



香港和解中心
Hong Kong Mediation Centre



和聲
Mediators' Voice

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歡迎各位會員對《和聲》提供寶貴意見，使我們不斷提升及優化內容質素，把最新的資訊帶給大家。我們亦歡迎大家踴躍投稿，如稿件一經採用，會員將會獲得持續專業進修學分。如欲投稿，請電郵至admin@mediationcentre.org.hk，查詢請致電2866 1800。

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總編輯的話 FROM THE CHIEF EDITOR

由香港律政司、香港和解中心及內地—香港聯合調解中心一同舉辦的2018調解周之「一帶一路倡議及跨境商業爭議解決發展趨勢」研討會已於2018年5月圓滿舉行，我們謹此向香港律政司及內地—香港聯合調解中心的大力支持表示衷心的感謝，亦感謝所有講者、支持機構及嘉賓的不懈支持。

研討會於2018年5月16日舉行，並取得空前成功，嘉賓講者能藉此與與會者分享他們在一帶一路倡議下跨境商業爭議解決發展方面的見解和經驗。

律政司司長鄭若驊女士，GBS, SC, JP首先致歡迎辭，並帶出三個值得關注的跨境商業爭議解決發展趨勢：

- i. 涉及投資爭端調解
- ii. 網上爭議解決
- iii. 專為「一帶一路」倡議而設的爭議解決中心

隨後，五位嘉賓講者分別發表專題演說：

1. 上海市司法局副局長王協先生 – 「一帶一路倡議下滬港兩地共同發展跨境爭議解決服務的思考」
2. 深圳前海合作區人民法院副院長張彬先生 – 「立足職能，大膽改革」
3. 中國國際貿易促進委員會杭州市委員會副會長吳謀先生 – 「杭州在跨境電子商務爭議解決上的探索」
4. 國際商會（香港區會）仲裁及替代爭議解決委員會主席岑君毅先生 – 「和解協議轉換為仲裁裁決在國際商貿及投資方面之應用」
5. 香港和解中心會長及內地—香港聯合調解中心創會主席羅偉雄博士 – 「香港在跨境商業發展和爭議解決服務的专业支援」

專題討論及問答環節過後，時任全國人大常委會香港特區基本法委員會副主任及現任香港和解中心名譽顧問梁愛詩女士，GBM, JP致閉幕辭，開拓新領域，先以調解解決一帶一路相關的國際商業糾紛。

今期亦重點介紹香港和解中心及內地—香港聯合調解中心聯合周年晚宴於2017年11月21日圓滿舉行，慶祝香港和解中心成立十八周年及內地—香港聯合調解中心成立兩周年。香港及各地政府部門、專業機構代表、調解業界人士及中心會員共聚於這盛會，分享我們的喜悅及成果。

香港和解中心將繼續致力推動調解在國際爭議解決的發展，我們亦希望您能於《和聲》了解更多關於本中心的調解服務、專業培訓、研討會及講座、各種訪問活動等等，喚起社會大眾對調解的關注。

尹達光
總編輯
香港和解中心

In this issue, we would like to express our gratitude to the Department of Justice, as well as Mainland – Hong Kong Joint Mediation Center, which had jointly made the Mediation Week 2018 – Seminar on The Trend of Cross-border Commercial Dispute Resolution and the Belt and Road Initiative a highly successful event in May 2018. We would also like to give a big thank you to all our distinguished speakers, supporting organizations and guests for their unfailing support.

The Seminar was held on 16 May 2018 with remarkable success, which provided a platform for honorable speakers to share their insights and experiences with our participants on the development of cross-border commercial dispute resolution in relation to the Belt and Road Initiative.

A welcoming speech was first delivered by Ms. Teresa Cheng Yeuk Wah, GBS, SC, JP, the Secretary for Justice, who drawn our attention on three important trends of the cross-border commercial dispute resolution:

- i. Mediation of investment dispute,
- ii. Online dispute resolution,
- iii. Establishment of a dispute resolution centre specially designed for the Belt and Road Initiative.

Five keynote speeches were then delivered by our distinguished speakers:

1. Mr. Wang Xie, Deputy Director General of Shanghai Municipal Bureau of Justice – “Reflective on the Collaborative Development of Cross-border Dispute Resolution Services under the Belt & Road Initiative in Shanghai and Hong Kong”
2. Mr. Zhang Bin, Vice-President of the Shenzhen Qianhai Cooperation Zone People's Court – “Well-functioning and Bold Reform”
3. Mr. Wu Mou, Vice-President of CCPIT Hangzhou – “The Role of Hangzhou in Cross-border E-commerce Dispute Resolution”
4. Mr. Ronald Sum Kwan Ngai, Chairperson of Committee on Arbitration & ADM of ICC-HK – “Application of the Conversion of Mediated Settlement Agreement into Arbitration Award on International Trade and Investment”
5. Dr. Francis Law Wai Hung, President of HKMC & Founding Chairman of MHJMC – “Professional Support on Cross-border Commercial Development and Dispute Resolution Services in Hong Kong”.

Panel Discussion, Questions-and-Answer Session and closing speech by Ms. Elsie Leung Oi Sie, GBM, JP, the then Deputy Director of HKSAR Basic Law Committee of Standing Committee of National People's Congress and current Honorary Advisor of HKMC were followed to explore new horizons to mediate first in resolving Belt and Road-related international commercial disputes.

Special highlight is also drawn to the Hong Kong Mediation Centre and Mainland – Hong Kong Joint Mediation Center Joint Annual Dinner, which concluded successfully on 21 November 2017, to celebrate HKMC's 18th anniversary and MHJMC's 2nd anniversary. Representatives from government departments and professional institutions in Hong Kong and overseas, mediation practitioners, and members were there to share our pleasure and fruitful achievement in this gala event.

In the future, HKMC will continue striving to promote the development of international dispute resolution by mediation. We also hope you will find out more about HKMC's range of mediation services, professional trainings, seminars and talks, various visits, etc., which have ignited mediation interests in the community in the newsletter.

Frank Wan
Chief Editor
Hong Kong Mediation Centre

會長的話 PRESIDENT'S MESSAGE

香港和解中心成立至今近20載，除致力推廣調解服務和培育本地調解人才外，也積極與多所本地及海外的調解和仲裁機構合作，加強香港調解業與國際間的聯繫。而中心自2016年起更獲邀參與聯合國國際貿易法委員會第二工作組（爭議解決）會議，有幸成為香港唯一參與有關會議的專業調解機構，顯示中心的卓越成就獲國際爭議解決業肯定，著實令人鼓舞。

適逢中心成立十八周年及內地—香港聯合調解中心成立兩周年，中心為此於去年11月舉辦聯合周年晚宴，並宴請香港及各地政府部門及專業機構代表及調解業界人士，與我們共同分享喜悅。在律政司的高度支持下，中心與中國國際貿易促進委員會／中國國際商會調解中心於2015年共同設立內地—香港聯合調解中心，為兩地及國際企業提供多元化的跨境爭議解決服務，聯合調解中心為香港調解業界走向國際立下重要里程碑。當晚我們很榮幸邀得香港律政司法律政策專員黃惠沖資深大律師，JP及中央人民政府駐香港特別行政區聯絡辦公室法律部副部長劉春華先生蒞臨主禮。當晚香港和內地的業界人士聚首一堂，就兩地的爭議解決發展趨勢交流意見，同時見證兩間中心的豐碩成果，在此再次感謝各位來賓撥冗出席。

