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Dear Members and Friends

22 July 2015

“Consultation on Enactment of Apology Legislation in Hong Kong” presented by Mr lu Ting Kwok, Mr Simon Lee and Ms Sylvia Siu at Hong Kong International Arbitration Centre, 38/F Two Exchange Square, Central, HK on Wednesday 29 July 2015 at 1:00pm

The Hong Kong Institute of Arbitrators (HKI Arb) is pleased to invite members to attend a talk supported by Hong Kong Mediation Accreditation Association Limited (HKMAAL), the Centre for Effective Dispute Resolution (CEDR) and Hong Kong Federation of Women Lawyers (FIDA) on the topic of “*Consultation on Enactment of Apology Legislation in Hong Kong*”. The talk will be held on 29 July 2015 at 1:00pm at Hong Kong International Arbitration Centre, 38/F Two Exchange Square, Central, HK.

Background

In a dispute following a mishap, a party causing injury may wish to convey his apology to the injured person for the loss and suffering sustained. Even if the former party genuinely believes that he has done nothing wrong, he may nevertheless still wish to convey his condolences or sympathy to the other party out of goodwill and benevolence. However, there is a general reluctance to make apology and lawyers are often reluctant to advise their clients to apologise. This is because the legal consequences of making an apology are not entirely clear, and that an apology may be relied on to establish liability in relevant legal proceedings.

The main objective of apology legislation is to promote and encourage the making of apologies in order to facilitate the amicable settlement of disputes by clarifying the legal consequences of making an apology.

The Steering Committee on Mediation has published a consultation paper on enact an apology legislation in Hong Kong for public consultation from 22 June 2015 for six weeks. Comments on the proposed apology legislation are welcomed by the Steering Committee which should be sent to the Mediation Team of the Department of Justice by 3 August 2015.

About the Speakers

Mr lu Ting Kwok (Bachelor of Arts (Hons), Master (with credit) in Arbitration & Dispute Resolution, Fellow of The Chartered Institute of Arbitrators) is a practicing solicitor with "Kwok, Ng & Chan". Besides, he is a HKMAAL mediator (general & family), a HKMAAL family mediation supervisor, a HKMAAL coach, assessor and assistant trainer. TK sat as a Deputy Presiding Officer at the Labour Tribunal between 2002 and 2003. He assisted many employment disputants to reach settlements before the trial hearings. As a practising mediator, he has mediated over 250 cases since April 2010. TK speaks frequently at mediation workshops, seminars and conferences including the 3rd AMA Conference organised by the Hong Kong Mediation Centre. He has authored publications in journals including Tan Pan, Asian Dispute Review, Hong Kong Lawyer and Mediation. TK is a member of the Regulatory Framework Sub-Committee of the Secretary for Justice's Steering Committee on Mediation. Academically, TK is an Adjunct Assistant Professor of JC School of Public Health and Primary Care of the Faculty of Medicine, Chinese University of Hong Kong.

Mr Simon Lee Pak-sing Principal Government Counsel, Civil Division, Department of Justice. Simon Lee is a solicitor and a HKMAAL accredited mediator. Simon has worked exclusively on civil law matters. and now heads the Planning, Environment, Lands & Housing Unit. He also heads the Mediation Team which served the Secretary for Justice's Working Group on Mediation, the Mediation Task Force and is presently providing support to the Steering Committee on Mediation. He has been appointed a member of the Chief Justice's Working Party on Mediation since 2006. Simon has been actively assisting the Secretary for Justice in promoting the wider use of mediation to resolve disputes in Hong Kong.

Ms Sylvia Siu JP, MBA, LL.M., FCI Arb, FHKI Arb, Consultant Solicitor of SIT, FUNG, KWONG & SHUM; China-Appointed Attesting Officers; Accredited Mediator of HKMAAL, HK Law Society, HKIAC, HK Mediation Centre, CEDR (UK); Mediator on panel of CCPIT; Vice-Chairlady of Guangzhou, HK & Macao Mediation Alliance; Arbitrator of CIETAC, SCIA, Guangzhou, Qingdao, Zhuhai, Weizhou, Wenzhou, World Trade Center Macau Arbitration Center, HKIAC etc; Founding President of China Chapter of Club Espanol



Supporters:



del Arbitraje; Vice President of Nansha International Arbitration Centre; Member of Judiciary's Working Party on Mediation from 2007 to 2013; Member of Department of Justice's Working Party on Mediation, ADR PCLL External Examiner of HKU, Chinese U and City U; Founder and Past President of HK Mediation Centre; Chairperson of ADR Committee & Past President of HK Federation of Women Lawyers. Speaker at numerous local and international ADR conferences.

Please fill out the reply slip below to us by email adr@hkiarb.org.hk or fax no. (852) 2524-2171. 1 CPD point being applied for from the Law Society of Hong Kong. Seats are limited and registration is on first-come first-served basis.

I hope to see you at the talk.

Yours sincerely

Samuel Wong
President

Reply Slip

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I would like to attend the above talk on 29 July 2015 at 1:00pm at HKIAC, 38/F Two Exchange Square, Central, HK

Full Name: _____ Email: _____

Company: _____

Tel : _____ Fax: _____