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AAIL FOUNDATION

# Potential Contribution of Common Law in the Greater Bay Area

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President, The Law Society of Hong Kong

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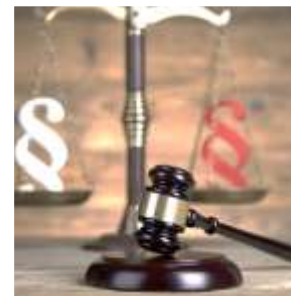
# Overview of Hong Kong Legal Profession

# Distinguished Features of Hong Kong Legal System



**One Country,  
Two Systems**

**Only Common Law City in  
the Country**



**Only truly Chinese English  
bilingual Common Law  
Jurisdiction in the World**

# Hong Kong's Unique Advantages

- ❑ Hong Kong is an international financial centre, and it has a well-developed **Common Law** based legal service industry, the only one in China
- ❑ Hong Kong has a legal system generally **recognised by the world business community**, for its judicial independence, legal system, strong professional mindset of lawyers and regulators offering one of the most open legal services market in the world
- ❑ Hong Kong is a platform for **attracting foreign enterprises to invest in the Mainland** and for **Mainland enterprises to go global**





# Judicial independence

## Basic Law Article 85

The courts of the Hong Kong Special Administrative Region shall exercise judicial power independently, free from any interference. Members of the judiciary shall be immune from legal action in the performance of their judicial functions.



# One Country, Two Systems into New Era

- President Xi's address at the meeting celebrating the 25th anniversary of Macao's return to the motherland and the inaugural ceremony of the sixth-term government of the Macao SAR:

...We have entered a new stage in advancing the cause of One Country, Two Systems. In the new era, the cause of One Country, Two Systems aims to deliver better development for both Hong Kong and Macao and enable the two regions to further contribute to China's development and renewal of the Chinese nation.

- Under this new era, the legal profession, which forms the backbone of society, should reflect on its role and contribute its fair share in making the unique policy of “One Country Two Systems” shine even brighter than before.

# Differences between Solicitors and Barristers

- Hong Kong's legal profession is influenced by its heritage from the English legal system. It is a profession with two branches: solicitors and barristers. The academic requirements for intending solicitors and barristers in Hong Kong are the same. Both are required to complete a qualifying law degree and the postgraduate certificate in laws course before entering into the vocational training stage.

## Solicitors

- All types of legal work, including properties, commercial transaction, litigation, arbitration, etc.
- Since 2013, accredited solicitor advocates also act as advocates in High Court and above
- More interaction with clients

## Barristers

- Engaged by solicitors to advise on specific points of law
- Act as advocates in High Court and above

# Number of Practicing Solicitors and Barristers



\*Source: Hong Kong Bar Association's website, as of 13 February 2025

\*\* Source: The Law Society of Hong Kong's website, as of 31 January 2025



# Advantages of Legal Talents

- ❑ Hong Kong has a **diverse pool of international legal talents**, who provide a range of multijurisdictional legal services, are bilingually proficient, familiar with Chinese and Western cultures, and good at negotiating international business contracts and handling cross-jurisdictional disputes with foreign businessmen.
- ❑ Many of the 13,000 members have qualifications from other jurisdictions such as England and Wales, Australia and the Greater Bay Area. Hong Kong also has **over 1,500 registered foreign lawyers from over 30 different jurisdictions and more than 80 registered foreign law firms.**

# Solicitors in Hong Kong

Data: As of 31 January 2025

Solicitors	Number
Members	13,135
Members (with practising certificates)	11,363
Trainee solicitors	1,051
<b>Registered foreign lawyers</b>	<b>1,558</b>
Solicitor Advocates	103

Solicitors	Number
Members of Association of China-Appointed Attesting Officers Limited	472
Members of Hong Kong Society of Notaries	367
Civil Celebrants of Marriages	2,151
Reverse Mortgage Counsellors	380

Law Firms	Number
Hong Kong law firms	924
Registered foreign law firms from over 30 different jurisdictions	84
Representative offices of Hong Kong solicitors firms in the Mainland	62



# Becoming a Solicitor in Hong Kong

# Becoming a Solicitor in Hong Kong

## 3 routes to become a solicitor in Hong Kong

### Local Route

A qualifying local law degree is required



Postgraduate Certificate in Laws  
(PCLL)