2018年，我們很高興與香港律政司於兩年一度的「調解周」再次合辦研討會，推廣調解發展以及調解服務在香港的使用。是次研討會的主題為「一帶一路倡議及跨境商業爭議解決發展趨勢」，旨在介紹「一帶一路」倡議下企業對爭議解決服務的需求趨勢，和探討香港與內地的法律、調解及仲裁機構在發展跨境商業爭議解決服務上的合作空間。律政司司長鄭若驊資深大律師，GBS, SC, JP在會上提及政府早前已與中國商務部簽署《投資協議》，其「投資爭端調解機制」將有效推動以調解解決各類跨境爭端；而來自內地司法部門和貿易組織的嘉賓講者均表示渴望兩地在訴調對接及發展爭議解決機制方面加強合作，以建立更國際化的爭議解決平台。中心一直對推動調解服務國際化和協同化不遺餘力，政府及各界對推動跨境商業爭議解決的支持實在為中心打了一支強心針。我們將抓緊「一帶一路」的機遇，與內地的司法部門、仲裁及調解機構緊密合作，為各國企業提供便捷有效的商事爭議解決服務。

今年為《紐約公約》生效60週年，國際調解的動向同樣引人注目。《新加坡調解公約》（原名為《公約草案》）和《聯合國貿法會國際商事調解示範法》的修正草案於6月25日獲聯合國國際貿易法委員會通過。《新加坡調解公約》的簽署儀式預計於2019年第三季度舉行，屆時經調解的商事和解協議將可跨國執行，可望吸引更多企業以調解解決爭議。國際間對高端專業調解服務的重視和需求愈益增加，再一次證明中心一直以來努力不懈倡議的調解專業化及國際化終見成果。

香港調解業在一帶一路倡議及公約的誕生下邁進國際調解新紀元，中心將加快推動調解專業化的步伐，向內地及海外加強推廣香港的高端專業爭議解決服務。同時，我們希望能集合香港各領域的專家共同為鞏固香港作為亞太區領先國際法律及爭議解決服務中心的地位作出貢獻。

羅偉雄博士
會長
香港和解中心

For nearly two decades, Hong Kong Mediation Centre ("HKMC") has been actively collaborating with local and global mediation and arbitration organizations to strengthen the international linkages of the Hong Kong mediation profession, in addition to promoting mediation services and nurturing future local mediators. It is heartening to note that HKMC has been invited to attend the Session of United Nations Commission on International Trade Law ("UNCITRAL") Working Group II (Dispute Settlement) since 2016, which means that HKMC has been recognized by international mediation community for its remarkable achievements. It was truly an honor to be the only professional mediation organization in Hong Kong participating in the sessions.

To mark the 18th anniversary of HKMC and 2nd anniversary of Mainland – Hong Kong Joint Mediation Center ("MHJMC"), HKMC held a joint annual dinner in November last year. Representatives from government departments and professional institutions in Hong Kong and overseas, as well as mediation practitioners, were invited to share our joy on the special occasion. With tremendous support from the Department of Justice, MHJMC was collaboratively set up by HKMC and the China Council for the Promotion of International Trade ("CCPIT") / China Chamber of International Commerce ("CCOIC") Mediation Center to provide diversified cross-border dispute resolution services for Hong Kong, Mainland and international enterprises; MHJMC is an important milestone for internationalization of the Hong Kong mediation profession. We were honored to have Mr. Wesley Wong Wai Chung, SC, JP, Solicitor General, Department of Justice of Hong Kong SAR; and Mr. Liu Chun Hua, Deputy Director-General, Legal Affairs Department, Liaison Office of the Central People's Government in the HKSAR to be the officiating guests. Mediation practitioners in Hong Kong and the Mainland gathered to exchange views on the latest trends of dispute resolution in the two places and look back over a fruitful year of achievements of HKMC and MHJMC. I would like to take this opportunity to thank all once again for attending the annual dinner.

In 2018, we were delighted to co-organize a seminar at the biennial Mediation Week with the Department of Justice again to promote the development and use of mediation in Hong Kong. This year's seminar, themed "The Trend of Cross-border Commercial Dispute Resolution and the Belt and Road Initiative", aimed to present trends in enterprises' demand for dispute resolution services under the Belt and Road Initiative and discuss opportunities for collaboration between legal, mediation and arbitration organizations in Hong Kong and the Mainland to develop cross-border commercial dispute resolution services. The Secretary for Justice, Ms. Teresa Cheng Yeuk Wah, GBS, SC, JP, Senior Counsel, said that the government has signed the Investment Agreement with the Ministry of Commerce and the "investment

dispute mediation mechanism” provided in the Agreement can effectively promote the use of mediation in resolving different types of cross-border disputes. Moreover, our guest speakers from legal departments and trade organizations in the Mainland expressed their desire to strengthen cooperation with Hong Kong on court-connected mediation and creating dispute resolution mechanism so as to develop a more international dispute resolution platform. As an organization that has been striving to promote internationalization and integration of mediation, HKMC took great encouragement from the support of the government and the community for cross-border commercial dispute resolution. We will seize the opportunities brought by the Belt and Road Initiative and work closely with legal departments, arbitration and mediation organizations in the Mainland to offer convenient and effective dispute resolution services for enterprises around the world.

With this year being the 60th anniversary of the adoption of the New York Convention, global trends in mediation are also noteworthy. The Singapore Convention on Mediation (previously known as “Draft Convention”) and the draft amendment to the Model Law on International Commercial Conciliation were approved by UNCITRAL on 25 June. The signing ceremony of the Singapore Convention on Mediation

will take place in the third quarter of 2019. Once the convention comes into force, mediated commercial settlement agreements will be enforceable across the world; the convention is expected to encourage more enterprises to resolve disputes by mediation. HKMC’s relentless efforts over the years have finally borne fruit with high-end professional mediation services gaining recognition and being in high demand internationally.

The Belt and Road Initiative and the Singapore Convention have ushered the Hong Kong mediation profession into a new era of international mediation. HKMC will accelerate the specialization of mediation and enhance the promotion of Hong Kong’s high-end professional dispute resolution services in the Mainland and overseas. Meanwhile, we hope to bring together experts from different fields to contribute to reinforcing Hong Kong’s status as a leading international legal and dispute resolution services center in the Asia Pacific region.

Dr. Francis Law
President
Hong Kong Mediation Centre

焦點 (一) : 2018調解周之「一帶一路倡議及跨境商業爭議解決發展趨勢」研討會圓滿舉行

SPOTLIGHT I: MEDIATION WEEK 2018: SEMINAR ON THE TREND OF CROSS-BORDER COMMERCIAL DISPUTE RESOLUTION AND THE BELT AND ROAD INITIATIVE SUCCESSFULLY HELD



2018調解周之「一帶一路倡議及跨境商業爭議解決發展趨勢」研討會已於2018年5月16日（星期三）下午假香港北角海關總部大樓圓滿舉行。

「調解周」是由香港律政司每兩年舉辦一次的大型活動，旨在推廣調解發展以及調解服務在香港的使用。是次研討會為「2018年調解周」活動之一，由香港律政司主辦，並由香港和解中心及內地—香港聯合調解中心合辦。

是次研討會獲社會各界及眾多機構支持，包括香港總商會、香港中華總商會、香港中華廠商聯合會、香港工業總會、香港貿易發展局、國際商會（香港區會）、深圳前海合作區人民法院、中國國際貿易促進委員會駐港澳地區代表處、中國國際貿易促進委員會杭州市委員會、粵港澳大灣區經貿協會、香港工業專業評審局、香港建造商會、全國工商聯房地產商會香港及國際分會有限公司、香港江蘇社團總會、香港中小型企業聯合會、中國國際經濟貿易仲裁委員會香港仲裁中心、金銀業貿易場、香港專業人士協會及青年創業軍。

