

Your ref: LP19/00/3C
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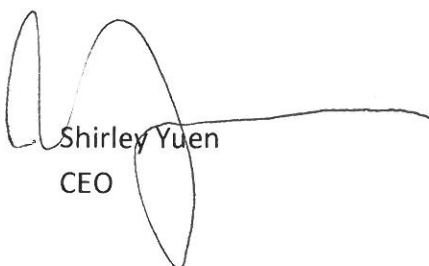
Dear Mr Yue

Consultation Paper on the Arbitration (Amendment) Bill 2014

Thank you very much for your letter of 11th June, 2014 inviting the Chamber to provide views on the proposed legislative amendments to Cap 609 under the Arbitration Ordinance.

We are generally supportive of the proposed amendments to correct a possible drafting error with Cap 609, which may be incongruent with the legislative intent as it currently stands. We note, however, that the consultation proposal does not give the amendments retrospective effect on a "for avoidance of doubt" basis but only applies to arbitration agreements entered into after the amendments come into effect. Although this is in line with which most legislative amendments are enacted, however, it does create problems for arbitration agreements entered into between the period when Cap 609 and the amendments come into effect. We would therefore suggest that the amendments be made retrospective so as to avoid doubt or uncertainty, which may in turn give rise to litigation.

Yours sincerely


Shirley Yuen
CEO