

# THE LAW SOCIETY OF HONG KONG COUNCIL DUTY VISIT TO BEIJING

**MARCH 2025** 

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# The Law Society of Hong Kong

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## **Preface**

# Deeply Cultivated for 118 Years: The Role and Mission of The Law Society of Hong Kong in the New Era

As a statutory self-regulatory body with a long history, The Law Society of Hong Kong ("The Law Society") has, since its establishment in 1907, been dedicated to promoting the development of the legal profession in Hong Kong and upholding the spirit of the rule of law. The Law Society is an independent self-regulatory organisation established under the Legal Practitioners Ordinance. Currently, The Law Society has more than 13,000 solicitor members. It is responsible for the professional regulation and licensing of over 11,000 practising solicitors in Hong Kong and serves as an important pillar of the legal system of Hong Kong.

The uniqueness of The Law Society lies in its role as an independent organisation. It does not only ensure high standards and professional ethics of the legal profession but also maintains autonomy from the Government while upholding the core values of the rule of law. This characteristic has earned The Law Society a high reputation in the international legal community. As a leader in the common law jurisdiction, The Law Society not only serves the local legal community but also strives to promote international legal exchanges and acts as an important bridge for Hong Kong's integration into the overall development of the country.

Since the 18<sup>th</sup> National Congress, the Party Central Committee, with General Secretary Xi Jinping at its core, has emphasised the rule of law as a fundamental approach to governance. This has led to comprehensive legal reforms domestically and an extension of legal principles to international affairs, outlining a clear strategy for handling foreign-related legal matters. The third plenary session of the 20<sup>th</sup> Central Committee approved the "Resolution of the Central Committee of the Communist Party of China on Further Deepening Reform Comprehensively to Advance Chinese Modernization", which, for the first time, formally recognised the rule of law in foreign-related affairs as comprising six key areas: legislation, law enforcement, administration of justice, observance of the law, legal services, and the training of legal professionals. The document also stresses the need to cultivate world-class law firms to support Mainland enterprises and citizens in international commercial

arbitration and mediation.

At the recently concluded National People's Congress and Chinese People's Political Consultative Conference ("Two Sessions"), Premier Li Qiang reaffirmed the central government's unwavering support for the integration of the Greater Bay Area ("GBA"), emphasising deeper international cooperation and Hong Kong's and Macau's better integration into China's overall development strategy. Vice Chairman of the National Committee of the Chinese People's Political Consultative Conference Mr. Leung Chun-ying further highlighted that under the "One Country, Two Systems" arrangement, Hong Kong's legal, judicial, arbitration, and mediation systems differ from those of the Mainland. The coexistence of two legal systems within one sovereign nation is a significant institutional advantage. With over a century of uninterrupted legal system development, aligned with international standards, Hong Kong's legal services—particularly its lawyers and supporting infrastructure—offer insights and experience valuable to the legal modernisation of the Mainland.

As the country enters a new phase of rapid development, Hong Kong also enters a new phase of deepening the development of "One Country, Two Systems". In line with the focus points of economic transformation outlined in the Government's work report, Hong Kong, as the only common law jurisdiction in China and an "international specialist" in the legal field, should continue to play its unique and irreplaceable role. Hong Kong solicitors are a crucial part of the legal system of Hong Kong. Hong Kong solicitors are also the most active, highly internationalised, and professionally comprehensive group with the greatest resilience and flexibility in the industry's development. In the face of market fluctuations over the years, Hong Kong solicitors have not only strived to enhance our business competitiveness but have also actively assisted in promoting the development of the Hong Kong SAR Government and various sectors. We are participants, strivers, and beneficiaries of the successful development of the country and the Hong Kong SAR. In this new era, The Law Society will continue to uphold the fine traditions of the profession, adhere to the spirit of the rule of law, seek progress while maintaining stability, actively contribute, and deepen international legal exchanges.

In late March 2025, The Law Society will visit Beijing to embark on its annual high-level exchanges and discussions. This trip marks another significant milestone in The Law

Society's deepening of legal cooperation with the Mainland under the "One Country, Two Systems" framework. The Law Society will continue to leverage its professional advantages in the common law background to contribute to the country's efforts in promoting foreign-related legal enhancement and development as well as international legal cooperation, while advancing the high-quality development of the legal services market through professional and international development pathways.

# I. The role of Hong Kong lawyers in promoting the development of foreign-related rule of law in the country

We believe that Hong Kong solicitors can actively participate in the country's legal enhancement and development in many areas, making further contributions to the country while simultaneously achieving improvements and development of its own profession.

# 1. Partnering with Mainland enterprises for international expansion: Leveraging Hong Kong law and dispute resolution mechanisms to support the globalisation of Mainland enterprises and safeguard state-owned assets

We strongly encourage Mainland enterprises to consider Hong Kong law and Hong Kong as the preferred dispute resolution venue in their international business transactions, including litigation, arbitration, and mediation. Hong Kong's common law can serve as a preferred governing law for contracts in the international expansion of Mainland enterprises. The principles of common law are widely recognised across the globe, with extensive case precedents, making it highly adaptable to international commercial regulations and business environments. Hong Kong's dispute resolution mechanisms are well-trusted in international markets, with leading arbitration and mediation services in Asia.

For Mainland enterprises engaged in cross-border commercial transactions and investments, choosing Hong Kong law as the law applicable to the contract and Hong Kong as the dispute resolution venue offers several advantages:

- Ensures alignment with international common law standards, facilitating negotiations;
- Provides effective legal protection through Hong Kong's legal system; and
- Enhances risk control in disputes and asset enforcement through legal coordination mechanisms between the Mainland and Hong Kong, such as:
  - o Mutual recognition and enforcement of judgments; and
  - o Interim relief measures in arbitration, reducing litigation risks in international investments and transactions.

Currently, many Mainland enterprises remain uncertain or hesitant about adopting Hong Kong law and Hong Kong dispute resolution mechanisms. Corporate executives and legal teams require further training and guidance. Hong Kong's legal sector can assist the Ministry of Justice, the State-owned Assets Supervision and Administration Commission (SASAC),

and other relevant authorities in advancing this initiative.

# Specific Recommendations:

- (1) To enhance the international legal expertise of corporate leadership and decision-makers, strengthening enterprises' capabilities in international risk management and regulatory compliance, and encouraging Mainland enterprises to hire Hong Kong-qualified lawyers as corporate legal counsel, independent non-executive directors (INEDs), or senior management.
- (2) To provide central state-owned enterprises, local state-owned enterprises, and large private corporations with guidelines prioritising Hong Kong law as the governing contract law and Hong Kong as the arbitration venue, and establish this practice as an essential component of internal corporate legal compliance and risk management. Then leverage Hong Kong lawyers' expertise in common law and international regulations to help enterprises manage foreign-related litigation risks, protect state assets, and safeguard their legal rights in overseas expansion.
- (3) To increase awareness among Mainland legal professionals regarding common law principles and usefulness of common law principles in foreign-related rule of law work, consideration may be given to incorporating Hong Kong common law concepts into China's national legal education system as part of broader legal awareness campaigns for foreign-related law development.
- 2. Leveraging Hong Kong law and dispute resolution mechanisms to attract Hong Kong and foreign Investments. Exploring the establishment of wholly-owned Hong Kong law firms in eligible Greater Bay Area pilot cities to enhance the measures of "allowing Hong Kong-invested enterprises to adopt Hong Kong law"

In October 2024, the Mainland and Hong Kong signed the second revision of the "Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA) Services Trade Agreement", which already took effect in March 2025. This revised agreement introduces "allowing Hong Kong-invested enterprises to adopt Hong Kong law" and "allowing Hong Kong-invested enterprises to choose for arbitration to be seated in Hong Kong" as new measures to facilitate Hong Kong investors.

### Under this agreement:

- Hong Kong-invested enterprises registered in Greater Bay Area (GBA) pilot cities (Shenzhen and Zhuhai) can choose Hong Kong law as the law applicable to the contract, provided that this does not violate mandatory national laws or harm public interests.
- Eligible Hong Kong-invested enterprises in the eligible cities of GBA can select Hong Kong as their arbitration venue.

The measures of "allowing Hong Kong-invested enterprises to adopt Hong Kong law" and "allowing Hong Kong-invested enterprises to choose for arbitration to be seated in Hong Kong" will allow both Hong Kong businesses and foreign enterprises registered in Hong Kong to use the familiar common law system for contract governance and to designate Hong Kong as their dispute resolution centre. As a result, more foreign companies may register in Hong Kong to use it as a platform for expanding into the GBA and ultimately into the broader Mainland market.