是次研討會獲近250名香港及內地政府部門的代表、爭議解決及法律界專家、專業機構以及商會代表、企業管理人員及學者參與，相信與會者透過交流，對跨境商業爭議解決於一帶一路地區的發展趨勢亦有更深入及全面的了解。

香港律政司司長鄭若驊女士，GBS, SC, JP致歡迎辭，為研討會揭開序幕，鄭司長表示，「一帶一路」倡議為「一帶一路」經濟體內的企業帶來不少新機遇，以下三個跨境商業爭議解決的發展趨勢值得關注：涉及投資爭端調解、網上爭議解決及專為「一帶一路」倡議而設的爭議解決中心。

她指，香港特區政府已於二零一七年六月與國家商務部簽署了《投資協議》，在「投資爭端調解機制」下，可更有效地推動以調解解決各類跨境爭端。她亦指出，香港正構建一個網絡爭議解決的平台eBRAM.hk，相信構建一個安全、可靠及有公信力的網絡平台將成為跨境爭議解決的新趨勢。她亦感激及感謝香港和解中心及內地—香港聯合調解中心合作籌劃是次研討會。

是次研討會由上海市司法局副局長王協先生、深圳前海合作區人民法院副院長張彬先生、中國國際貿易促進委員會杭州市委員會副會長吳謀先生、國際商會（香港區會）仲裁及替代糾紛調解委員會主席岑君毅先生、香港和解中心會長及內地—香港聯合調解中心創會主席羅偉雄博士擔任嘉賓講者，逐一發表專題演說。

第一位嘉賓講者是上海市司法局副局長王協先生，他就「一帶一路倡議下滬港兩地共同發展跨境爭議解決服務的思考」

主題發表演說。他指，滬港兩地共同發展跨境爭議解決服務主要作用包括：適應新時期改革發展、提升內地仲裁調解水平、實施優勢互補共同發展及優化法治營商環境的有利保障。上海市司法局將積極擴大陸家嘴法治論壇的影響力，為滬港法律專業水平和文化方面進一步融合；亦將探索更多滬港的交流合作，就兩地的爭議解決、法治建設等重要議題作出探討；同時亦推動法律服務業的開放，加強涉外法律服務業的發展。



香港律政司司長鄭若驊女士，GBS, SC, JP為研討會致歡迎辭。
Ms. Teresa Cheng Yeuk Wah, GBS, SC, JP, Secretary for Justice, delivered a welcoming speech for the Seminar.

第二位嘉賓講者是深圳前海合作區人民法院副院長張彬先生，他以「立足職能，大膽改革」為題，圍繞「前海法院的創新涉外案件服務及一帶一路國際商事訴調對接中心之介紹」作分享。他表示，前海法院現全面推進「一帶一路」國際商事訴調對接中心建設，以國際化、專業化、社會化、市場化及信息化作發展方向，與香港和解中心等國際調解機構合作，建立國際化的調解隊伍，以提升糾紛解決的整體效能與便捷效率。

其後，中國國際貿易促進委員會杭州市委員會副會長吳謀先生以「杭州在跨境電子商務爭議解決上的探索」為主題，指出跨境電子商務糾紛愈趨普及，在線矛盾糾紛多元化解平台可發揮更大作用。杭州市貿促會將與國際電子商務糾紛調解機構合作，並聘請全球知名法律、經貿專家加入其調解員名單及加強現有調解員之培訓，朝國際化、規範化方向推動杭州跨境電子商務糾紛調解。

國際商會（香港區會）仲裁及替代爭議解決委員會主席岑君毅先生就「和解協議轉換為仲裁裁決在國際商貿及投資方面之應用」，透過不同案例，分享他對和解協議與仲裁裁決的轉換之見解。他指，某些地區可能不承認和解協議書，所以他認為，在有可能的情況下，將和解協議記錄轉換為仲裁裁決對未來的執行及承認極為重要。

隨後，香港和解中心會長及內地—香港聯合調解中心創會主席羅偉雄博士以「香港在跨境商業發展和爭議解決服務的专业支援」為題，介紹香港國際爭議解決平台以專業機制解決國際商業爭議的獨有多重優勢，指出多元化銜接系統能給予和解協議雙重的執行保障。同時，香港已建立一個一體化的專業、商貿風險預防及爭議解決平台服務中國及世界各地。香港跨文化、跨地域、跨事業的豐富經驗必定為國際及一帶一路發展提供最高效、高階及高可信性的支援。

五位嘉賓講者發表專題演說後，隨即進行專題討論及問答環節，並由羅偉雄博士擔任主持人，邀請其他嘉賓講者，與台下與會者互動及交流，解答他們的提問。

最後，由時任全國人大常委會香港特區基本法委員會副主任及現任香港和解中心名譽顧問梁愛詩女士，GBM, JP致閉幕辭，為研討會畫上完美句號。她概括五位嘉賓講者的演說，並展望調解的未來發展，冀各方推動善用調解服務解決在「一帶一路」產生的國際商業糾紛。

Mediation Week 2018: Seminar on The Trend of Cross-border Commercial Dispute Resolution and the Belt and Road Initiative ("Seminar") was successfully held on 16 May 2018 afternoon (Wednesday) at Customs Headquarters Building in North Point, Hong Kong.

Mediation Week is a major biennial event organized by the Department of Justice ("DoJ"), which aims to promote the development and use of mediation in Hong Kong. DoJ being the organizer, jointly organized by Hong Kong Mediation Centre ("HKMC") and Mainland-Hong Kong Joint Mediation Center ("MHJMC"), the Seminar was one of the activities of Mediation Week 2018.



上海市司法局副局長王協先生，就「一帶一路倡議下滬港兩地共同發展跨境爭議解決服務的思考」主題發表演說。
Mr. Wang Xie, Deputy Director General, Shanghai Municipal Bureau of Justice presented on the topic of "Reflective on the Collaborative Development of Cross-border Dispute Resolution Services under the Belt and Road Initiative in Shanghai and Hong Kong".

The Seminar was supported by various sectors and organizations in the community, including the Hong Kong General Chamber of Commerce, the Chinese General Chamber of Commerce, the Chinese Manufacturers' Association of Hong Kong, Federation of Hong Kong Industries, Hong Kong Trade Development Council, International Chamber of Commerce – Hong Kong ("ICC-HK"), Shenzhen Qianhai Cooperation Zone People's Court ("Qianhai Court"), China Council for the Promotion of International Trade, Representative Office in Hong Kong and Macao, China Council for the Promotion of International Trade Hangzhou Committee ("CCPIT Hangzhou"), Guangdong – Hong Kong – Macao Bay Area Economic and Trade Association, the Professional Validation Council of Hong Kong Industries, Hong Kong Construction Association, China Real Estate Chamber of Commerce Hong Kong and International Chapter Limited, Federation of HK Jiangsu Community Organisations, Hong Kong Small and Medium Enterprises Association, China International Economic and Trade Arbitration Commission Hong Kong Arbitration Center, the Chinese Gold and Silver Exchange Society, the Association of Hong Kong Professionals, and Youth Entrepreneur Warrior.



深圳前海合作區人民法院副院長張彬先生就「前海法院的創新涉外案件服務及一帶一路國際商事訴調對接中心之介紹」主題發表演說。
Mr. Zhang Bin, Vice-President of Qianhai Court, delivered a speech themed "Introduction of the Innovative Foreign-related Legal Services and the Belt and Road International Commercial Court-Connected Mediation Center of Qianhai Court".

The seminar was well-attended by nearly 250 attendees, including Hong Kong and the Mainland government officials, dispute resolution and legal experts, representatives from professional institutions and chambers of commerce, business executives and scholars. It served as a platform for attendees to exchange views and gain insights on the development of cross-border commercial dispute resolution in relation to the Belt and Road Initiative.