Trainee solicitors

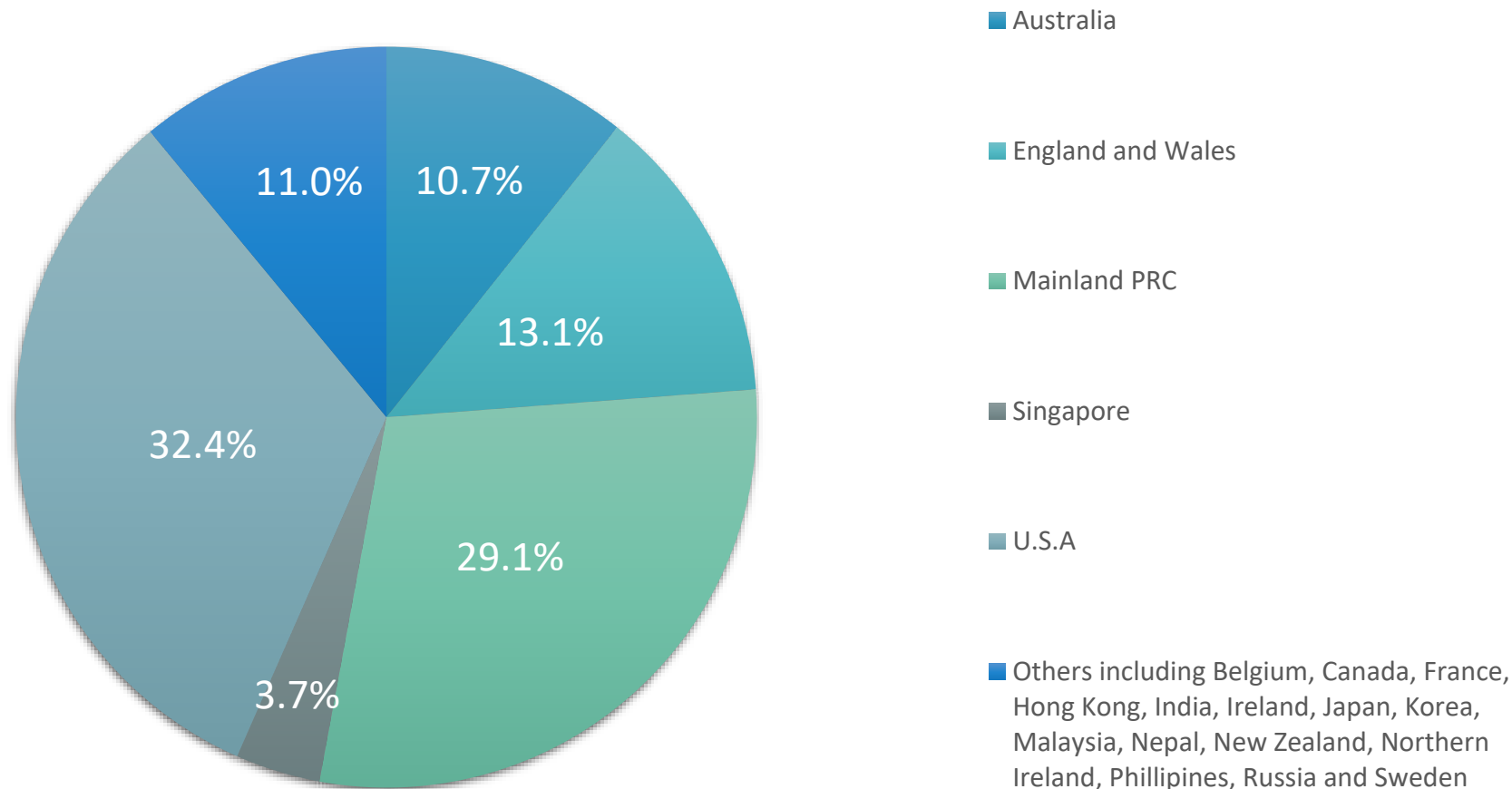
### Overseas Route

Sit the Overseas  
Lawyers Qualification  
Examination (OLQE)

### Transferring from the Bar

# Overseas Lawyers Qualification Examination (OLQE)

- In 2023, there were 244 people having participated in the Overseas Lawyers Qualification Examination. Candidates were from **18 jurisdictions** (including 9 non-common law jurisdiction). Five of them were barristers in Hong Kong. This was the highest registration number in the past ten years, representing a **55% increase** from the year before (157 candidates).