To support these initiatives, we recommend the following:

- Allowing wholly-owned Hong Kong law firms to establish branches in eligible pilot cities within the GBA, when conditions permit.
- Facilitating Hong Kong legal professionals in providing legal services to businesses and residents in the GBA.

Hong Kong and Mainland lawyers have complementary expertise, and by collaborating, they can enhance legal services in the region while showcasing the advantages of "One Country, Two Systems" in a practical and accessible way.

If Hong Kong law firms can set up independent branches in these cities, they will:

- (1) provide specialised legal services in foreign-related matters, strengthening confidence in Hong Kong's legal framework among international clients;
- (2) bring Hong Kong's advanced law firm management experience into the Mainland, driving reform and development in local law practices;
- (3) enhance the legal services market in the GBA, fostering a vibrant, competitive legal environment;
- (4) introduce high professional standards, international expertise, and best practices in law firm management, improving the overall legal service quality in the region.

By leveraging Hong Kong's legal expertise and international credibility, this initiative will

enhance cross-border legal cooperation, develop a more competitive legal industry in the GBA, and contribute to the broader integration of Hong Kong within Mainland China's economic and legal frameworks.

3. Using common law as a bridge to connect the world and promote China's rule of law and Hong Kong's legal system. Actively engaging in international legal exchanges. Attracting more global legal conferences to Hong Kong. Encouraging young lawyers to participate in international events

The Law Society has long been an active participant and promoter in international legal cooperation and exchanges. For example, in 2023 and 2024, The Law Society participated in 106 in-person, hybrid, and online international and regional events, including:

- Official overseas visits organised by the Hong Kong SAR Government and international organisations;
- Opening ceremonies of legal years in various jurisdictions such as Singapore, Malaysia, Sabah and Sarawak, Brunei, England and Wales, Paris and Milan;
- Annual meetings of international legal organisations; and
- Events hosted by various overseas bar associations.

Additionally, over the past two years, The Law Society has organised 14 industry events for both local and overseas jurisdictions in in-person, hybrid, and online formats, including:

- The Opening of the Legal Year in Hong Kong;
- "Doing Business in Hong Kong in a Rapidly Changing World" Forum;
- Belt and Road Conferences; and
- 34<sup>th</sup> Presidents of Law Associations in Asia (POLA) Summit.

POLA Summit, an important international legal event, was successfully held in Hong Kong for the third time after 1994 and 2003. The successful hosting of POLA 2024 in Hong Kong reaffirms confidence in Hong Kong's legal system and its status as an internationally recognised legal hub underpinned by the rule of law. These exchanges have strengthened relationships and mutual understanding between Hong Kong's legal community and jurisdictions worldwide, producing encouraging outcomes.

The Law Society is committed to nurturing young legal professionals. Each year, we sponsor

promising young lawyers to participate in major international legal forums, providing valuable opportunities for global exposure, professional networking, and active industry participation.

- The Law Society sponsored 5 young lawyers to attend international legal conferences in 2023, followed by 9 young lawyers in 2024.
- In 2025, we plan to sponsor 12 young lawyers for similar opportunities.

Furthermore, The Law Society is honoured to be hosting the International Conference of Legal Regulators (ICLR) in Hong Kong for the first time in October 2025. This event presents an excellent opportunity to showcase Hong Kong's hospitality, professionalism, and commitment to upholding the rule of law and legal integrity.

International legal exchanges foster collaborative discussions on common issues in legal service development and establish a global network for mutual learning and professional interactions. Looking ahead, we believe The Law Society should play a more active role in international legal exchanges, particularly in common law-related collaborations. Specifically:

- (1) As the country's only common law jurisdiction, Hong Kong can play a unique role in promoting the country's legal system, including the Basic Law and "One Country, Two Systems", to international communities. Through common law as a bridge, Hong Kong can serve as a global platform to tell good stories about "One Country, Two Systems", and Hong Kong's legal system.
- (2) During each overseas visit, The Law Society can strengthen communication and liaison with the local consulates and, where conditions permit, organise or participate in exchanges with local Mainland enterprises and legal professionals. On the one hand, this will help deepen overseas Mainland enterprises' understanding of Hong Kong's common law and promote the Hong Kong legal services industry. On the other hand, and more importantly, through cooperation and collaboration with local enterprises, individuals, and legal professionals, a chain mechanism for domestic and overseas legal services can be formed. This will provide comprehensive, powerful, convenient, and secure legal service support for the two-way investment, business, study, living, and development of overseas Mainland enterprises and individuals, as well as Mainland enterprises and citizens.

4. Utilising the Common Law Centre for practical legal research and training. Providing common law training for corporate legal teams and management. Strengthening professional development for Mainland legal practitioners in international markets

Hong Kong is Asia's largest hub for international legal talent development. Over the years, Hong Kong has accumulated extensive experience in law firm management, case management, and legal service industry development. As a result, Hong Kong has played a key role in cultivating a world-class international legal services market, which can contribute to the country's efforts to train international legal professionals and develop legal services suited to domestic conditions.

Hong Kong's legal services sector integrates both Eastern and Western legal traditions, attracting top legal talent from various legal systems worldwide. This includes not only professionals from common law jurisdictions but also lawyers with civil law backgrounds, including those from Belt and Road countries. According to The Law Society's latest data, as of 14 March 2025, there were 1,578 foreign-qualified lawyers practising in Hong Kong, accounting for 13.7% of the total 11,523 members with practising certificate. Local Hong Kong solicitors develop cross-jurisdictional expertise, cultural awareness, and risk analysis skills through long-term cooperation with foreign law firms.

Furthermore, Hong Kong has nurtured a large pool of Mainland-background lawyers who work and develop their careers in Hong Kong over the past few decades. These lawyers cover various specialised legal fields and are attached across law firms, Chinese and foreign enterprises, government bodies, regulatory authorities, stock exchanges, and universities. They form a legal community that understands China's state affairs, loves Hong Kong, is familiar with both legal systems, maintains high professional standards, and possesses international perspective and cross-border capabilities. In 2023, The Law Society specifically established the Committee for Members with Mainland Background to support and promote the development of Hong Kong's legal services industry.

Apart from law firms, Hong Kong's legal profession includes a well-established corporate legal system. Based on the common law tradition, corporate lawyers play a key role in risk management within the organisations and are an important part of the senior management of the companies. Most companies in the Mainland have not yet developed a strong awareness of the importance of legal risks, and corporate lawyers are mostly executive-level

employees who are not involved in decision-making. This creates a gap for enterprises to control their own legal risks. The management's understanding of legal risks is generally the legal risk of passive litigation, while neglecting the pre-transaction and investment stage of risk control. Corporate legal affairs is also an important area in the training of foreign-related legal talents. The experience accumulated by Hong Kong enterprises in this area will provide useful reference for the country and will also help Mainland enterprises to enhance their internal legal risk management awareness and capability.

The Law Society has continuously contributed to training legal professionals for the country. We have already established collaborations with multiple Mainland universities to provide internationally focused legal courses and have signed agreements with 47 Mainland lawyers' associations and 16 legal organisations to share expertise in cross-border legal services and foreign-related legal practice. Building on these efforts, The Law Society, via its exclusive training arm, the Hong Kong Academy of Law, established the Common Law Centre (CLC) in early 2025 to expand training programmes on common law practice and serve as a professional exchange platform for legal practitioners in the Mainland as well as other non-common law jurisdictions. We will explore the following initiatives under the Common Law Centre in the future:

- (1) To co-ordinate the introduction of training courses on The Law Society's supervisory functions and professional conduct, focusing on the characteristics of the legal services industry and market management in the common law area, and to provide training for the Mainland counterparts on the management of law firms, such as management of case sources, management of conflicts of interest and anti-money laundering, as well as guidelines on professional conduct;
- (2) To expand cooperation with Mainland law schools, to develop practical common law courses tailored for law students, and to introduce workshops and career planning programmes to provide hands-on exposure to international legal practice; and
- (3) Common law training for Mainland corporate lawyers and management, in areas such as cross-border mergers and acquisitions, capital markets, sanctions and anti-money laundering compliance and trust mechanisms.

# 5. Supporting the development of national sports industry; establishing a Sports Law Office to advance legal and regulatory issues in the sector

In recent years, our country's sports industry has continued to grow rapidly, becoming an

integral part of the country's economic and social development agenda. According to the General Administration of Sport of China, in 2022:

- The value-added output of the sports services sector reached 918 billion RMB, accounting for 70.1% of the total sports industry, an increase of 0.1 percentage points from the previous year; and
- The value-added output of sports goods and related product manufacturing reached 368.6 billion RMB, making up 28.2% of the total industry, an increase of 0.2 percentage points from the previous year.