The Secretary for Justice, Ms. Teresa Cheng Yeuk Wah, GBS, SC, JP delivered a welcoming speech at the opening of the Seminar. Ms. Cheng said that the Belt and Road Initiative will bring new opportunities to enterprises in countries and regions along the Belt and Road. Attention could be drawn to the following three important trends of cross-border commercial dispute resolution: mediation of investment dispute, online dispute resolution and the establishment of a dispute resolution center specially designed for the Belt and Road Initiative.



中國國際貿易促進委員會杭州市委員會副會長吳謀先生以「杭州在跨境電子商務爭議解決上的探索」為題發言。
Mr. Wu Mou, Vice-President of CCPIT Hangzhou, spoke on the topic of "The Role of Hangzhou in Cross-border E-commerce Dispute Resolution".

Ms. Cheng pointed out that the Hong Kong Special Administrative Region ("HKSAR") Government has signed the Investment Agreement with the Ministry of Commerce in June 2017. The "Investment Dispute Mediation Mechanism" provided in the Agreement can effectively promote the use of mediation in resolving different types of cross-border disputes. She added that Hong Kong is building an online dispute resolution platform, eBRAM.hk, and expected that establishing a safe, reliable and credible online platform will be a new trend. She also expressed gratitude to HKMC and MHJMC for co-organizing the Seminar.



國際商會（香港區會）仲裁及替代爭議解決委員會主席岑君毅先生以「和解協議轉換為仲裁裁決在國際商貿及投資方面之應用」為題發言。
Mr. Ronald Sum Kwan Ngai, Chairperson of Committee on Arbitration & ADR of ICC-HK, shared his perspective on the topic of "Application of the Conversion of Mediated Settlement Agreement into Arbitration Award on International Trade and Investment".

The Seminar featured the following keynote speakers: Mr. Wang Xie, Deputy Director General of Shanghai Municipal Bureau of Justice; Mr. Zhang Bin, Vice-President of Qianhai Court; Mr. Wu Mou, Vice-President of CCPIT Hangzhou; Mr. Ronald Sum Kwan Ngai, Chairperson of Committee on Arbitration & ADR of ICC-HK; and Dr. Francis Law Wai Hung, President of HKMC and Founding Chairman of MHJMC.

The first guest speaker, Mr. Wang Xie, Deputy Director General of Shanghai Municipal Bureau of Justice presented on the topic of "Reflective on the Collaborative Development of Cross-border Dispute Resolution Services under the Belt and Road Initiative in Shanghai and Hong Kong". He said that the collaborative development between Shanghai and Hong Kong will play a major role in adapting China's new era of reform, raising the standard of arbitration and mediation in the Mainland, working towards complementary development, and optimizing the legal environment for businesses. To facilitate the legal and cultural integration of Hong Kong and Shanghai, the Shanghai Municipal Bureau of Justice will strive to extend the influence of Lujiazui Law Forum; explore more opportunities for collaboration and discussion on key issues such as dispute resolution and legal development in the two places; and promote the openness of legal services for reinforcing the development of foreign-related legal services.



香港和解中心會長及內地—香港聯合調解中心創會主席羅偉雄博士以「香港在跨境商業發展和爭議解決服務的專業支援」為題發表演說。
Dr. Francis Law Wai Hung, President of HKMC and Founding Chairman of MHJMC, delivered a speech entitled "Professional Support on Cross-border Commercial Development and Dispute Resolution Services in Hong Kong".

The second guest speaker, Mr. Zhang Bin, Vice-President of Qianhai Court, delivered a speech themed "Well-functioning and Bold Reform" by introducing the innovative foreign-related legal services and the Belt and Road International Commercial Court-Connected Mediation Center of Qianhai Court. He said that the development of Belt and Road International Commercial Court-Connected Mediation Center towards internationalization, professionalism, popularization, marketization, and informatization is in full swing. Qianhai Court is working with HKMC and other international mediation organizations to set up a team of international mediators for providing more effective and efficient dispute resolution services.



Mr. Zhang's speech was followed by Mr. Wu Mou, Vice-President of CCPIT Hangzhou. Mr. Wu spoke on the topic of "The Role of Hangzhou in Cross-border E-commerce Dispute Resolution". He pointed out that the Online Diversified Dispute Resolution Platform will have a stronger role as cross-border e-commerce disputes occur more frequently. CCPIT Hangzhou will collaborate with international mediation organizations for e-commerce dispute resolution. It will invite renowned experts on law, economics and trading to join its platform as mediators and enhance the quality of mediation training for internationalization and regularization of Hangzhou's e-commerce dispute resolution services.



Mr. Ronald Sum Kwan Ngai, Chairperson of Committee on Arbitration & ADR of ICC-HK, shared his perspective on the topic of "Application of the Conversion of Mediated Settlement Agreement into Arbitration Award on International Trade and Investment" by discussing different cases. He pointed out that mediated settlement agreement may not be recognized in some countries or regions; therefore, it is crucial to record the mediated settlement agreement as arbitral award, if possible, for recognition and enforceability.



After that, Dr. Francis Law Wai Hung, President of HKMC and Founding Chairman of MHJMC, delivered a speech entitled "Professional Support on Cross-border Commercial Development and Dispute Resolution Services in Hong Kong". He introduced the unique strengths of using professional mechanism in resolving international commercial disputes at Hong Kong's international dispute resolution platform. He pointed out that the diversified transferal system can safeguard the enforceability of mediated settlement agreement. Meanwhile, Hong Kong has established an integrated professional platform for trade risk management and dispute resolution services to serve the Mainland and international enterprises. With the extensive cross-cultural, cross-border and cross-industry experiences, Hong Kong is bound to provide the most effective, advanced and reliable support to the world and the Belt and Road development.

The five keynote speeches were followed by Panel Discussion and Question-and-Answer Session. Dr. Francis Law Wai Hung served as the moderator to invite the guest speakers to exchange their ideas with participants and address to their enquiries.

The Seminar ended with closing remarks given by Ms. Elsie Leung Oi Sie, GBM, JP, the then Deputy Director of HKSAR

Basic Law Committee of Standing Committee of National People's Congress and current Honorary Advisor of HKMC. She concluded the five speeches and looked forward to the future development of mediation. She hoped that all parties will cooperate to promote the use of mediation in resolving Belt and Road-related international commercial disputes.

焦點 (二) : 香港和解中心及內地—香港聯合調解中心2017年聯合周年晚宴

SPOTLIGHT II: HONG KONG MEDIATION CENTRE AND MAINLAND - HONG KONG JOINT MEDIATION CENTER JOINT ANNUAL DINNER 2017



兩中心代表與貴賓合影留念。
Group photo of representatives of both organizations and honorable guests.



兩會代表及貴賓向在座嘉賓祝酒。
Representatives of both organizations and honorable guests gave a toast to all guests.