# The Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA)



# Second Agreement Concerning Amendment to CEPA Agreement on Trade in Services

- ❑ The Second Agreement Concerning Amendment to CEPA Agreement on Trade in Services (“Second Amendment Agreement”) was signed on 9 October 2024 between the Mainland and Hong Kong to introduce new liberalisation measures in various services sectors, including removing or relaxing restrictions on equity shareholding and business scope in the establishment of enterprises, and relaxing qualification requirement, etc.
  
- ❑ Generally speaking, the Second Amendment Agreement aims to:
  - a) make it easier for Hong Kong service suppliers and professionals to set up enterprises and develop business in the Mainland; and
  - b) Give Hong Kong enterprises and professional sectors more preferential treatment to tap into the Mainland market.





# Second Agreement Concerning Amendment to CEPA Agreement on Trade in Services

- The Second Amendment Agreement also provides: “allowing Hong Kong-invested enterprises to adopt Hong Kong law” (「港資港法」) and “allowing Hong Kong-invested enterprises to choose for arbitration to be seated in Hong Kong” (「港資港法港仲裁」) as facilitation measures for Hong Kong investors:
  - (i) supporting Hong Kong-invested enterprises registered in the pilot municipalities of the GBA to adopt Hong Kong law or Macao law as the applicable law in their contracts; and
  - (ii) supporting Hong Kong-invested enterprises registered in the nine Pearl River Delta municipalities in the GBA to choose Hong Kong or Macao as the seat of arbitration.

# Hong Kong Invested Enterprises / Hong Kong Law / Hong Kong Arbitration

	Existing	New (to be implemented on 1 March 2025)
Hong Kong Invested Enterprises / Hong Kong Law	Qianhai, Shenzhen	Shenzhen and Zhuhai
Hong Kong Invested Enterprises / Hong Kong Arbitration	Pilot Free Trade Zones	Guangzhou, Shenzhen, Zhuhai, Foshan, Huizhou, Dongguan, Zhongshan, Jiangmen and Zhaoqing

# CEPA Forum

- ❑ The Ministry of Commerce and the HKSAR Government co-hosted the CEPA Forum on 19 February 2025. The Forum aimed to familiarise business sectors with the liberalisation measures and implementation arrangements of the Second Amendment Agreement.
- ❑ President and the Vice-Presidents of the Law Society attended the Forum.
- ❑ The new features under the Second Amendment Agreement illustrated the recognition of the common-law system and arbitration services of Hong Kong by the Mainland Authorities which would eventually create more business opportunities to the legal and dispute resolution sectors in Hong Kong.





# Role and Potential contribution of the Hong Kong legal sector

# Overview of The Law Society of Hong Kong

## □ Background

A **professional association for solicitors** in Hong Kong, which was incorporated as a company limited by guarantee in 1907. The Law Society is a **self-regulatory** professional organisation that provides a variety of services to its members.

## □ Aims

- To support and protect the character, status and interests of solicitors in Hong Kong
- To promote good standards of practice and maintain ethical practice
- To ensure compliance by solicitors with relevant laws, codes, regulations and practice directions
- To develop and maintain the work of solicitors in all areas of the law, legal practice and procedures
- To ensure the view of solicitors is accurately and purposefully communicated
- To provide services to its members
- To consider all questions affecting the interests of the profession, and to represent the profession to procure changes of law or practice



# Common Law Centre

The Hong Kong Academy of the Law Society (the “Academy”) has recently set up a “Common Law Centre” (the “Centre”) as a training arm of the Academy to

