amendment Ordinance) came into operation upon gazettal on June 23, 2017, except for the relevant provisions of section 3 relating to the Arbitration Ordinance and the relevant provisions of section 4 relating to the Mediation Ordinance.

The Code of Practice for Third Party Funding of Arbitration was issued by the Secretary for Justice, as the authorised body appointed under the Arbitration Ordinance, on December 7, 2018, and the relevant provisions of section 3 of the Amendment Ordinance commenced on February 1, 2019.

The commencement of the relevant provisions of section 4 of the Amendment Ordinance has been deferred to a future date pending the issue of the relevant Code.

The draft Code sets out the practices and standards that third party funders are ordinarily expected to comply with in carrying on activities in connection with third party funding of mediation in Hong Kong.

The draft Code is now available on the [DoJ website](#). Members of the public are invited to submit their comments on the draft Code to the Mediation Team of the Civil Division of the DoJ by mail to 4/F, Main Wing, Justice Place, 18 Lower Albert Road, Central, Hong Kong, or by email to mediation@doj.gov.hk. The consultation will end on October 15, 2021.