為慶祝香港和解中心成立十八周年及內地—香港聯合調解中心成立兩周年，兩中心於2017年11月21日（星期二）舉辦聯合周年晚宴，藉此與香港及內地的調解業界人士聚會交流，聚首共享豐碩成果及喜悅。

晚宴榮獲香港特別行政區政府律政司（律政司）法律政策專員黃惠沖資深大律師，JP、中央人民政府駐香港特別行政區聯絡辦公室（中聯辦）法律部副部長劉春華先生擔任主禮嘉賓及致辭。

晚宴亦成功獲得香港及各地政府部門及專業機構代表出席，它們分別是律政司、中聯辦、申訴專員公署、民政事務總署、法律援助署、知識產權署、個人資料私隱專員公署、投資推廣署、通訊事務管理局、消費者委員會、中國國際貿易促進委員會各地方機構、各地律師協會、律師事務所及各地調解仲裁中心及國際專業調解員等約180位嘉賓出席。

晚宴首先由四位嘉賓致辭分享對調解專業的看法、調解專業的未來機遇及兩地的最新調解專業發展。

律政司黃惠沖專員在致辭時高度表揚香港和解中心多年來的成就，當中不容忽略的是2015年與中國國際貿易促進委員會（中國貿促會）／中國國際商會調解中心共同設立內地—香港聯合調解中心。隨著國家積極推動「一帶一路」的發展及「十三五」規劃等，跨境投資和其他方面的合作勢必大增，而伴隨的商業糾紛亦必然增加。香港的高端解決爭議服務，正可以配合國家的「走出去」及「引進來」的策略。粵港澳大灣區的建設亦將帶來不可錯失的新機遇。黃惠沖專員指出根據2013年一份對「財富美國一千強」的報告指出許多大型企業更傾向於採用調解方式解決爭議。內地—香港聯合調解中心的成立，正正能夠為兩地企業提供更多元化及優質的跨境解決爭議服務。

晚宴的第二位致辭嘉賓：中聯辦法律部副部長劉春華先生在致辭中也指出香港作為內地與世界的超級聯繫人，享有得天獨厚的優勢，抓緊國家「一帶一路」的發展及「十三五」規劃的機遇，以「一國兩制」的獨特優勢，將大大推進香港成為亞太區爭議解決的中心。而中聯辦法律部更「願意為香港發揮國際法律服務及爭議解決方面的優勢提供力所能及的支持和幫助」。

隨後是香港和解中心會長羅偉雄博士致辭，羅博士表示內地—香港聯合調解中心已在超過四十個地區培育國際爭議解決專家、商業談判專家和風險管理專家。目前已與三十多間國際爭議解決機構、法律機構、大學、商會簽訂合作協議。在全球協作的原則下，中心正在加強擴大國際爭議解決平台的覆蓋、在紐約公約以外提供第二重保護。這個平台將為鄰近國家構建他們各自的爭議解決制度和專業人才庫及一切必要的協助。同時，國際爭議解決平台的發展將可提升中心在全球的影響力。隨著更多的世界組織加入中心的平台或在中心的協助下建立自己的系統，世界將逐漸採用香港所開發的國際爭議解決新標準。

晚宴最後一位致辭嘉賓：中國貿促會／中國國際商會調解中心副秘書長和內地—香港聯合調解中心聯合秘書長王芳女士。王芳秘書長跟大家分享了中國貿促會這兩年和香港和解中心在推動中國調解專業的活動上的合作。

王芳秘書長表示兩個中心將彙集兩地的智慧，配合國家正在大力推進的多元化糾紛解決機制改革，為兩地營造更加透明、公平和可預期的營商環境而作出貢獻。

晚宴之後兩中心更頒發感謝狀予兩間機構各委員會成員、各地聯絡主任及傑出調解員以表揚他們對機構的貢獻。同時亦頒贈證書予資深國際調解專家、國際調解專家及國際專業爭議解決代理人以祝賀他們的成就。他們的誕生標誌著兩地在國際調解專業更加專業化，同時亦促進爭議解決服務的發展。

兩中心的聯合周年晚宴是兩地調解專業的一大盛事，晚宴在一片喜悅雀躍中舉行。透過出席晚宴，各調解專家都能從中互相交流，並掌握兩地及國際的調解爭議解決方式及其趨勢的最新資訊，同時促進了兩地調解專業的國際水平。

The Hong Kong Mediation Centre (“HKMC”) and the Mainland - Hong Kong Joint Mediation Center (“MHJMC”) held a Joint Annual Dinner on 21 November 2017 (Tuesday) to celebrate HKMC’s 18th anniversary and MHJMC’s 2nd anniversary. The prestigious dinner gathered mediation practitioners in Hong Kong and the Mainland China to celebrate the two centers’ achievements and exchange ideas.



The dinner was graced by the presence of the following officiating guests: Mr. Wesley Wong Wai Chung, SC, JP, Solicitor General, Department of Justice (“DoJ”) of Hong Kong SAR; and Mr. Liu Chun Hua, Deputy Director-General, Legal Affairs Department, Liaison Office of the Central People’s Government (“LOCPG”) in the HKSAR.

It was also attended by representatives from government departments and professional institutions in Hong Kong and overseas, including DoJ; LOCPG; the Office of The Ombudsman; the Home Affairs Department; the Legal Aid Department; the Intellectual Property Department; the Office of the Privacy Commissioner for Personal Data; InvestHK; the Communications Authority; the Consumer Council; Sub-Councils of China Council for the Promotion of International Trade; and law societies, law firms, mediation and arbitration centers around the world and some 180 international professional mediators.

The dinner was kicked off with four keynote speeches. The speakers shared their perspectives on mediation profession, future opportunities for the mediation profession and recent development of mediation in Hong Kong and the Mainland.

Mr. Wesley Wong Wai Chung, Solicitor General of DoJ, recognized HKMC's achievements over the past years in his keynote speech. He said that one of HKMC's remarkable achievements was the establishment of MHJMC by HKMC and the China Council for the Promotion of International Trade ("CCPIT") / China Chamber of International Commerce ("CCOIC") Mediation Center. Following the development of the "Belt and Road" and the National 13th Five-Year Plan, cross-border trade and cooperation in other areas are expected to increase and inevitably give rise to more commercial disputes. The high-end dispute resolution services in Hong Kong can complement the national strategies to "go global" and "attract foreign investment" perfectly. The Guangdong-Hong Kong-Macau Bay Area will bring new opportunities that businesses cannot afford to miss. Mr. Wong pointed out that, according to a study of "Fortune 1000" in 2013, many large corporations prefer using mediation to resolve disputes; and MHJMC is well-positioned to offer more diversified and high quality cross-border dispute resolution services to Hong Kong and Mainland enterprises.



The second keynote speaker was Mr. Liu Chun Hua, Deputy Director-General, Legal Affairs Department of LOCPG. Mr. Liu pointed out that being the "super-connector" between the Mainland and international markets gives Hong Kong unique advantages; grasping the opportunities arising from the Belt and Road Initiative ("BRI") and National 13th Five-Year Plan and the unique advantage of "one country, two systems" will significantly enhance Hong Kong's status as the dispute resolution center of the Asia Pacific region.



Mr. Liu's speech was followed by Dr. Francis Law Wai Hung, President of HKMC. Dr. Law said that MHJMC has trained up international dispute resolution experts, business negotiation experts and risk management experts in more than 40 regions and has signed collaboration agreements

with over 30 international dispute resolution organizations, law associations, universities and business associations. With the vision for international cooperation, MHJMC is rapidly expanding global coverage of its international dispute resolution platform, ensuring the enforcement of settlement agreement outside of the New York Convention.

The international dispute resolution platform will assist neighboring countries in developing their respective dispute resolution systems and talent pools as needed. Meanwhile, the development of international dispute resolution platform will boost MHJMC's global influence. As more countries engage in MHJMC's platform or develop their dispute resolution systems with MHJMC's assistance, Hong Kong's international dispute resolution standards will progressively be applied worldwide.



The last speaker was Ms. Wang Fang, Deputy Director of the Secretariat of CCPIT / CCOIC Mediation Center and the Co-Secretary General of MHJMC. Ms. Wang reviewed the cooperation activities of CCPIT and HKMC for promoting the mediation profession in China over the past two years.

She said that MHJMC and HKMC will draw on experiences in both China and Hong Kong and foster the reform of China's diversified dispute resolution mechanism by contributing to a fair, transparent and predictable business environment in the two places.