The 14th Five-Year Plan for Sports Development (2021–2025) aims to expand the Chinese sports industry to 5 trillion RMB by 2025, contributing 2% to GDP, with total consumer spending on sports surpassing 2.8 trillion RMB and more than 8 million people employed in the sector. These targets signal that our country's sports industry is entering a new phase of opportunity, while also highlighting its growing contribution to national economic and social development.

The Hong Kong SAR Government has been actively committed to promoting the development of sports in Hong Kong through promoting sports in the community, supporting elite sports, promoting Hong Kong as a centre for major international sports events, enhancing professionalism and developing sports as an industry. The Law Society has also been actively involved in legal services and arbitration mechanisms related to the commercialisation of the sports industry. In February 2025, The Law Society successfully hosted Hong Kong's first Sports Law Mega Event, held against the backdrop of "One Country, Two Systems, Three Jurisdictions", exploring the intersection of sports, law, and business. The event provided new perspectives and opportunities for Hong Kong's legal and sports sectors, while aligning Hong Kong's sports law framework with international standards.

In November 2025, the 15th National Games will be jointly organised by Guangdong, Hong Kong and Macao for the first time, with Hong Kong hosting eight competition events. The Law Society will be actively involved in the legal services related to the Games and will do its utmost to assist the Hong Kong SAR Government in organising the competitions. Meanwhile, The Law Society has over 30 members standing ready to participate in the Hong Kong Volunteer Programme of the 15th National Games.

Given Hong Kong's advanced legal expertise and institutional resources, The Law Society and its members are well-positioned to provide comprehensive legal advisory services for non-dispute-related matters in the sports sector. To strengthen the legal foundation of the sports industry, we propose the following initiatives:

- (1) Establishing a Sports Law Office in Hong Kong to serve as a central coordinating body for sports law matters in Hong Kong, so as to promote the development of various sports law-related issues, including the planning and coordination of sports industry policies, the facilitation of communication and dialogue among stakeholders in the sports sector, the establishment of integrated legal service teams specialising in sports industry governance, and the establishment of an independent, internationally recognised dispute resolution system for sports-related issues.
- (2) The Law Society hopes to enhance our members to play a leading role in the process, particularly in the area of commercial contracts, intellectual property rights protection, and dispute resolution, to further consolidate Hong Kong's role as a "legal liaison" between the Mainland and the international sports community.

# II. Introduction to The Law Society of Hong Kong and review on its recent work

# 1. <u>Introduction to The Law Society of Hong Kong</u>

The Law Society is both the self-regulatory body and professional association for solicitors in Hong Kong. It is entrusted with the statutory duty to monitor the conduct of law firms and lawyers to maintain the highest standards. In this regard, The Law Society provides relevant and effective support to members, including organising regular training courses, seminars and events to update members on the latest developments in the law and to facilitate the sharing of experiences with Mainland and overseas counterparts. The Law Society also organises different kinds of sports, recreational and social activities for members to establish connections between members and even their families.

As a bridge between the solicitors' profession and the Government, The Law Society is in constant communication with relevant governmental departments, expressing opinions to improve the practice environment and regularly responds, from the legal perspective, to consultations on different issues. Rooted in Hong Kong and expanding abroad, The Law Society maintains a prominent presence in the international legal arena. We have established friendly relationships with many legal associations around the world and has signed various Memoranda of Understanding with different legal associations and organisations from overseas, the Mainland and Taiwan.

Representing over 13,000 members, The Law Society values the importance of social responsibility and encourages and facilitates its members to participate in voluntary work, using their legal knowledge to benefit the community. The Law Society will continue to uphold its vision and mission to safeguard and ensure the fair administration of justice while serving the legal profession.



# 2. Five major work priorities of The Law Society

# Enhancing support to members

- To enhance the support provided to our over 13,000 members. In particular:
  - to introduce a knowledge-sharing platform where industry experts-led seminars and forums will be conducted
  - to advocate for policy reform to alleviate the burden currently imposed on law firms
  - to facilitate our members in innovation and adaptation in accordance with their individual situations and priorities
  - For instance, we will pro-actively study how technology and Artificial Intelligence can be utilised to increase our competitiveness, and study the implementation of "Alternative Business Structures"



# • Pro-actively engage with stakeholders

- To pro-actively engage with Government, legal education providers, the general public and all other stakeholders to ensure that the voice of the legal profession is fully heard, with a view to making the best use of our professional expertise and capabilities in shaping legal policies and driving meaningful reforms
- To enhance the transparency and efficiency of our regulatory system, without compromising the maintenance of the highest professional standards
- ➤ The Law Society, with the valuable input of the various specialist committees and working parties under the Standing Committee on Practitioners Affairs, has reflected the views of the solicitors' profession in consultations on law reforms

In 2024, a total of 15 submissions were issued in response to public consultations. Meanwhile, The Law Society has made 5 submissions publicly as of 17 March 2025.

#### 0 2025

- Proposed Amendments to Buildings Ordinance (11 March)
- Proposals to Optimise IPO Price Discovery and Open Market Requirements (11 March)
- Companies (Amendment) (No.2) Bill 2024 (25 February)
- Protection of the Harbour (Amendment) Bill 2024 (25 February)
- Government Budget 2025-2026 (28 January)
- o **2024**
- Consultation on Proposals to Further Expand the Paperless Listing Regime and Other Rule Amendments (8 October)
- Consultation on Proposed Amendments to the Companies (Exemption of Companies and Prospectuses from Compliance with Provisions) Notice (Cap. 32L) regarding Mixed Media Offers (8 October)
- 2024 Policy Address (23 September)
- Public Consultation on Copyright and Artificial Intelligence (20 September)
- Consultation Paper on Review of Corporate Governance Code and Related Listing Rules (20 August)
- Consultation on Proposed Amendments to Private Columbaria Ordinance (Cap. 630) (28 May)
- Consultation on proposals to (i) introduce a statutory scheme of arrangement and compulsory acquisition mechanism for real estate investment trusts and (ii) enhance the SFO market conduct regime for listed collective investment schemes (28 May)
- Joint further consultation on enhancements to the OTC derivatives reporting regime for Hong Kong to mandate (1) the use of Unique Transaction Identifier, (2) the use of Unique Product Identifier and (3) the reporting of Critical Data Elements (14 May)
- Public consultation on proposed subsidiary legislation under Copyright Ordinance (3 May)
- Public Consultation on Legislative Proposals to Regulate Over-the-Counter Trading of Virtual Assets (2 April)
- Basic Law Article 23 Legislation (27 February )
- Consultation Paper on Legislative Proposal to Implement the Regulatory Regime for Stablecoin Issuers in Hong Kong (20 February)
- Government Budget 2024-2025 (30 January)
- Consultation Paper on Proposal on Severe Weather Trading of Hong Kong Securities and Derivatives Markets (30 January)
- Consultation Paper on Proposed Amendments to the Buildings Energy Efficiency Ordinance (Cap. 610) (12 January)

# • Leverage the advantages of the common law system under "One Country, Two Systems" and nurture legal talent

- ➤ Under "One Country, Two Systems", Hong Kong is the only common law jurisdiction in our country. Hong Kong is also the only English-Chinese bilingual common law system in the world. Under the common law system, we will continue to facilitate foreign investments in our country, and our country in connecting with the world through Hong Kong legal services
- To this end, we attach great importance to talent retention and inclusiveness, and nurturing legal professional leaders for the coming generations to ensure sustainable and prosperous development of the profession. For instance:
  - To support young lawyers in participating in exchange programmes with legal organisations in other jurisdictions
  - To promote exchange with legal organisations and leading universities in the Mainland



# • Promote legal education

The Law Society is duty-bound to explain law to the general public, particularly the younger generation. Through different activities, we highlight the advantage of bilingual proficiency of our next generation which contributes to Hong Kong's roles as "super-connector" and "super-value adder" in facilitating our country in connecting with the world.

# Maintain the independence of The Law Society as a self-regulatory professional body

To maintain the independence of The Law Society as a statutory self-regulatory professional body, particularly in the face of the ever-increasing political and

- economic challenges confronting our society.
- ➤ We will steadfastly remain apolitical, uphold the rule of law, and protect ourselves from any factors that may undermine our functions as a statutory legal professional body.
- > To effectively implement our policies and initiatives within the legal industry, always with the aim of giving back to the broader Hong Kong community in meaningful ways and contributing to the development of our country.
- ➤ The 3rd Edition to The Hong Kong Solicitors' Guide to Professional Conduct (Volume 1) ("Guide") sets out the basic principles governing the practice of solicitors. The standards set out in the Guide are those that all solicitors are expected to achieve and adopt in practice as minimum requirements of professional conduct.