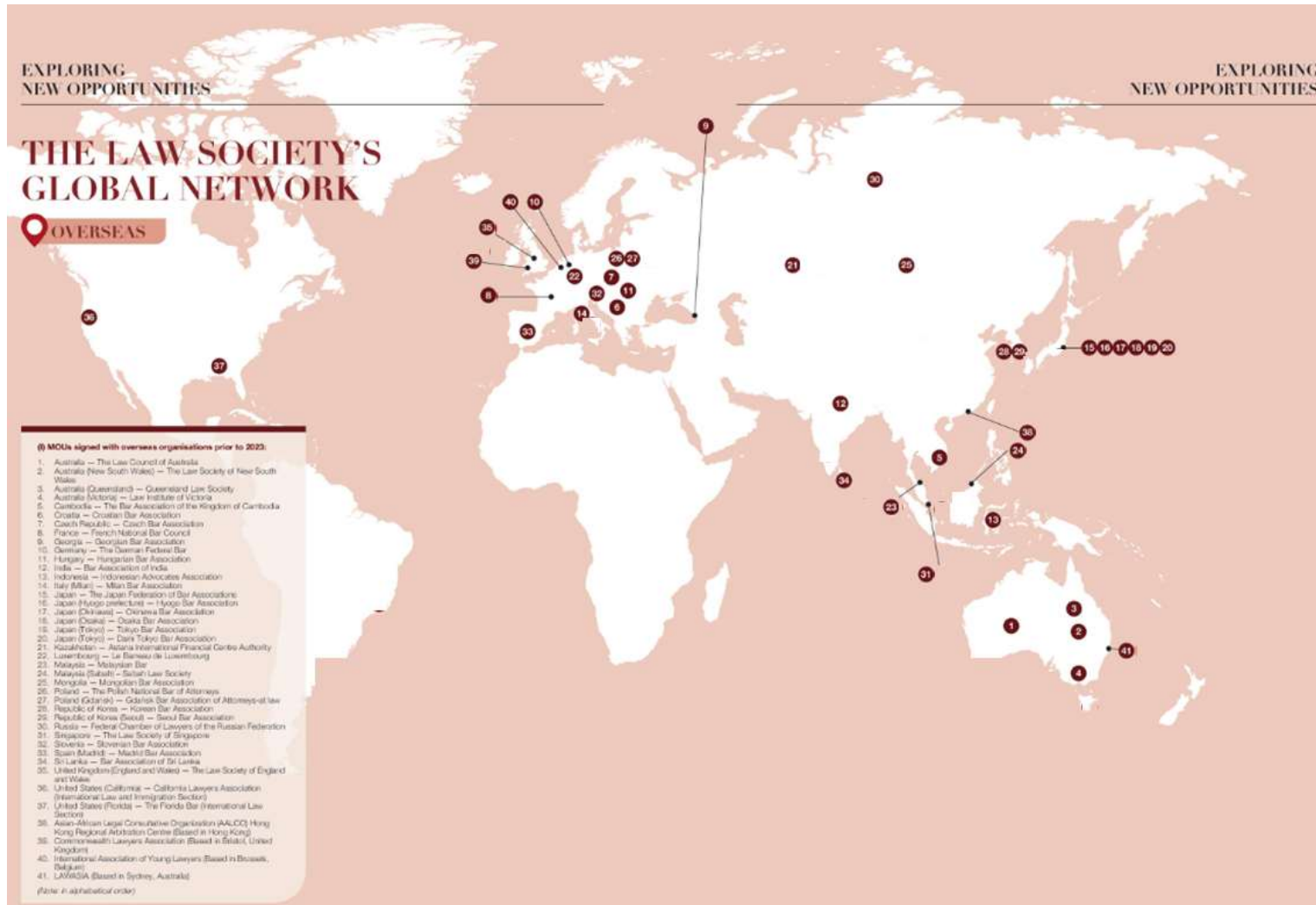
- **facilitate the implementation of training on common law and**
- **provide relevant courses and collaboration opportunities** for universities, legal professionals and those who are interested in joining the legal profession, from our country and other non-common law jurisdictions.

In turn, the Centre shall strive to **cultivate more foreign-related legal talents** in the Mainland and Hong Kong and contribute to the development of the country.

