



# Excellent Maritime Legal and Dispute Resolution Centre

## Unmatched Legal System and Impartial Judiciary

Hong Kong ranked 8th among 138 jurisdictions around world and 1st in Asia in terms of judicial independence in the Global Competitiveness Report 2016-2017 published by the World Economic Forum.



The rule of law is the cornerstone of Hong Kong's prosperity.



Under the Basic Law and the principle of “One Country, Two Systems”, Hong Kong maintains the English common law and statutory law previously in force as well as its independent legal system.



With common law system in place, Hong Kong inherits the jurisprudence of adjudications relating to shipping and maritime contracts, providing the legal and commercial certainty for shipping entities around the world to operate in Hong Kong.



Judgments handed down in other Commonwealth jurisdictions (including England, Australia, Canada, New Zealand, and Singapore) continue to carry persuasive value in Hong Kong courts after reunification. By the same token, Hong Kong judgments are regarded as persuasive in other commonwealth jurisdictions. Overseas judges from other Commonwealth jurisdictions serve in our Court of Final Appeal.



## Hong Kong's Shipping Law



With the proud tradition of common law and up-to-date statutes, Hong Kong is a highly respected centre for shipping and commercial contract formation as well as dispute resolution.



Hong Kong is a party to all key International Maritime Conventions.



### Admiralty List in the High Court

- With an entrenched shipping heritage, Hong Kong has a specialised Admiralty List in the High Court to facilitate the disposal of Admiralty actions, both in rem and in personam.
- A dedicated Admiralty Judge takes charge of the List, ensuring complex admiralty disputes are properly administered by experienced judges.



### Local professionals with global perspectives

- Home to an array of prestigious and leading international law firms, Hong Kong has all along provided first-class maritime legal services to shipping stakeholders.
- Lawyers and arbitrators in Hong Kong are professionally trained in common law and proficient in both English and Chinese, with Western experience and knowledge of Chinese law and practices. Many possess specialist maritime knowledge.
- Hong Kong's tertiary education institutions have been developing maritime-related law courses. In 2010, the City University of Hong Kong established the Hong Kong Centre for Maritime and Transportation Law, the first-of-its-kind in Asia, offering a master degree programme in maritime and transportation law and electives at both master and bachelor levels.
- The Hong Kong Maritime Arbitration Group grooms talent in maritime arbitration and mediation in Hong Kong.



### High enforceability of arbitral awards

- Awards made in Hong Kong are enforceable in over 150 jurisdictions (including our largest trading partners such as the USA, Japan, Singapore and Korea) under the *New York Convention* and in Mainland China under the *Arrangement on Mutual Enforcement of Arbitral Awards*.



### Ample choices of arbitration institutions



- The Hong Kong International Arbitration Centre (HKIAC) – *Most preferred arbitral institution outside of Europe and the third best arbitral institution worldwide*
  - Established in 1985 and based in Hong Kong, HKIAC can draw on a vast pool of arbitrators, mediators and other experts with wide international knowledge and experience.



- The Secretariat of International Court of Arbitration of the International Chamber of Commerce (ICC) – *First branch outside Paris*
  - Established in November 2008, the branch has a management team to administer cases in the region under the ICC Rules of Arbitration.



- China Maritime Arbitration Commission (CMAC) Hong Kong Arbitration Center – *First arbitration centre outside Mainland China*
  - Established in 2014, the CMAC Hong Kong Center provides international maritime arbitration services.