# Profile of the legal profession (as of 14 March 2025):

| Solicitors  |        |
|---|--------|
| Members   | 13,242 |
| Members (with practising certificates)  | 11,523 |
| Trainee solicitors  | 1,059  |
| Registered foreign lawyers (from 31 jurisdictions, and 465 with Mainland as home jurisdiction)  | 1,578  |
| Solicitor Advocates   | 103    |
| <u>Law Firms</u>  |        |
| Hong Kong law firms (46% sole proprietorships; 42% with 2-5 partners)   | 925    |
| Registered foreign law firms (37 are Mainland firms)  | 82     |
| Representative offices of Hong Kong law firms in the Mainland (in 12 Mainland cities, 73% located in Beijing, Shanghai and Guangzhou) | 63     |
| Partnership associations in Guangdong Province (Shenzhen: 14; Guangzhou: 7; Dongguan: 1; Zhuhai: 6)                                   | 28     |

# 3. The Law Society's work in promoting the development of the Greater Bay Area in recent years

- On 22 October 2020, the State Council General Office released the details regarding the pilot scheme that allows those who pass the special qualifying examination to deal with civil and commercial legal matters (including litigation and non-litigation matters) in the nine mainland cities of the GBA.
- Once qualified, the "GBA lawyers" will be required to join as members of the local lawyers' associations as well as the All China Lawyers Association. They can be employed by the Mainland law firms or the partnership associations between Hong Kong/ Macao law firms and Mainland law firms in the nine Mainland cities in the GBA. They, however, cannot be employed by the representative offices of Hong Kong/Macao or foreign law firms in the Mainland.
- Following the decision of the Standing Committee of the National People's Congress in September 2023 to extend the Pilot Scheme for three more years from 5 October 2023 to 4 October 2026, the State Council published the detailed measures for the extended Pilot Scheme on 28 September 2023 ("New Pilot Measures").
- The New Pilot Measures set out the requirements in obtaining the licence to practise as a GBA lawyer. The major change is that the post qualification experience threshold has been lowered from 5 years to 3 years.
- As of December 2024, there are currently over 500 Guangdong, Hong Kong and Macao lawyers practising in the Greater Bay Area (Actual: 521).
- From time to time, The Law Society organises and participates in forums or seminars related to the GBA, and shares its views on the roles played by Hong Kong lawyers in the GBA, with a view to promoting exchanges and cooperation between GBA and Hong Kong.
- Major outbound events related GBA for The Law Society in 2024:

| Event | ent Name Date  |            |  |
|-------|--|------------|--|
| 1.    | GBA Express – Guangzhou 22 March                                       |            |  |
| 2.    | Two-Day Visit to Dongguan for Young Solicitors in 12 – 13 April        |            |  |
|       | Dongguan   |            |  |
| 3.    | 13 <sup>th</sup> Joint Meeting for Lawyers Associations in the 15 June |            |  |
|       | Greater Bay Area in Guangzhou  |            |  |
| 4.    | Resolve2Win - Legal Services of Hong Kong, 6-8 August                  |            |  |
|       | Opportunities for All in Shenzhen and Foshan                           |            |  |
| 5.    | GBA Express – Zhuhai: The 4th Guangdong Hong 30 August                 |            |  |
|       | Kong Macao Greater Bay Area (Guangdong)                                |            |  |
|       | Enterprise Legal Services Forum in Zhuhai                              |            |  |
| 6.    | Third Event under the "Seminar Series on Civil                         | 26 October |  |
|       | Code" in Zhongshan   |            |  |

| 7. | "Laws in the Greater Bay Area" Series (V) – New 30 November |                |  |
|----|---|----------------|--|
|    | Trends in Cross-Border Data Flows in the Greater            |                |  |
|    | Bay Area in Huizhou   |                |  |
| 8. | Hong Kong Legal Delegation Visited Guangzhou and            | 5 – 7 December |  |
|    | Shenzhen  |                |  |

Major local events related to GBA:

|    | Event Name  | Date        |  |
|----|---|-------------|--|
| 1. | Sharing Session on GBA Legal Professional                       | 13 June     |  |
|    | Examination 2024  |             |  |
| 2. | GoGBA Seminar for Legal Sector                                  | 23 July     |  |
| 3. | GBA Legal Seminar 13 November                                   |             |  |
| 4. | 14 <sup>th</sup> Joint Meeting for Lawyers' Associations in the | 18 December |  |
|    | Greater Bay Area  |             |  |

#### • Details of some events:

# **▶** GBA Legal Seminar (13 November 2024)

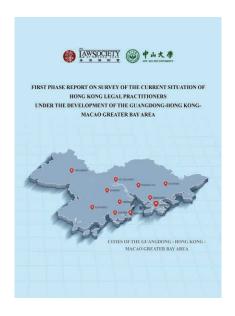
Co-organised by The Law Society and the Hong Kong Trade Development Council ("HKTDC"), the GBA Legal Seminar was held on 13 November 2024 at the HKTDC SME Centre in a hybrid format. This event, supported by the Department of Justice of the Government of the Hong Kong SAR and Guangdong Lawyers Association, attracted in-person participation of over 70 Hong Kong and Guangdong lawyers, as well as representatives from various consulates and chambers of commerce.



# First Phase Report on Survey of the Current Situation of Hong Kong Legal Practitioners under the Development of the Guangdong-Hong Kong-Macao Greater Bay Area

To study the development prospects of Hong Kong's legal professionals in the Guangdong-Hong Kong-Macao Greater Bay Area, including Qianhai and

Hengqin, and explore how Hong Kong lawyers and small and medium-sized law firms can leverage their geographical advantages and experience in the region, The Law Society commissioned the School of Law of Sun Yat-sen University to conduct a research on the development opportunities for Hong Kong legal practitioners in the Greater Bay Area.



# > GBA Express

To facilitate exchanges with Mainland counterparts on specific legal topics and foster cross-border collaboration opportunities for members, The Law Society has introduced the "GBA Express" event series.

- o The first "GBA Express" event was held on 16 June 2023 in Foshan, which attracted about 40 members to participate.
- o The second "GBA Express" event was held on 22 March 2024 in Guangzhou, which attracted more than 50 members to participate.
- o The third "GBA Express" event was held on 30 August 2024 in Zhuhai, which attracted more than 30 members to participate.



# **➤** Joint Meeting for Lawyers' Associations in the GBA

According to the "Joint Meeting System for Lawyers' Associations in the Greater Bay Area" co-established by The Law Society and lawyers' associations in the GBA in December 2018, The Law Society, Guangdong Lawyers Association and Macau Lawyers Association would take turns in hosting meetings to foster exchanges and promote legal services industry in the GBA.

Starting from February 2023, The Law Society takes up the role as the secretariat of the Joint Meeting and is responsible for the coordination and liaison work with lawyers' associations in Guangdong and Macau.

On 18 December 2024, the 14th Joint Meeting for Lawyers' Associations in the Greater Bay Area hosted by The Law Society was held at the Hong Kong Cricket Club.

Recent discussion topics included:

- Strengthening efforts related to the construction of rule of law and nurturing legal talent in the GBA;
- Training and assessment arrangements for lawyers in the region;
- Professional development for foreign-related lawyers;
- The establishment of a focus group to study the issues in relation to conflict of interests and the interfaces of mechanisms in the GBA; and
- Professional indemnity and practice insurance





# > "Laws in the Greater Bay Area" Seminar Series and "Seminar Series on Civil Code"

As initiatives under the Joint Meeting system, the events aim to promote the exchange of professional and practical legal experience among lawyers in Mainland, Hong Kong and Macau.

Five seminars were held under "Laws in the Greater Bay Area" Seminar Series:

Three seminars were held under "Seminar Series on Civil Code":

Marriage and Family Law

- Real Estate Law
- Cross-Border Insolvency Laws
- Setting Aside or Refusal of Enforcement of Arbitral Awards
- Trust & Wealth Inheritance
- New Trends in Cross-Border Data Flows in the Greater Bay Area
- Restructuring and Updates of Guarantee Requirements under the Civil Code
- A Comparison of the Formation and Validity of Contracts under the Civil Code within the Greater Bay Area

# Roundtable Meetings with Guangdong Lawyers Association

The Roundtable Meetings provide a platform for experienced practitioners and young lawyers from the Mainland and Hong Kong to exchange and share insights.

- First Roundtable Meeting (16 March 2023)

  Theme: Experience Sharing on the Implementation of Mutual Legal Assistance between the Mainland and Hong Kong on Cross-border Dispute Resolution
- Second Roundtable Meeting (28 November 2023)

  Theme: Experience-sharing on Cross-border Transactions under the 14th

  Five-Year Plan

# 4. Exchanges with Mainland and overseas counterparts



# **Exchanges with Mainland counterparts**

#### • Signing of the Cooperation Agreements

As at February 2025, The Law Society has signed 60 Cooperation Agreements with 47 lawyers' associations and 16 organisations in the Greater China region.