Based on the above background and vision, the main objectives of the Centre are:

- (i) To **cultivate legal talents** and organize, deliver and promote common law education and training on practical topics;
- (ii) To **develop and promote common law courses** on general and specialised topics and themes to further enhance the knowledge of foreign-related legal affairs and cross-border legal practice for the Target Participants; and
- (iii) To **recruit more experienced practitioners** in Hong Kong as lecturers in order to bring more practical experience into the common law lectures and courses
  - **better integrate learning with legal practice**, and more effectively
  - cultivate legal talents who excel in both knowledge and practical skills

# The Law Society's Global Network



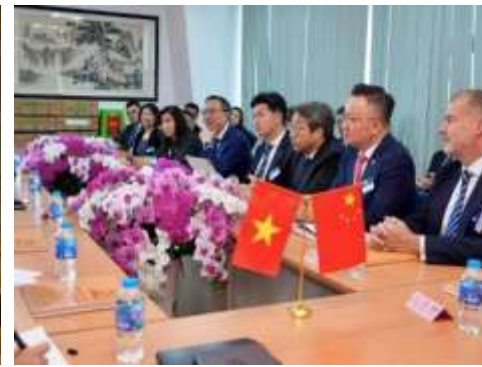
- ❑ The Law Society has established extensive connections with legal professional organisations in overseas jurisdictions
- ❑ As at January 2025, the Law Society signed 47 MOUs with 44 overseas lawyers' associations and international legal organisations from 29 jurisdictions; and 60 MOUs with 47 lawyers' associations and 16 organisations in the Greater China region



# International Events and Highlights

# Overview of international events in 2024

- ❑ Met with 7 Consuls General and Officially Recognised Bodies in Hong Kong
- ❑ Attended or organised 27 meetings with overseas counterparts
- ❑ 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 a total of 47 MOUs with 44 overseas lawyers' associations and international legal organisations from 29 jurisdictions
- ❑ MOUs signed in 2024: Dubai International Financial Centre (DIFC) Courts (May), Vietnam Bar Federation (October) and Egyptian Bar Association (October)





# Major Overseas Visits and Conferences

- ❑ Opening of the Legal Year in overseas jurisdictions (e.g. Singapore, Malaysia, Sabah & Sarawak, Brunei, England & Wales, Paris, Milan, etc.)
- ❑ Commonwealth Law Conference
- ❑ Inter-Pacific Bar Association (IPBA) Annual Meeting and Conference
- ❑ The Presidents of Law Associations in Asia (POLA) Summit
- ❑ International Association of Young Lawyers (AIJA) Annual Congress
- ❑ American Bar Association (ABA) Annual Meeting
- ❑ International Bar Association (IBA) Annual Conference
- ❑ LAWASIA Annual Conference
- ❑ International Association of Lawyers (UIA) Annual Congress
- ❑ International Institute of Law Association Chief Executives (IILACE) Annual Conference
- ❑ International Conference of Legal Regulators





# International Conference of Legal Regulators 2024 in Melbourne

- ❑ From 16 to 18 October, The Law Society delegation attended the International Conference of Legal Regulators ( “ICLR” ) 2024 in Melbourne, Australia.
- ❑ Legal regulators from Australia, New Zealand, the UK, the United States, Middle East, Africa and Asia gathered to exchange updates on various issues relevant to the legal regulatory sector. The Law Society delegates actively participated as moderator, speaker and panellists on topics such as artificial intelligence, anti-money laundering and succession planning for legal practitioners from a Hong Kong perspective.
- ❑ The Law Society is honoured to have won the bid to host the ICLR for the first time in Hong Kong in 2025.



# Opening of the Legal Year in Paris 2024

- ❑ At the invitation of the Paris Bar, President Mr Roden Tong attended the OLY 2024 and its side events from 27 to 30 November 2024 in Paris, France.
- ❑ Mr Tong attended an international conference – “Sports, the New Legal Market? What Role for Lawyers?” . As part of the OLY programme, the Conference emphasised the pivotal role of lawyers play in the world of sports and featured inspiring testimonials from notable figures in the sports and legal fields. The importance of legal support for athletes and the legal decision in anti-doping case were also discussed.



# Opening of the Legal Year 2025 in Milan

- ❑ At the invitation of Milan Bar Association, President Mr Roden Tong attended the OLY 2025 in Milan and its side events from 24 to 25 January 2025 in Milan, Italy. This year's event attracted at least 35 bar leaders and representatives from 13 jurisdictions and six international legal organisations.
- ❑ The President attended a Conference titled "The New Tools for Managing Legal Costs: Litigation Funding and Legal Insurance", in which he took part in discussions regarding legal contracts for lawyers' clients, as well as litigation funding, alongside bar leaders from Mexico, Spain, England, Luxembourg, and Germany.