At the end of the gala dinner, certificates of appreciation were presented to the committee members of MHJMC and HKMC, liaison officers in other countries and regions and outstanding mediators in recognition of their contributions to the two organizations. Senior international mediation experts, international mediation experts, international professional dispute resolution advocates were also awarded certificates to recognize their achievements. The establishment of the panels of these experts not only marks a notable milestone related to specialization of mediation in Hong Kong and the Mainland but also promotes the development of dispute resolution services.

The Joint Annual Dinner was a major event for Hong Kong and Mainland mediation professionals. It was a truly joyous evening enjoyed thoroughly by all. By attending the dinner, mediation experts had the opportunities to exchange their views, explore the latest trends of mediation and facilitate international standards of the mediation profession in Hong Kong and the Mainland.

會員全接觸 MEMBERS' CORNER

持續專業發展講座 CONTINUING PROFESSIONAL DEVELOPMENT SEMINARS

內地涉外公司常見的稅務糾紛講座

SEMINAR ON FREQUENT TAX DISPUTES RELATED TO FOREIGN INVESTMENT IN THE MAINLAND

隨著愈來愈多外國投資者湧入中國市場，外資企業及外籍人員在國內面對的稅務糾紛難免大增。香港作為進入中國市場的跳板，可以為外商提供有關中國稅務的法律、風險管理和爭議解決方面的服務。中心於2017年7月21日與內地—香港聯合調解中心合辦內地涉外公司常見的稅務糾紛講座，並邀請了廣信君達律師事務所的高級合夥人全朝暉先生擔任講座嘉賓。全先生不但是一名稅務律師，還是內地—香港聯合調解中心國際認可專業調解員及認可跨境調解導師，在應對稅務爭議上經驗豐富。全先生除了介紹中國最新的個人所得稅法律法規及所得稅徵管外，也分享了內地常見的稅務爭議案例及當地法院處理相關糾紛的解決方法，讓參加者對內地稅收及法律制度都有更深入的了解。

As Mainland China draws more and more foreign investors, the number of tax disputes faced by foreign companies and employees in the Mainland inevitably increases. As a springboard to the China market, Hong Kong can provide foreign companies with tax-related legal, risk management and dispute resolution services. HKMC co-organized the Seminar on Frequent Tax Disputes Related to Foreign Investment in the Mainland with Mainland-Hong Kong Joint Mediation Center ("MHJMC") on 21 July 2017 and invited Mr. Quan Zhao Hui, Senior Partner of ETR Law Firm,

to be the speaker of the seminar. Mr. Quan is not only a tax lawyer but also an International Accredited Professional Mediator and accredited cross-border mediation coach of MHJMC; he has vast experience in handling tax disputes. Apart from introducing the latest Individual Income Tax Law and related tax collection regulations in the Mainland, Mr. Quan also shared examples of common tax dispute cases and explained relevant dispute resolution methods in Chinese courts, enhancing participants' understanding of both tax and legal systems in the Mainland.



中心會長羅偉雄博士（左）向全朝暉先生（右）致送感謝狀。
A Certificate of Appreciation was presented to Mr. Quan Zhao Hui (right) by Dr. Francis Law, President of HKMC (left).

「理解、坦誠、變通，達致親和」講座

SEMINAR: EMPATHY, CANDOUR AND FLEXIBILITY IN RAPPORT-BUILDING

與爭議各方建立親和感是調解最重要的步驟之一，為成功和解鋪路。調解員需要運用不同技巧以建立其可靠的形象，以便爭議各方能充分地向調解員表達他們的想法。坦誠、靈活變通和善解人意對於建立親和感至關重要。

中心很榮幸能邀請到前立法會主席曾鈺成先生,GBM,GBS,JP於2017年8月29日擔任「理解、坦誠、變通，達致親和」講座之嘉賓講者。他分享了主持會議的經驗，以及當與會者有利益分歧時所運用的技巧，這與調解時需照顧各方利益的情況相似。逾130名參加者的反應正面，相信他們均學會如何善用調解的關鍵技巧—理解、坦誠、變通，以達致親和。

Building rapport with parties in dispute is one of the most essential steps in mediation to pave the way for successful settlement. Mediators are always required to use different skills to build a reliable image so that parties can articulate their true thoughts. Being candid, flexible and empathetic is vital to the building of rapport.

HKMC was honored to invite Mr. Jasper Tsang Yok-sing, GBM, GBS, JP, Former President of the Legislative Council, to be the



中心會長羅偉雄博士（左）向曾鈺成先生,GBM,GBS,JP（右）致送感謝狀。
A Certificate of Appreciation was presented to Mr. Jasper Tsang Yok-sing, GBM, GBS, JP (right) by Dr. Francis Law, President of HKMC (left).

speaker of the Seminar: Empathy, Candour and Flexibility in Rapport-Building on 29 August 2017. He shared his experience and skills on holding meetings and conferences with parties of mixed interests, which is similar to the way of taking care of parties' interests when conducting mediation. Encouraging responses were received from nearly 130 participants and it was believed that they had learned how to be candid, flexible and empathetic in building rapport which is crucial to mediation.

道歉條例（第631章）座談會 TALK ON THE APOLOGY ORDINANCE (CAP. 631)

《道歉條例》於2017年7月制訂，並於2017年12月1日起生效。《道歉條例》的目的是提倡和鼓勵作出道歉，以防止爭議升級，及促進以友好的方式解決爭議。

為加強會員對《道歉條例》的認識，香港和解中心於2017年12月18日舉行了道歉條例（第631章）座談會，並邀請了律政司爭議解決政策統籌辦公室主任陳潔儀小姐擔任嘉賓講者。她介紹了制訂《道歉條例》的原因及其內容，以及其生效後作出道歉的法律影響。是次座談會吸引了大約100名參加者出席，冀望他們能藉此進一步了解《道歉條例》與調解的關係。

The Apology Ordinance was enacted in July 2017 and came into operation on 1 December 2017. The objective of the Apology Ordinance is to promote and encourage the making of apologies with a view to preventing the escalation of disputes and facilitating their amicable resolution.

To enhance members' knowledge in Apology Ordinance, HKMC held the talk on the Apology Ordinance (Cap. 631) on 18 December 2017 and invited Miss Ada Chen Kit Yi,



中心會長羅偉雄博士（左）向陳潔儀小姐（右）致送感謝狀。
A Certificate of Appreciation was presented to Miss Ada Chen (right) by Dr. Francis Law, President of HKMC (left).

Commissioner of the Joint Dispute Resolution Strategy Office of the Department of Justice, to be the speaker. She introduced the reasons for enacting apology legislation, the contents of the Apology Ordinance and the legal implications of offering an apology after commencement of the Ordinance. The talk attracted around 100 participants to join and to learn more about the relationship between Apology Ordinance and mediation.

《2017年仲裁及調解法例（第三者資助）（修訂）條例》座談會 TALK ON ARBITRATION AND MEDIATION LEGISLATION (THIRD PARTY FUNDING) (AMENDMENT) ORDINANCE 2017

在爭議解決過程中，當事人往往礙於缺乏資金，而有可能被剝削尋求公義的機會。然而，愈來愈多當事人即使財政充裕，也會要求第三方資助作為財務及風險管理工具。政府於2016年12月建議修訂《仲裁條例》（第609章）及《調解條例》（第620章），釐清香港法律准許第三者資助仲裁、調解及相關法律程序，第三者資助仲裁及調解均不受助訟及包攬訴訟的普通法法則禁止，並訂立相關措施及保障；而修訂條例已於2017年6月14日獲立法會通過。

中心有幸邀得律政司爭議解決政策統籌辦公室主任陳潔儀小姐於2018年4月3日，在《2017年仲裁及調解法例（第三者資助）（修訂）條例》座談會擔任主講嘉賓。陳小姐介紹了條例的背景和相關修訂，並解釋第三者資助調解時的財務及專業操守規定。她期望修訂條例實施後能進一步提升香港作為亞太區主要國際法律及爭議解決服務中心的地位。是次座談會吸引了逾120人參加，不少參加者在答問環節踴躍提問，反應熱烈。



中心會長羅偉雄博士（右）向陳潔儀小姐（左）致送感謝狀。
A Certificate of Appreciation was presented to Miss Ada Chen (left) by Dr. Francis Law, President of HKMC (right).