➤ In line with the continuous mission of the Greater China Legal Affairs Committee to cultivate and strengthen connections with lawyers' associations and legal organisations in the Greater China region, The Law Society signed 7 Cooperation Agreements in 2024 as listed below:

|    | Date (2024) | Name of Lawyers' Associations/ Organisations       |
|----|-------------|--|
| 1. | 24 January  | Zhuhai Lawyers Association                         |
| 2. | 4 May       | Jiangsu Lawyers Association                        |
| 3. | 31 May      | Suzhou Lawyers Association                         |
| 4. | 9 July      | Taoyuan Bar Association                            |
| 5. | 27 July     | East China University of Political Science and Law |
| 6. | 8 November  | Xinjiang Lawyers Association                       |
| 7. | 11 December | China International Economic and Trade Arbitration |
|    |             | Commission   |



# Collaborations on promoting foreign-related legal education

Apart from East China University of Political Science and Law, The Law Society and the Peking University Law School signed a Cooperation Agreement in April 2019 and has since conducted a 32-hour English course for students of the Law School under the title "An Introduction to Legal Services and Risk Management for Cross-border Transactions".



# Exchanges with overseas counterparts - "Belt and Road"

# • Signing of MOUs with overseas lawyers' associations along the Belt and Road

- ➤ By connecting with the lawyers' associations around the world, The Law Society has built extensive and amicable relationships with many overseas jurisdictions which enhance the cooperation and bring benefits to the local legal industry.
- As of early 2025, The Law Society has signed a total of 47 MOUs with 44 overseas lawyers' associations and international legal organisations across 29 jurisdictions.
- ➤ They include a myriad of members along the Belt and Road: Cambodia, Croatia, Czech Republic, Egypt, Georgia, Hungary, Indonesia, Italy, Kazakhstan, Luxembourg, Malaysia, Mongolia, Poland, Russia, Slovenia, Singapore, Sri Lanka, United Arab Emirates and Vietnam.

# • Belt and Road duty visits

- ➤ The Law Society has been an active participant in events of relevance to the Initiative, in the local, international and Greater China arena. In 2024, we had the honour to be invited to several duty visits to Belt and Road countries to promote our legal profession:
- ➤ Duty visits organised by the Department of Justice:
  - Riyadh, Saudi Arabia (March)
  - Riyadh, Saudi Arabia; and Abu Dhabi and Dubai, United Arab Emirates (May)
  - Ho Chi Minh City, Vietnam; and Kuala Lumpur, Malaysia (September)
- ➤ Duty visits organised by international organisations:
  - Asian Academy of International Law (AAIL) Delegation to Bangkok (September)
  - AALCO-HKRAC South Africa-Egypt Mission Trip to Cairo, Egypt; and Cape Town and Johannesburg, South Africa (October)
- At various international events, such as the LAWASIA Annual Conferences, The Law Society representatives took the lead to speak at Belt and Road panels to highlight the extensive opportunities for the legal profession.
- The Law Society has been a supporting organisation of the Belt and Road Summits co-organised by the Hong Kong SAR Government and Hong Kong Trade Development Council. Apart from maintaining a consultation booth, head delegates of The Law Society also spoke at the Summits.





- Summary of the work of The Law Society related to the "Belt and Road"
   Initiative over the past year
  - Since the launch of the Belt and Road Initiative in 2013, The Law Society has been playing an active role in promoting the Hong Kong legal system and legal profession along the Belt and Road.

#### Belt and Road Committee

To explore opportunities for members arising from the Initiative and foster in-depth collaboration with different jurisdictions, a Belt and Road Committee was convened in December 2015 to organise activities for global legal practitioners to exchange ideas and thoughts.

#### > Belt and Road Conference

- The Law Society has held its international Belt and Road Conferences in Hong Kong since 2017, which is the first and foremost conference of its kind, dedicated to exploring opportunities and discussing solutions for challenges brought about by the Initiative for the legal profession.
- In commemoration of the Initiative entered its next decade, The Law Society held the 7<sup>th</sup> Belt and Road Conference in Hong Kong in a hybrid format on

21 November 2024, attracting over 500 participants from various sectors from 32 jurisdictions, including 23 representatives of the Consulates-General, Honorary Consulates and Officially Recognised Bodies. Themed "Legal Professionals Joining Efforts in Advancing Eight Major Steps to Build High Quality Belt and Road Cooperation", the event scrutinised, from various professional perspectives, how we can pragmatically incarnate multi-dimensional connectivity and bolster cooperation among the Belt and Road nations.



- The Law Society was honoured to have 16 lawyers' associations from 10 jurisdictions to sign a Manifesto on "The Legal Ethical Code of Conduct Regarding the Deployment of AI" in a hybrid format with us. It emphasises the importance of responsible and ethical AI practices in the legal profession and outlines guiding principles for the development and deployment of AI technologies in this field.
- The Law Society is in preparation for the 8<sup>th</sup> Belt and Road Conference to be held in late 2025.

# • Introduction to the major overseas visits and activities conducted by The Law Society over the past year

The Law Society seizes every opportunity to promote to the international community Hong Kong's legal and dispute resolution services, as well as the unique status of the city under the People's Republic of China's "One Country, Two Systems" policy. The Law Society's active engagement in international activities reinforces our connectivity worldwide. It consolidates Hong Kong's position as the global legal hub, and allows first-hand updates of the legal market.



# ➤ In 2024, we have:

- met with 7 Consuls General and officially recognised bodies in Hong Kong
- attended or organised 27 physical / virtual meetings with counterparts from overseas jurisdictions
- attended 56 physical / hybrid / virtual events and meetings organised by counterparts from overseas jurisdictions
- coordinated and organised 6 physical / hybrid / virtual events for counterparts from overseas jurisdictions
- signed 3 Memoranda of Understanding ("MOUs"): Dubai International Financial Centre (DIFC) Courts (May), Vietnam Bar Federation (October) and Egyptian Bar Association (October), adding to a total of 47 MOUs with 44 overseas lawyers' associations and international legal organisations from 29 jurisdictions.
- From January to February, The Law Society has completed eight official visits, including Openings of the Legal Year in various overseas jurisdictions (Malaysia, Sabah & Sarawak, Singapore, Brunei Darussalam, Paris, Milan).





# > Duty visits

The Law Society takes part in the Government's business events to bring in investment opportunities for members, promote Hong Kong's legal system and services, and share with the event participants the advantages of using our professional services, and doing business in Hong Kong.

# > Duty visits organised by the Department of Justice:

- Riyadh, Saudi Arabia (4 7 March)
- Riyadh, Saudi Arabia; and Abu Dhabi and Dubai, United Arab Emirates (18 23 May)
- Ho Chi Minh City, Vietnam; and Kuala Lumpur, Malaysia (24 28 September)

# > Duty visits organised by international organisations:

- Asian Academy of International Law (AAIL) Delegation to Bangkok (10 13 September)
- AALCO-HKRAC South Africa-Egypt Mission Trip to Cairo, Egypt; and Cape Town and Johannesburg, South Africa (19 28 October)
- These overseas duty visits have not only enabled us to keep abreast of the latest developments in the global legal arena, but have also served to update the international community on the legal landscape in Hong Kong. The different degrees of readiness of various sectors of the international community to learn about the real situation of Hong Kong, such as the continual upholding of the rule of law and the strong judicial independence, as well as the safeguards of freedoms, aptly reflect that it is important for us to reach out to continuously provide a fuller and accurate account on Hong Kong. These overseas duty visits also paved the way for strengthening links between Hong Kong and the overseas counterparts for future collaboration.

#### **RCEP**

- The Law Society formed a Committee on Regional Comprehensive Economic Partnership Agreement ("RCEP") in January 2021 to study the initiative and monitor its latest development. Six Working Parties have also been formed under the Committee on RCEP to look into and report on salient parts of the Agreement. Activities organised by the Committee include a series of webinars co-launched with the Hong Kong Trade Development Council since 2023.
- In 2024, the Committee has renamed itself as the Committee on Trade, Investment and RCEP to expand its role and functions, and is planning to step up its collaboration with government-related organisations to promote lawyers' worldwide role in related areas.