# Opening of the Legal Year 2025 in Malaysia

- ❑ At the invitation of the Malaysian Bar, President Mr Roden Tong attended the OLY 2025 in Malaysia and its side events from 7 to 8 January 2025 in Putrajaya, Malaysia.
- ❑ At its Bar Leaders' Roundtable Discussion themed "Building a Just Economy: Harmonizing Legal Expertise, Human Rights, and Rule of Law for Global Prosperity", President Tong shared his insights on the role of legal frameworks in advancing inclusive economic growth by highlighting Hong Kong's business-friendly legal frameworks; Hong Kong as a super-connector under the Belt and Road Initiative; and the roles of Hong Kong solicitors and The Law Society in advocating for fair business practices and corporate responsibility.



# Opening of the Legal Year 2025 in Singapore

- ❑ At the invitation of the Law Society of Singapore, President Mr Roden Tong attended the OLY 2025 in Singapore and its side events from 12 to 13 January 2025.
- ❑ At its Bar Leaders' Roundtable Discussion themed "AML: Harmonising practice? Or is this too high an order?" , which gathered over 40 bar leaders and delegates from Singapore, Brunei, China, Japan, Malaysia, India, and the United Kingdom, Mr Tong talked about global AML compliance challenges, the robustness of Hong Kong's legal framework, and the proactive measures implemented by The Law Society.





# Opening of the Legal Year 2024 in England and Wales

- ❑ At the invitation of The Law Society and The Bar Council of England and Wales, President of The Law Society of Hong Kong Mr Roden Tong attended the OLY programme in London on 30 September and 1 October 2024.
- ❑ Talent retention for sustainable and prosperous development of Hong Kong's legal profession has been a work priority for The Law Society. On this occasion, a joint student event with the Hong Kong Economic and Trade Office, London was held to promote Hong Kong's diverse legal practices, the important role played by lawyers in private practice and in-house in shaping economic recovery and development, and more importantly the distinct opportunities enjoyed by Hong Kong's strategic position in the country in relation to the Greater Bay Area development and the Belt and Road Initiative.



# Meeting with Judges from Qatar

- ❑ Led by His Excellency Judge Khalid Ali Al Obaidli, President of the Qatar Investment and Trade Court ( "Qatar ITC" ), a nine-person delegation comprising seven judges from Qatar accompanied by Mr Nasser Saleh Al-Abdulghani, Acting Consul General of the State of Qatar in Hong Kong and Macau, visited Hong Kong recently. The Law Society had the pleasure of hosting the delegation for a fruitful discussion on 23 September 2024 during their tight schedule.
- ❑ The Law Society is glad to know that the Qatar ITC shared our enthusiasm towards playing a bridging role with each other's valuable and unique international perspectives and experiences to facilitate trade and investment of the two jurisdictions.





# MOUs with Overseas Lawyers' Associations and International Legal Organisations

- 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 January 2025, The Law Society has signed a total of 47 MOUs with 44 overseas lawyers' associations and international legal organisations from 29 jurisdictions.



# Ceremonial Opening of Legal Year in Hong Kong

- ❑ Hong Kong adopts the English tradition of hosting a ceremony to mark the start of a legal year.
- ❑ The Ceremonial Opening of the Legal Year in Hong Kong 2025 garnered tremendous support, with over 90 guests from around the world and the Greater China region, representing 39 lawyers' associations and international legal organisations spanning across 16 jurisdictions.
- ❑ The Law Society of Hong Kong and the Hong Kong Bar Association organised a series of side programmes, including Presidents' Roundtable, visits to the Hong Kong Court of Final Appeal and the Legislative Council, sightseeing bus tour, Welcome Cocktail Reception, Luncheon, and Formal Dinner.





