

Report on Standing Committee on Greater China Affairs 2018

Overview

2018 was the 21st year when Hong Kong returns to the sovereignty of China. It will in history be remembered as a year of challenges of success.

That success came with a price is cliché: more opening up, more opportunities for disputes.

On top of this Hong Kong SAR is the window for many mainland entities and individuals.

Hong Kong SAR is the only place in China where it operates common law, that such right to apply common law is guaranteed by Article 8 of the Basic Law, the important role of the Hong Kong Bar Association in promoting the professional services of its members and also the common law concept of the rule of law may be self-evident. But this may not be always appreciated, and this is even more so to someone coming from a civil law or socialist legal system. Which takes us to accept that it is highly important to foster our relationship with the Mainland, through developing a long term and amicable working relationship in as many ways and as frequent as possible. The demand for generous help from members in this regard is truly enormous and I am always deeply grateful to their help.

In 2018 we had seen the completion of the 55 km Hong Kong-Zhuhai-Macau Bridge and the high speed rail, and naturally we should expect to have more of our activities within the Guangdong area and outside. We have seen in 2018 many more members taking initiative to travel and visit our counterparts in Mainland, having been invited to give talks and liaising in discussion in furtherance of their business relationship. Barristers are more and more regarded by our counterparts from the Mainland of having an important role in opening up of China. This is an encouraging development and I sincerely hope that this trend will continue.

I would like to thank everyone in the Committee, in particular those who found time to join our activities. Their support without considering how much income opportunities they may have missed is evident of the fact that our members are generous. And this is good proof that we will continue to have an important role in the promotion of the Common Law, not only in Hong Kong. I am very grateful to the support of the Bar Council.

Last but not least I would like to thank Ms Ava Wong for her unfailing professional input to make everything running so smoothly.

A chronological list of events is attached.

Membership:

Andrew Mak (Chairman)

Osmond Lam (Vice Chairman)

Frederick Chan (Vice Chairman)

Carol Wong (Honorary Secretary)

Hectar Pun SC

Richard Khaw SC

Derek Chan SC

Kenneth Chow

Kenny Lin

Edward Chow

Cheung Yiu Leung

Barbara Wong

Julia Lau
Gary Soo
Kitty Tsang (since 6/2018)
Elaine Liu
Tim Wong
Vickie Ling (since 6/2018)
Yvonne Fong
Jane Curzon Lo
Jolie Chao
Karen Ma
Norman Nip
Ann Lui
Eunice Yung
Kay Seto
Sabrina Ho
Selina Kung
Jeffrey Sham
Deanna Law
Adrian Wong
Devin Sio
Byron Tsang
Kinsey Kang
Justin Tong
Lily Yu Q
Prisca Cheung
Chantel Lin
Jeremy Yau
Brian Chok
Justin Ismail
Adela Mao
Xizhen Wang (since 6/2018)

Andrew Mak
Chairman
Standing Committee on Greater China Affairs

December 2018

2018 年大中華地區專業人士與公會交流一覽

Highlights of Events 2018

- 11/1 公會代表出席第 73 屆台灣司法節學術研討會，並就「日本裁判員制度的現況與課題－給台灣的借鏡」作專題演講
The Bar representatives spoke and attended the Seminar - 73rd Judicial Day of Taiwan, and exchanged views on “System of Adjudicators in Japan – Take Example by Taiwan”
- 25/1 台北律師公會 14 人代表團到訪公會
A 14-person delegation of the Taipei Bar Association representatives visited the Bar.
- 3/2 公會代表出席由香港特區政府及「一帶一路總商會」於北京舉行之「國家所需 香港所長－共拓一帶一路策略機遇」論壇，其派出代表作專題演講
The Bar representatives spoken and attended the Belt & Road Symposium co-organized by the Government of HKSAR and Belt and Road General Chamber of Commerce.
- 19/3 高雄律師公會郭清寶理事長率領五人代表團到訪公會
The 5- person delegation of Kaohsiung Bar Association, led by their President, Mr Kuo Ching-Pao, visited the Bar.
- 23/3 公會主席與台中律師公會以「法治」及「刑事上訴」為題作學術交流
The Bar Chairman visited Taichung Bar Association and exchanged views on the Rule of Law and Criminal Appeals with lawyers in Taichung and overseas scholars.
- 24/3 公會主席及副主席及 2 名新晉大律師代表團出席台中律師公會 70 週年紀念慶典
The Bar Chairman and Vice Chairman led a 2-YB delegation to attend the Ceremony on 70th Anniversary of the Taichung Bar Association.
- 4/3-25/3 為北京大學法學院和中國人民大學法學院本科生教授國際仲裁課程
Organized international arbitration course for the undergraduate law students of the Peking University and the China Renmin University.
- 14/4-15/5 為北京大學法學院和中國人民大學法學院研究生及本科生教授普通法課程
Organized common law courses for the undergraduate law students of the Peking University and the China Renmin University.
- 17/5 公會副主席及代表於南寧出席由香港律政司舉辦以「一帶一路」香港法律及仲裁服務」為題之法律服務研討會並於會上致辭。
The Vice Chairman attended at the Seminar “Think Global, Think Hong Kong” organized by the Department of Justice of HKSAR in Nanning, Guangxi. A Bar member also attended as one of the speakers.
- 25/5 26 位由上海前往香港參加「滬港兩地法律人才交流團」之司法局官員和律師到訪公會
26 Chinese Officials from the Justice Bureaus and Lawyers from Shanghai Participating a Training Program in Hong Kong, visited the Bar.
- 30/5 17 位參加由香港律政司舉辦之「內地法律工作人員短期交流培訓計劃」之內地官員到訪公會，並安排參觀一所大律師辦事處