# 5. The Law Society's Common Law Centre

# • Background to the establishment of the Common Law Centre

- ➤ Under the principle of "One Country, Two Systems", Hong Kong is the only common law jurisdiction in China and the only jurisdiction along the "Belt and Road" that has adopted and implemented a Chinese-English bilingual common law system.
- As a common law jurisdiction, Hong Kong has a mature legal system, an internationalised legal environment and an efficient dispute resolution mechanism.
- Since 2019, The Law Society has been organising courses for law students from top-tier Mainland universities. In view of the growing interest of the country and its corporations in the common law, and to better leverage on Hong Kong's strengths, we will introduce law programmes and training in a more structured manner to facilitate more fruitful exchanges with a view to enhancing synergies between the legal systems of Hong Kong and the Mainland.
- A training academy, the Hong Kong Academy of Law was founded by The Law Society in 2008 to design professional training system and provide relevant training for all member solicitors. In February this year, the Academy has established a "Common Law Centre" as its training arm, which aims to more effectively and systematically promote the implementation of common law training courses, and to provide universities and legal practitioners in noncommon law jurisdictions including the Mainland with courses for their greater understanding on the operations of common law, so as to let Hong Kong to exemplify its advantages and better reflect its role as the "super-connector". The Centre is also dedicated in cultivating more foreign-related legal talents from the Mainland and Hong Kong to support the country's development.

# • Demand for common law by Mainland state-owned enterprises

- ➤ With the accelerated internationalisation of Mainland state-owned enterprises ("SOEs"), there is a growing demand for international commercial rules, cross-border investments and disputes resolution. In particular, the Mainland and Hong Kong Closer Economic Partnership Arrangement provides preferential access to the Hong Kong market for Mainland enterprises (including SOEs), which enables SOEs to accelerate their expansion into the Hong Kong and international markets.
- As a result, cross-border and even global trades and investments by SOEs (and their potential disputes) will also increase in light of the expected increased interactions between Hong Kong and the Mainland (as well as other jurisdictions around the world). Inevitably, the relevant transactions and (some of) their relevant contracts will be governed by the common law and hence, the demand for common law will rise.

### • The Common Law Centre's philosophy regarding SOEs

- Through the promotion of training and programmes related to the common law system, we hope to enhance the internationalisation of the legal function and the management of SOEs in the Mainland and to strengthen their ability to cope with cross-border legal risks. In addition, our more in-depth vision is to strengthen and promote co-operation between Hong Kong and the Mainland in the field of legal services, and to promote the integration of the economies of the two places.
- ➤ Looking ahead, when the Mainland legal profession (including the legal function of SOEs) has enhanced their knowledge on common law, it is hoped that they will be more ready to accept the use of Hong Kong law (or common law) as the governing law (and/or Hong Kong as a venue for dispute resolution) in commercial contracts for cross-border transactions. By applying common law principles, SOEs can better cope with cross-border legal risks and safeguard the smooth operation of cross-border or international business.

# • Relevant programmes of The Law Society/Common Law Centre

- ➤ Common law training and courses: The Common Law Centre hopes to expand the target audience of its courses to more Mainland legal practitioners at an appropriate time. At the early stage, the Centre could reach out to these lawyers through Mainland universities and lawyers' associations, particularly those that have signed cooperation agreements or memoranda of understanding with The Law Society. In the longer term, the common law courses will be made available to corporate counsels, including those in legal function or the management of SOEs.
- Exchanges organised or assisted by The Law Society: to arrange or facilitate legal professionals of Mainland SOEs to attend seminars, talks or exchange activities to share and exchange with Hong Kong law firms, The Law Society, courts and arbitration organisations, etc., to gain a deeper understanding of the application of common law in practice.
- ➤ Training of talents: to recruit more experienced Hong Kong lawyers to be lecturers, so as to bring more practical experience to the targeted audience, including legal professions in SOEs, so that they can better integrate what they have learnt with legal practice, with a view to effectively cultivating foreign-related legal talents who attach equal importance to both knowledge and practice.

# • Courses offered by the Centre

- ➤ Based on the needs and feedback from institutions and legal professional bodies that have collaborated with The Law Society over the years, the Centre will continue to provide the following popular thematic courses:
  - Comparison of legal systems between the Mainland and Hong Kong
  - Cross-border investment and wealth management
  - Topics on corporate law (e.g., corporate insurance, commercial crimes)

- International commercial dispute resolution
- Mock arbitration
- ➤ The Centre continues to explore collaboration opportunities with more Mainland universities, organisations and parties to provide suitable common law courses for students, legal professionals, and those aspiring to join the legal profession, thereby supporting the country in nurturing more legal talents with expertise in foreign-related matters.

# 6. Dispute resolution services

The Law Society offers the following services to its members and the public:

# • Panel of Arbitrators/ Panel of Mediators/ Panel of Parenting Coordinators

➤ The Law Society has its own Panel of Arbitrators, Panel of Mediators, and Panel of Parenting Coordinators. These panels comprise only practising solicitors who have satisfied the admission requirements of the relevant committees of The Law Society. The Panels are available for free use by The Law Society's members and the general public.

# Sample clauses and agreements

➤ The Law Society provides various template documents regarding arbitration and mediation proceedings which are available for The Law Society's members and the general public. These template documents are prepared by the Arbitration Committee and the Mediation Committee of The Law Society and are designed to help users of arbitration or mediation to resolve their disputes in an effective and efficient manner.

#### Codes of Professional Conduct

➤ The Law Society issues various codes and guidelines concerning the professional conduct of solicitor-arbitrators and solicitor-mediators. These codes and guidelines are subject to regular review in order to ensure that the conduct of solicitor-arbitrators and solicitor-mediators is up to the highest standards.

#### • Training courses

➤ The Law Society and the Hong Kong Academy of Law provide training courses on topics relating to arbitration, mediation, and other dispute resolution methods to enhance solicitors' knowledge in those practice areas.

# Appointment of arbitrators and nomination of mediator services

➤ The Law Society provides free services regarding appointment of arbitrators and nomination of mediators for parties who cannot agree on the appointment of an

arbitrator or the nomination of a mediator for their disputes.

# • Information leaflets and Mediation Helpline

➤ The Law Society publishes two information leaflets to provide an introduction on arbitration and mediation to the public. Moreover, The Law Society also maintains the Mediation Helpline to provide free consultation services (limited to 45 minutes) to eligible callers from the public.

# 7. The inaugural Sports Law Mega Event

- Sports and sports industry have captured significant public attention in recent years. Further, sports law and related policies have been canvassed in the 2024 Policy Address. Against this background, The Law Society organised the inaugural Sports Law Mega Event ("Mega Event") in February 2025, aiming to discover new frontiers and opportunities for Hong Kong's legal industry, sports industry as well as sports development at the national level. We also hope to help align Hong Kong's sports law with the world.
- This international Mega Event was the first of its kind that aims to illuminate the critical interface among sports, law and business against the backdrop of "One Country, Two Systems and Three Jurisdictions". It consisted of three components, namely the Sports Law Conference, the 15th Recreation and Sports Night and the 9th Guangdong-Hong Kong-Macao Lawyers Sports Meet. Through these three events, The Law Society aimed to explore how sports can transform the legal profession and contribute to the advancement of Hong Kong, while celebrating the values of fairness, integrity and rule of law through the display of athletic prowess, a Rule of Law Marathon and The Rule of Law Pledge, which respectively culminated and took place at the Opening Ceremony of the Sports Meet. Notably, certain events were open to stakeholders across different generations, promoting community engagement and intergenerational inheritance.

# > Sports Law Conference

■ Held on 21 February and themed "Be Just! Be a Good Sport", the Conference discussed a series of topics related to sports, law and business, exploring the significance of sports law and sports arbitration in the development of the sports industry. It has recorded close to 350 physical participants and over 400 online registrations from 14 jurisdictions.





# ➤ The 15<sup>th</sup> Recreation and Sports Night

■ Held in the evening of 21 February, the event took the form of a black-tie gala dinner with captivating performances and engaging games, fostering the exchange of brilliant ideas between lawyers and distinguished guests in an enchanting setting.

# ➤ The 9<sup>th</sup> Guangdong-Hong Kong-Macao Lawyers Sports Meet

- As a biennial event, the Sports Meet brought together lawyers from the three jurisdictions, promoting the rule of law, the spirit of justice and sportsmanship through twelve diverse sports competitions. The Opening Ceremony of the Sports Meet took place at the brand-new Kai Tak Youth Sports Ground on the morning of 22 February, attracting nearly 2,000 participants.
- National gold medalists in artistic swimming at the Paris Olympics, Ms Wang Liuyi and Ms Wang Qianyi, shared their insights on sportsmanship, motivating everyone to strive for excellence and perseverance.