# Ceremonial Opening of Legal Year in Hong Kong



# Sports Law Mega Event 2025



- ❑ The Sports Law Mega Event 2025 took place from 20 to 23 February 2025 and consisted of three sub-events:
  - ❑ Sports Law Conference
  - ❑ 15<sup>th</sup> Recreation and Sports Night
  - ❑ 9<sup>th</sup> Guangdong-Hong Kong-Macao ( “GHM” ) Lawyers Sports Meet



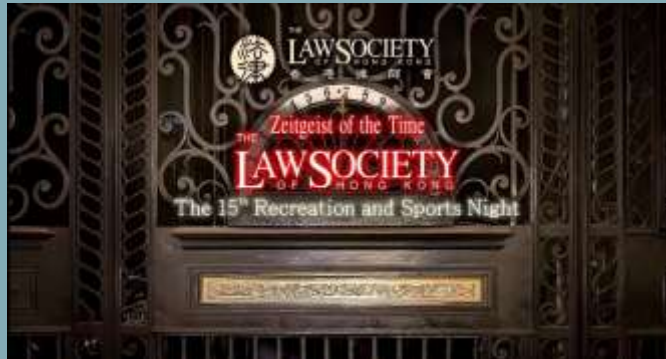
# Sports Law Mega Event 2025 – Sports Law Conference

- ❑ On 21 February (Friday), the Sports Law Conference, kick-off event of the Sports Law Mega Event 2025 organised by The Law Society of Hong Kong, recorded close to 350 physical participants and over 400 online registrations from 14 jurisdictions to explore the latest trends and challenges in sports law.
- ❑ Themed “Be Just! Be a Good Sport” , the conference was the first of its kind to illuminate the critical interface among sports, law and business against the backdrop of “One Country, Two Systems and Three Jurisdictions”.