In general, parties involved in dispute resolution are likely to be deprived of access to justice due to limited financial resources. However, the use of third party funding as a financial and risk management tool has become increasingly common among the parties with adequate financial resources. In December 2016, the government proposed amendments to the Arbitration Ordinance (Cap. 609) and the Mediation Ordinance (Cap. 620). The amendments aim to clarify that third party funding of arbitration, mediation and related proceedings is permitted under Hong Kong law, which means third party funding of arbitration and mediation is not prohibited by the common law doctrines of maintenance and champerty; and provide for related measures and safeguards. The amended Ordinance was enacted by the Legislative Council on 14 June 2017.

HKMC was honored to have Miss Ada Chen, Commissioner of the Joint Dispute Resolution Strategy Office of the Department of Justice, as the speaker in the Talk on Arbitration and Mediation Legislation (Third Party Funding) (Amendment) Ordinance 2017 on 3 April 2018. Apart from the introduction of the background and new provisions of the Ordinance, the talk covered the financial and ethical regulations for third party funding of mediation. Miss Chen expected that the implementation of the Ordinance will reinforce Hong Kong's status as a leading international legal and dispute resolution services centre in the Asia-Pacific region. The Talk was well-attended by over 120 participants and they were actively engaged in the question and answer session.

家事調解的管理與互動講座

TALK ON FAMILY MEDIATION: THE DYNAMICS AND MANAGEMENT

家事調解往往涉及感情膠輾，比一般調解更考驗調解員的耐性及聆聽技巧。婚姻破裂使爭議雙方陷入悲傷及憤怒等負面情緒中，難以理性溝通。家事調解員不但要疏導當事人的情緒，以建立和平友好的協商環境，也要引導他們以子女的福祉為前提解決爭議。

為了讓會員對家事調解有更深入的了解，中心邀請了認可家事及綜合調解員黎子健大律師，於2018年4月23日舉行的家事調解的管理與互動講座擔任主講嘉賓。黎律師通過不同的真實案例闡述家事調解員應如何與爭議雙方建立信任，以了解他們的真實意願及有效推進談判過程。黎律師言談風趣幽默，與參加者互動頻頻，現場氣氛熱烈。不少參加者意猶未盡，表示期待黎律師下次的講座。

Compared with general mediation, family mediation which involves relationship issues requires more patience and better active listening skills. Parties undergoing marriage breakdown are often overwhelmed by negative emotions such as sadness and anger and therefore have difficulties communicating with each other in a rational way. A family mediator not only creates a supportive environment by assisting the parties in expressing their emotions, but also leads them towards a resolution that secures the welfare of children.



中心副會長關衛擎先生（左）向黎子健大律師（右）致送感謝狀。
A Certificate of Appreciation was presented to Mr. Jacky Lai (right), by Mr. Frankie Kwan, Vice President of HKMC (left).

To promote members' understanding of family mediation, HKMC invited Mr. Jacky Lai, an accredited family, general mediator and barrister, to be the speaker of the Talk on Family Mediation: The Dynamics and Management on 23 April 2018. Mr. Lai illustrated how a family mediator should build rapport and trust that bring the parties' true thoughts to light and facilitate the negotiation process with real life examples. His great sense of humor kept the participants highly engaged and created a lively atmosphere. Feedback from participants was excellent, a number of participants even commented that they are eager to attend another talk given by Mr. Lai.

「如何透過調解處理金融糾紛」講座

SEMINAR ON HOW TO HANDLE FINANCIAL DISPUTES BY MEDIATION



中心會長羅偉雄博士（左）向講者張佩儀女士（右）致送感謝狀。
A Certificate of Appreciation was presented to the speaker Ms. Denise Cheung (right) by Dr. Francis Law, President of HKMC (left).

金融業的產品日新月異，涉及的糾紛亦愈來愈多。面對新類型的糾紛，靈活使用調解技巧尤為重要。為增加會員對金融糾紛的了解，中心於2018年8月14日舉辦「如何透過調解處理金融糾紛」講座，並邀請了美國萬利理財亞太區總裁張佩儀小姐擔任主講嘉賓。講座能讓參與者了解普通糾紛和金融糾紛的

差異，使他們進行調解時因應金融業的實際情況作出調節，務求有效處理金融糾紛。講者透過短片加深參加者對各類金融產品及服務的認識，並以真實案例引導參加者思考調解的方式和其好處，令參加者獲益良多。

With the development of different financial products, there are more and more related disputes. It is important for mediators to be flexible when handling a new type of disputes by mediation. To enhance members' understanding of financial disputes, HKMC held a seminar on "How to Handle Financial Disputes by Mediation" on 14 August 2018. HKMC was honored to invite Ms. Denise Cheung, President of Asia Pacific of Money Concepts, to be the speaker. By highlighting the differences between ordinary and financial disputes, the seminar equipped members with the ability to adapt their mediation skills according to the practicalities of the financial industry. Using videos, Ms. Cheung helped participants learn more about different financial products and services. Moreover, she engaged them in a rewarding discussion of real cases that enabled them to think about the approaches and advantages of mediation.

當事人真正需要的是評估式調解還是促進式調解？ DO PARTIES REALLY WANT EVALUATIVE OR FACILITATIVE MEDIATION?

律政司於2018年施政報告倡議在促進式調解以外，推動使用評估式調解，以解決知識產權等合適類型的爭議。為了增加會員對評估式調解的認識，中心於2018年10月30日舉行「當事人真正需要的是評估式調解還是促進式調解？」講座，並邀請了英國認可調解員和特許工料測量師Robert Gerrard先生擔任講者。講者嘗試從當事人的角度分析評估式調解的優點和缺點。大多數調解員以往只受過促進式調解訓練，因此講者建議有意進行評估式調解的調解員應於事前接受專業培訓，並緊貼法例的最新發展，以便為當事人作出可靠的評估。此外，講者透過與參加者討論情景題，讓他們明白調解是一個靈活的過程，期望調解員能因應實際情況使用不同的調解方式。

The Department of Justice has launched an initiative in the 2018 Policy Address to promote evaluative mediation in addition to facilitative mediation for resolving appropriate types of disputes such as intellectual property disputes. To enrich members' knowledge of evaluative mediation, HKMC organized the Seminar "Do Parties Really Want Evaluative or Facilitative Mediation?" on 30 October 2018. Mr. Robert Gerrard, an Accredited Mediator and a Chartered Quantity Surveyor in the United Kingdom, was invited to be the speaker. Mr. Gerrard



中心副會長關衛擎先生（左）向 Robert Gerrard 先生（右）致送感謝狀。
A Certificate of Appreciation was presented to Mr. Robert Gerrard (right) by Mr. Frankie Kwan, Vice President of HKMC (left).

attempted to look at the pros and cons of evaluative mediation from the parties' perspective. Given that most mediators are trained for facilitative mediation, he suggested that mediators who would like to offer evaluative mediation should receive appropriate training and keep themselves up-to-date with the law so as to provide credible evaluation to the parties. He also helped participants understand the flexibility of mediation through case discussions, hoping that they will adapt their mediation styles to the situation.