### 8. Self-regulatory functions related reforms

- Hong Kong is one of the few jurisdictions that retains a self-regulatory system for the legal profession, and we take great pride in this. The fact that the legal profession in Hong Kong has been granted the responsibility of self-regulation fully demonstrates the high standards of the legal profession and the trust placed in it by society. Self-regulation is crucial for maintaining the independence of the legal profession. An independent legal profession plays a vital role in upholding the rule of law and judicial independence, as well as safeguarding the independence of judicial institutions. The independence of the legal profession inspires public confidence that the profession can objectively address and effectively resolve issues.
- The Hong Kong Law Society, as the professional body responsible for selfregulation within the industry, oversees three key regulatory areas: admission, practice, and discipline:
  - (a) In terms of admission, we establish detailed rules in accordance with the principal ordinance and verify whether applicants meet these requirements to assist the court in exercising its admission powers.

- (b) In relation to practice regulation, the Law Society is responsible for issuing and enforcing professional conduct guidelines, updating practicing certificates, implementing and supervising continuing professional training requirements, as well as overseeing professional indemnity insurance.
- (c) Regarding discipline, the Law Society has the authority to investigate professional misconduct by solicitors, registered foreign lawyers, and their employees and refer such matters to an independent Solicitors Disciplinary Tribunal ("the Tribunal"). Parties may appeal the Tribunal's decision to the Court of Appeal.
- A crucial prerequisite for a self-regulatory system is demonstrating that the profession has the capability to uphold its public credibility. The profession must continuously review the effectiveness of the system to ensure its smooth operation and protect the public interest. This is a task that demands the highest professional standards. Starting from September 2024, the Law Society has implemented a series of reform measures aimed at improving and enhancing its regulatory systems while making the overall regulatory framework more transparent, open, and efficient.
- Our reform agenda includes regularly publishing information related to complaints on our website, such as complaint statistics and recent decisions made by the Tribunal, to enhance transparency and openness. We are also committed to improving the efficiency of the complaints-handling process by streamlining initial response procedures to speed up the acknowledgment of complaints. These measures reflect our dedication to strengthening the effectiveness, efficiency, and transparency of regulatory processes. We will continue to review and improve other aspects of regulatory procedures, keeping members and the public informed about progress. Our goal is to maintain the highest professional standards expected by the public, faithfully fulfilling our important role as gatekeepers and regulators of the profession to protect the public interest.

# 9. Giving back to the community

- The Law Society is dedicated to upholding the rule of law locally among stakeholders, especially the younger generation. In 2024, our work pertaining to this goal included:
  - ➤ "Teen Talk", an annual flagship event of The Law Society aiming to promote law abidance among the young people and cultivate their interest in law. Since the inception of "Teen Talk" in 2009, approximately 18,000 students from over 470 schools have taken part.



# "Deepening Legal Cooperation, Youth Shaping Tomorrow" Greater Bay Area ("GBA") Study Tour

- The Law Society further demonstrated innovation by co-organising a twoday-one-night GBA Study Tour with the Justice Bureau of Shenzhen Municipality in early July 2024. The Law Society led 60 outstanding secondary school students from Hong Kong (including those enrolled in international and local schools) to Shenzhen, where they joined 20 students from Shenzhen's international schools for a comprehensive and enriching learning and exchange experience. Key features of the programme included: a fully English-conducted curriculum, visits to renowned legal institutions and deployment of 24 experienced volunteer solicitors by The Law Society as mentors to guide students throughout the Study Tour.
- During the event, students visited prestigious institutions including: Shenzhen Qianhai Cooperation Zone People's Court, Shenzhen Court of International Arbitration (SCIA), Civil Code Park, leading technology enterprises such as DJI Innovation and Meituan, and participated in a teambased speech competition at Shenzhen University. Students fully immersed themselves in these experiential learning opportunities and actively engaged with legal professionals throughout the exchange.



### "Teen Talk" Elite Mentorship Programme

- A notable highlight of "Teen Talk" during the reporting period is the Elite Mentorship Programme. This initiative is designed to offer secondary and tertiary students the invaluable opportunities to interact with volunteer solicitor-mentors. Through these interactions, students can deepen their legal knowledge, chart their life goals, and cultivate a positive outlook on life. Among the mentors, there are young solicitors who participated as mentees in The Law Society's mentorship programme. Now, they are giving back by sharing their past experiences with the students. Additionally, there are mentors who are highly experienced solicitors, bringing with them a wealth of legal and life experiences.
- Over 100 secondary and tertiary students participated in the Programme, engaging in various activities such as presentation contests and activity days at disciplined services venues. The diverse experiences and guidance from their mentors, combined with these enriching activities, have received positive feedback. The Two-Year Programme concluded its first-year activities with a Closing Ceremony on 16 November 2024 at the Fire and Ambulance Services Academy.



- Law Week" is another annual flagship event of The Law Society. It aims to promote legal services and to equip different sectors of our community with fuller legal knowledge in a down-to-earth manner.
  - Under the theme "Law For All", Law Week 2023/24 events included Free Legal Advice Programme that has gained widespread popularity among the public, Community Legal Talks, legal-themed game booths and a "KOL competition". Further, sign language interpreters were arranged onsite to ensure that more individuals in need can access legal assistance.

- The Law Society launched a ground-breaking initiative during Law Week 2023/24 by visiting three districts for the first time Tin Shui Wai and Ma On Shan in the New Territories, and Sham Shui Po in Kowloon. Through the Free Legal Advice Programme, A team of 54 volunteer solicitors offered over 7,000 minutes of legal consultations to 300 citizens.
- Legal talks covering topics like anti-fraud, wills and probates, and property management had enhanced public legal awareness.
- "Law For All" KOL Short Video Competition: with 140 entries across four categories, this competition promoted legal literacy through creative videos, culminating in a prize presentation on 25 May.





- ➤ Other work which has been undertaken to raise awareness of the rule of law at the local level:
  - The Law Society made its inaugural participation to the Hong Kong Book Fair in 2024, drawing nearly 2,000 visitors to its exhibition booth. 57 volunteer solicitors dedicated their time to support the event, actively engaging young attendees by sharing valuable career insights and personal experiences to inspire them to consider joining the legal profession. The Law Society took the opportunity to launch a newly designed leaflet titled "Dream Big Be a Solicitor", which provides practical advice for aspiring legal professionals.



- To enhance young people's understanding of the devastating consequences of drug abuse and the legal repercussions of drug-related offences, the Community Relations Committee of The Law Society collaborated with the Kwai Tsing District Police-Community Relations Unit and the Hong Kong Federation of Youth Groups to organise two rounds of "Abide by the Law Education Legal Forums Project GATES". The forums invited professionals from different sectors to deliver talks to instill in secondary school students the importance of understanding and abiding by the law, while enhancing their awareness of the dangers of drugs.
- Over the past two decades, our "Law and New Generation Programme and School Talks" has provided free talks on a variety of topics to many schools to educate young people different legal concepts and enhance students' understanding of the Rule of Law. In 2023 -2024 school year, Law Society's members conducted over 130 free legal talks and reached out to over 34,000 secondary school students, covering topics relevant to young people's daily lives including "Rule of Law and Hong Kong Legal System", "Introduction to the Basic Law", "Criminal Law I: (i) Triad, Violence; (ii) Sex-related Offences", "Criminal Law II: (i) Theft; (ii) Drug-related Crimes", "Internet-related Crimes", and "Be a Smart Online Shopper" and "Introduction to Hong Kong National Security Law".



- To enhance the understanding of the concept of the rule of law and the way of how legal industry operates, community talks have been held for different organisations.
- To provide valuable information to students aspiring to join legal profession and help them better plan their future career paths, a visit to a law firm was organised for ethnic minority and non-Chinese speaking students on 7 December.

■ In the spirit of the winter solstice, The Law Society organised its annual volunteer outreach event on December 14, bringing warmth to those who are in need. Approximately 50 volunteer solicitors, accompanied by their children, family members, and friends, visited 50 elderly households in Tin Wan Estate, Aberdeen. They delivered the goody bags and spent time engaging with the elderly.

### > Free Legal Helpline

■ More than 160 volunteer solicitors participated in our Free Legal Helpline ("Helpline"). The Helpline offers free legal advice on personal injury, matrimonial law, criminal law, employment law, wills and probate and mediation. In 2023, the Helpline handled over 770 requests for assistance

# 10. RTHK Radio-on-TV programme series

- In 2023, The Law Society collaborated with Radio 1 of Radio Television Hong Kong ("RTHK") for the first time in producing a general legal education radio programme series "The Nitty Gritty of Law", which aims to look back on the major developments in the legal sector and the contributions of the legal professionals to the development of our society, and to look into the opportunities that lie ahead. This 14-episode radio programme series was launched on 1 January 2023. Council members as well as senior and young members took part in the programme series as hosts or guest speakers on air, and/or working group members behind the scenes.
- Built on the success of the programme, The Law Society and RTHK have joined hands again to launch "The Nitty Gritty of Law 2", expanding the broadcast platform from radio to television and various online platforms to enhance the programme's impact. This new series is set for 16 episodes and was premiered in February 2025. Topics covered by the programme include youth and rule of law, as well as the Constitution and the Basic Law.