# Sports Law Mega Event 2025

## 15<sup>th</sup> Recreation and Sports Night (21 February 2025)



## 9<sup>th</sup> GHM Lawyers Sports Meet (20 – 23 February 2025)



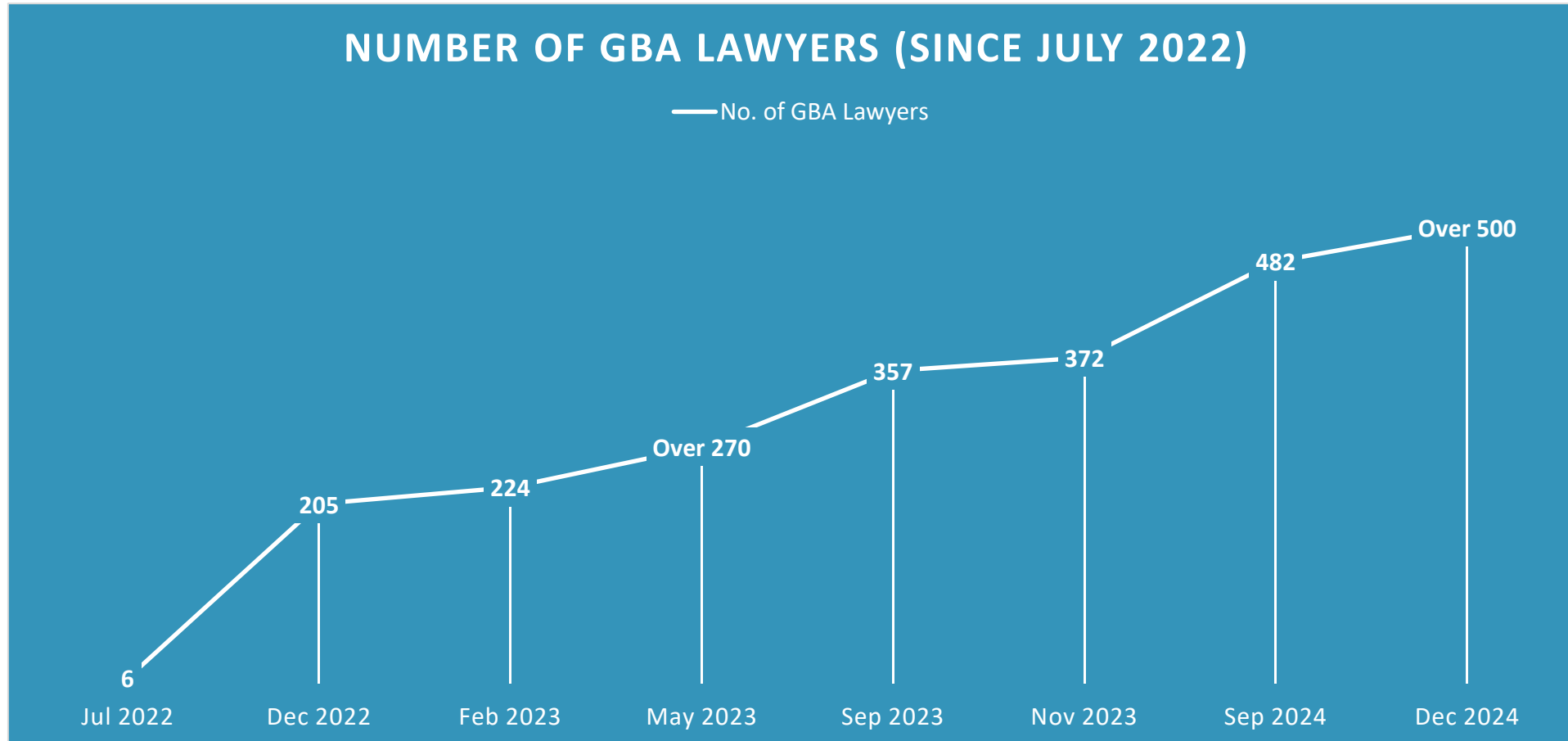




# GBA Lawyers



# Figures of GBA Lawyers



**Over 500 GBA lawyers** (including 380 solicitors and over 50 barristers from Hong Kong) (As of December 2025)

Source: Ministry of Justice of the People's Republic of China; Department of Justice, HKSAR

# Work related to GBA Legal Professional Examination and practice in the GBA

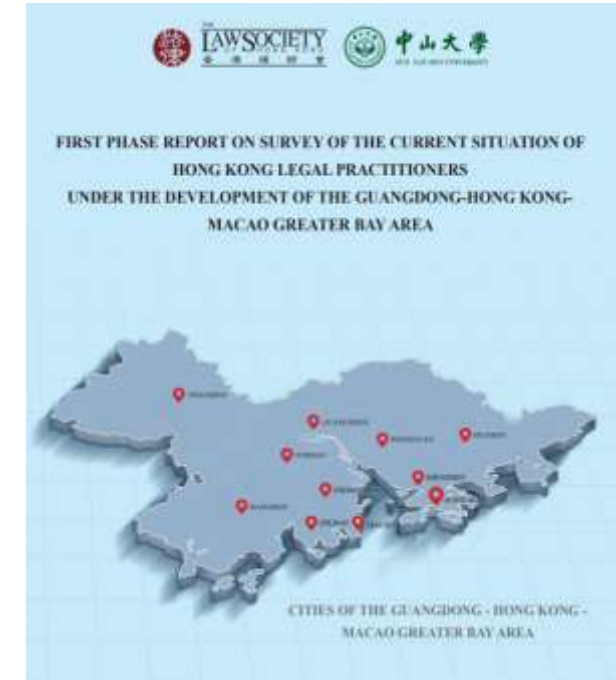
The Law Society of Hong Kong established the **Greater Bay Area Lawyers Sub-Committee** in March 2023. The main tasks include:

- ❑ Providing a platform for lawyers who have obtained the qualifications of lawyers in the GBA and will obtain the qualifications of lawyers in the GBA to communicate
- ❑ Examining issues related to the examination
- ❑ Further communicating with relevant stakeholders and submit suggestions
- ❑ Encouraging Hong Kong lawyers to take the examination for the qualification of lawyers in the GBA
- ❑ GBA Interest Group also established on October 2023



# GBA Research Report and GBA Legal Seminar

- ❑ The Law Society of Hong Kong has 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 GBA.
- ❑ Titled **“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”** , the research report was released online in July 2024.
- ❑ Co-organised by The Law Society of Hong Kong and the Hong Kong Trade Development Council ( “HKTDC” ), the **GBA Legal Seminar** was successfully held on 13 November 2024 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.



# GBA Lawyer Examination Sharing Sessions

In July 2021, June 2022, May 2023 and June 2024, The Law Society of Hong Kong organised four **“Greater Bay Area Lawyer Examination Sharing Sessions”** respectively to assist members in taking the GBA Legal Professional Examination.





# Thank You

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