- 17 Chinese Officials, participating an attachment program organized by the Department of Justice, visited the Bar.
- 2-3/6 為北京大學普通法公法碩士/本科課程之學生舉辦模擬法庭
Organized moot court assessments for PekingU LLM and LLB Students
- 9/7 法律教育基金安排 40 多位來自國內和香港的法律系學生到公會交流
Visit by 50 university students of HK and the Mainland attending training program organized by Legal Education Trust Fund.
- 16/7-27/7 北京大學普通法公法和國際仲裁碩士及學士課程 20 名獲獎學金學生到大律師辦事處觀察大律師日常工作
20 scholarship awardees of common law course and international arbitration course organized by the Bar for the LLB and LLB students of the Peking University came to Hong Kong for mini-pupillage
- 20/7 重慶大學法學院 6 人代表團到訪公會
The 6-person delegation of the Law School of Chongqing University visited the Bar
- 18-20/7 5 名公會代表參加香港法律論壇工作代表團，訪問廣州、肇慶、佛山
5 Bar representatives joined the delegation of the Hong Kong legal and arbitration sectors led by the Department of Justice to visit Guangzhou, Zhaoqing and Foshan to promote the Hong Kong's legal and dispute resolution services, and the 5th Hong Kong Legal Service Forum to be held on 5 September 2018 in Guangzhou.
- 5/9 公會聯同香港律政司、香港貿易發展局、香港律師會、香港國際仲裁中心、國際商會國際仲裁院亞洲事務辦公室、中國國際經濟貿易仲裁委員會香港仲裁中心、中國海事仲裁委員會香港仲裁中心、亞洲國際法律研究院合辦在廣州舉行的以「匯聚灣區 邁向國際」為題的香港法律服務論壇，公會主席率領 33 人代表團出席，其中部份會員擔任講者發言。
The Bar Chairman led a 33-person delegation to attend the Legal Forum featuring the theme of "From Bay Area to International Arena" co-organized with the Department of Justice of Hong Kong SAR, the Hong Kong Trade Development Council, the Law Society of Hong Kong, Hong Kong International Arbitration Centre, Asia Office of the International Court of Arbitration of the International Chamber of Commerce, China International Economic and Trade Arbitration Commission Hong Kong Arbitration Center, China Maritime Arbitration Commission Hong Kong Arbitration Center and Asian Academy of International Law in Guangzhou, some members participated as keynote speakers in the Forum.
- 7/9 公會副主席應高雄律師公會邀請，出席在高雄舉行之「第 71 屆律師節慶祝大會」
The Vice Chairman attended the 71st Annual Lawyers' Day in Kaohsiung.
- 2-12/10 4 名台灣年青律師透過台北律師協會安排到港交流有關刑事案件和司法覆核
Four young lawyers from Taipei came to Hong Kong for mini-pupillage to observe criminal proceedings and judicial review cases.
- 12/11 29 名內地公務員透過香港大港及香港特區公務員事務局安排參觀公會
A delegation consisting 29 civil servants were arranged by the University of Hong Kong and the Civil Services Bureau of HKSAR to visit the Bar.

- 3-14/11 5 名新晉大律師透過公會及台北律師協會安排到台北的律師事務所交流有關刑事、ADR 和婚姻案件
Five young barristers went to Taipei to attend seminars organized by the Taipei Bar Association. Mini-pupillage at law firms was arranged for them to observe criminal proceedings, ADR and matrimonial cases.
- 11-12/12 寧波市律師協會會長率領 18 人代表團到訪公會，兩會簽訂為期三年之合作框架協議
A 18-person delegation of the Ningbo Lawyers Association visited the Bar. A Memorandum of Understanding was signed.