#### 11. Artificial Intelligence ("AI") in the legal industry

- As part of the tradition to mark the opening of the Legal Year, The Law Society and the Hong Kong Bar Association co-hosted a Presidents' Roundtable on 22 January 2024. The year's theme was "The Future of Law: Exploring AI's Influence on the Legal Profession Perspectives from Global Legal Leaders".
- The Cross Strait Four Regions Young Lawyers Forum ("CS4R Forum") was held on 20 September 2024 under the theme "Artificial Intelligence, gathering legal experts from the region to discuss the theoretical and practical aspects of AI's application in the legal sector. Participants examined the impacts and implications of AI through the framework of various laws and regulations, seeking the best way forward for its development.

### • Position Paper on Artificial Intelligence

- The Law Society acknowledges that AI can bring breakthrough opportunities to the legal profession while also recognising the limitations and accompanying risks of AI. Therefore, it has established the "Working Party on the Impact of AI on the Legal Profession" to study the impact of AI on the legal profession.
- ➤ On 20 January 2024, The Law Society released the Position Paper on "The Impact of Artificial Intelligence on the Legal Profession". In the Position Paper, The Law Society from various perspectives analyses the capabilities, limitations and associated risks of AI tools, as well as the impact of AI on the legal profession, particularly on the role of lawyers. As an open guide to the way forward, The Law Society also proposes to adopt a three-phased approach to collaborate with various sectors of society in implementing relevant initiatives at different stages.

# • Online Dispute Resolution Platform – eBRAM

- ➤ eBRAM is a cross-boundary, efficient, secure and cost-effective platform for the provision of online arbitration and mediation, as well as smart contract and related services. The platform will benefit local micro-enterprises and SMEs, as well as those in the Belt and Road economies, members of the ASEAN and beyond, and facilitate deal making as well as dispute avoidance and resolution¹:
  - Facilitate deal-making and cost-effectively prevent disputes across parties and jurisdictions
  - Serve as an international platform for dispute resolution
  - Use technology to prevent disputes where one of the parties is not located in Hong Kong

<sup>&</sup>lt;sup>1</sup> The Budget of the HKSAR Government

- Protect personal data and confidentiality
- Provide domain-specific language translation technology
- Harmonise rules of engagement in international business deals
- ➤ eBRAM was jointly established by The Law Society, Hong Kong Bar Association, and Asian Academy of International Law Ltd in 2018

#### • Use of technology for court hearings

- Organised a webinar on digital common law, with role play to introduce this new feature which could enable greater access to the law and facilitate submissions to and at court
- Published an article to summarise the important points to note during preparation of e-bundles and illustrate how administration of justice could be facilitated through implementation of the use of technology in courts and uploaded recordings of the Briefing Session on the Use of E-bundle for members' reference

### Electronic storage and digitalisation

Issued the Guidance Note on digitisation of documents issued in September 2022 to facilitate the digitisation of documents by law firms with follow-up meetings with law firms in 2023 to collect feedback from members. The Guidance Note will be further refined.

# Facilitate technology readiness, adoption and promote the use of technology in the legal profession

Organised a series of webinars and workshops with various themes related to the use of lawtech, the application of generative artificial intelligence tools and cybersecurity vulnerabilities in the legal profession

### 12. <u>In-house lawyers</u>

- In-house lawyers refer to those members who are not in private practice and mainly work in a legal capacity in commerce, trading, industrial, financial, educational, governmental or non-profit sectors. As of the end of 2023, around 31% of The Law Society's members holding a practising certificate were not in private practice
- Since 2011, a dedicated Law Society committee, the In-House Lawyers Committee, has been set up to provide a platform for in-house lawyers to share experiences and insights on their work and to strengthen their communication with fellow members in private practice



## 13. Members with Mainland background

- The Committee for Members with Mainland Background ("MMBC") was established in October 2023 with an aim to support members with Mainland background in the development of their professional career in Hong Kong. MMBC aims to provide a platform for exchange among members and assist them in the development of their professional career in Hong Kong.
- A survey with over 200 respondents was conducted in early 2024 to assess their needs and address the challenges they face while working, studying, and living in Hong Kong. A series of MMBC events were organised in 2024 to provide support for members in their professional journeys, including:
  - two career talks with the City University of Hong Kong and The University of Hong Kong
  - ➤ a seminar titled "The ABCs of Practising Law in Hong Kong"
  - ➤ a sharing session on "Navigating OLQE: Insights & Experiences from Successful Candidates"
  - Lunchtime Seminar: Are you ready for the opportunities brought by the foreign-related legal affairs?



### 14. Becoming a solicitor in Hong Kong

- There are three routes to become a solicitor in Hong Kong:
  - ➤ Local route A qualifying local law degree is required > Postgraduate Certificate in Laws (PCLL) > Trainee solicitors
  - ➤ Overseas Route Sit the Overseas Lawyers Qualification Examination ("OLQE")
    - In 2023, there were 244 people participated in the Overseas Lawyers Qualification Examination. Candidates were from 18 jurisdictions (including 9 non-common law jurisdiction). Three of them were barristers in Hong Kong
    - The Law Society received a record-high of over 400 applications to sit the 2024 OLQE and there were a total of 267 candidates sitting the 2024 OLQE. We also witnessed a record-high 27 candidates eventually sitting the Oral Head, who were from non-common law jurisdictions and passed all the Written Heads that they were required to sit

## **Subjects of Overseas Lawyers Qualification Examination**

- Head I: Conveyancing
- Head II: Civil and Criminal Procedure
- Head III: Commercial and Company Law
- Head IV: Accounts and Professional Conduct
- Head V: Principles of Common Law
- Head VI: Hong Kong Constitutional Law

# 15. Professional Indemnity Scheme ("Scheme")

- The Scheme has provided compulsory indemnity to the solicitor profession since 1986. It provides indemnity to an indemnified (includes solicitors and employees of the law firm) against losses arising from any claim in respect of civil liability incurred in connection with the practice. It does not, however, indemnify partners in respect of losses arising from their dishonesty.
- Members' contributions to the Scheme are assessed on the basis of:
  - > The number of solicitors employed by a law firm
  - The firm's gross fee income and the firm's past claims history
- Hong Kong Solicitors Indemnity Fund Ltd was established by The Law Society to hold, manage and administer the Hong Kong Solicitors Indemnity Fund under the Scheme. The Scheme protects all Hong Kong law firms and the public.

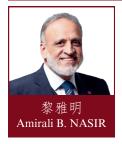
# 16. 香港律師會管理架構 Governance structure of The Law Society of Hong Kong

## 理事會 The Council

#### 會長 President



副會長 Vice-Presidents







理事 Council Members



C.M. CHAN



彭韻僖 Melissa K. PANG



鄭偉邦 Calvin K. CHENG











傅嘉綿

Tom K.M. FU















# 常務委員會 Standing Committees

理事會每月舉行兩次或以上的會議,會上討論多項事務。理事會並審閱所屬 六個常務委員會之報告及在主要事項上作出決策。各常務委員會簡介如下:

The Council meets twice monthly or more frequently, if necessary. It receives and considers reports from six Standing Committees. It also determines issues raised by the Council itself. The Standing Committees are:

| 審查及紀律<br>Compliance             | 執行律師專業的行政及監管職能 Deals with the regulatory and administrative aspects of the profession  |
|---------------------------------|--|
| 對外事務<br>External Affairs        | 處理律師會公共政策議題及與法律專業(本地及國際性法律專業團體)、傳媒及社區之關係 Deals with public policy issues and manage The Law Society's professional (local and international media and community) relations   |
| 會員服務<br>Member Services         | 制定加強會員利益的政策 Formulates strategies that enhance members' benefits and interests   |
| 政策及資源<br>Policy & Resources     | 協調政策,管理律師會資源及其預算案<br>Responsible for policy co-ordination, the<br>management of The Law Society's resources and<br>budget  |
| 執業者事務<br>Practitioners Affairs  | 處理對律師行業,執業事務質素及法律改革事務有<br>所影響之法律政策<br>Deals with legal policy affecting the profession, good<br>practice and law reform  |
| 專業水準及發展 Standards & Development | 通過執業實務規則、指引及編制專業發展進修課程及風險管理計劃,幫助訂定及維持律師執業及專業操守質素之標準 Sets and maintains standards of work and ethical practice through practice rules and guidelines, and oversees the Continuing Professional Development and Risk Management Education programmes |