2017年會員周年大會 ANNUAL GENERAL MEETING 2017

香港和解中心2017年會員周年大會已於11月16日順利舉行。大會由中心秘書長黃欣女士主持，會長羅偉雄博士作出了簡單報告，並詳述中心過去一年的工作進度。2017年，中心的發展正邁向國際，並正式成為本港唯一參與聯合國國際貿易法委員會第二工作組之機構，並為全球之調解發展作出貢獻。其後，中心時任名譽司庫譚盛標先生及會長羅偉雄博士就2016-2017年度的財政狀況作出報告。

在理事選舉環節中，兩名候選人包括陳顯文先生及羅子淇先生自動當選成為新一屆的理事會成員，他們都將堅守專業精神並致力為中心會員服務。

會員是中心的寶貴資產，中心非常感謝每一位會員蒞臨參與周年大會，並一直對中心發展予以大力支持。



香港和解中心2017年年度會員大會已於11月16日舉行。
The Annual General Meeting 2017 was held on 16 November 2017.

The Annual General Meeting 2017 was smoothly held on 16 November 2017. The Meeting was hosted by Ms. Amy Wong, Secretary General of HKMC. Dr. Francis Law, President of HKMC, first delivered the President's Report and detailed the work progress of HKMC in the past year. HKMC has been moving towards the international stage since 2017 as it officially becomes the only organization in Hong Kong to take part in the UNCITRAL Working Group II and contribute to the mediation development globally. The financial report for the year 2016-2017 was subsequently delivered by Mr. Darren Tam, the then Honorary Treasurer of HKMC and Dr. Francis Law.

In the election for Council Members, the two nominees, Mr. Chan Ho Man, Alfred and Mr. Law Chi Kei, Jacky were automatically elected as HKMC Council Members for the year 2017 – 2018. Both of them will firmly maintain professionalism and are committed to serving members.

Members are valuable assets of HKMC, the continuing support and members' participation in the Annual General Meeting are highly appreciated.

調解服務 MEDIATION SERVICE

教育人員專業操守議會之義務調解服務正式推出 OFFICIAL LAUNCH OF THE PRO BONO MEDIATION SERVICE WITH THE COUNCIL ON PROFESSIONAL CONDUCT IN EDUCATION

中心一直致力服務社區和推廣以調解解決糾紛。涉及教育人員的糾紛數字近年有上升趨勢，中心獲教育人員專業操守議會邀請，共同訂立義務調解服務轉介安排。該安排自2018年6月1日起生效，為期兩年，旨在鼓勵大眾透過調解方式解決涉及教育工作者的糾紛或指稱行為失當個案。

根據轉介安排，若當事人同意就涉及教育工作者的糾紛接受調解，中心會為每宗個案安排一次不多於6小時的義務調解服務。中心將安排1名首席調解員及1或2名助理調解員組成專家小組跟進個案，而進行調解的場地則由教育人員專業操守議會提供。中心期望此轉介安排能協助當事人快捷有效地解決糾紛，進一步推動調解專業於教育界的發展。

HKMC is committed to serving the community and promoting mediation as a means of resolving disputes. One of the noticeable trends in recent years has been the growth in disputes involving

educators. HKMC has been invited by the Council on Professional Conduct in Education ("CPC") to establish a Pro Bono Mediation Service Referral Arrangement with effect from 1 June 2018 for a period of 2 years. The Arrangement aims to encourage the use of mediation services as a means of resolving cases of disputes or alleged professional misconduct involving educators.

Under the Arrangement, given that all parties agree to settle the disputes involving educators, HKMC would arrange the pro bono mediation service up to a one-off six hours for each case. Each case will be handled by an expert team of HKMC comprising 1 Lead Mediator and 1 or 2 Assistant Mediators while the venue for mediation will be provided by CPC. It is hoped that the Arrangement can assist parties to resolve the disputes more efficiently and further promote mediation services in the education sector.

宣傳及推廣 PUBLICITY AND PROMOTION

展覽 EXHIBITION

香港貿發局教育及職業博覽 2018 HONG KONG TRADE DEVELOPMENT COUNCIL EDUCATION & CAREERS EXPO 2018



中心副會長陳顯文先生於「善用調解助你發展事業」講座擔任講者。
Mr. Alfred Chan, Vice President of HKMC, spoke in the seminar themed "Harnessing the Power of Mediation to Advance your Career".

為了增加公眾對調解的認識及推廣調解服務，中心連續第4年參展由香港貿易發展局舉辦的教育及職業博覽。由2018年2月1至4日，中心一連四天於博覽設攤位向在場人士提供由中心主辦或合辦的40小時綜合調解員培訓課程及其他調解課程的資訊，而即場報讀課程的人士更可享受有額外優惠。中心亦安排了調解員即場解答公眾人士對調解課程及調解服務的查詢。

今年中心的攤位吸引了逾890人次，參觀人數再創新高。此外，中心於2月3日博覽期間舉辦了以「善用調解助你發展事業」為題的免費講座，由中心副會長陳顯文先生介紹香港調解服務的發展及調解員的發展前景，讓參加者了解調解員資歷如何幫助事業發展。

In order to enhance public understanding of mediation and promote mediation services, HKMC participated in the Education & Career Expo organized by Hong Kong Trade Development Council ("HKTC") for the fourth consecutive year. HKMC set up a booth from 1 to 4 February 2018 at the Expo to provide visitors with information of the 40-hour General Mediator Training Course and other mediation courses organized or co-organized by HKMC; exclusive discounts were offered to those who enrolled on the courses at the Expo. HKMC also invited its mediators to answer visitors' enquiries about mediation courses or mediation services. HKMC's booth attracted a record high of over 890 visitors this year. Moreover, HKMC held a free seminar entitled "Harnessing the Power of Mediation to Advance your Career" at the Expo on 3 February. As the speaker of the seminar, Mr. Alfred Chan, Vice President of HKMC, introduced the development of mediation services in Hong Kong and career opportunities of mediators, which could help participants better understand how mediator qualifications advance their careers.



中心調解員為參觀者詳細介紹40小時綜合調解員培訓課程。
A mediator of HKMC explained details of the 40-hour General Mediator Training Course to a visitor.

嘉年華 CARNIVAL

2018 調解周之「調解創新天」同樂日 MEDIATION WEEK 2018: MEDIATION CARNIVAL



律政司爭議解決政策統籌辦公室主任陳潔儀小姐（左）和香港家庭福利會總幹事葉潤雲女士（右）向中心秘書長黃欣女士（中）致送感謝狀。
Miss Ada Chen, Commissioner for the Joint Dispute Resolution Strategy Office, DoJ (left), and Ms. Amarantha Yip, Director of Hong Kong Family Welfare Society, (right) presented Ms. Amy Wong, Secretary General of HKMC (middle), with a Certificate of Appreciation.

繼2016年調解周後，本中心再次與律政司、香港家庭福利會及民政事務總署合辦調解周的嘉年華，向公眾推廣以調解解決社區爭議。是次「調解創新天」同樂日於2018年5月13日在西九龍調解中心舉行，現場設有歌唱表演、藝術工作坊及有獎攤位遊戲，吸引一家大小以至不同族裔的人士參與。在嘉年華正式開始前，大會邀請青年調解員楊錫豪先生分享成為朋輩調解員的經驗，讓大眾知道年輕人同樣可以學習調解並以相關技巧處理朋友之間的衝突。中心一如以往製作了數個攤位遊戲介紹調解的概念和好處，並安排了中心專業調解員提供免費的諮詢服務。中心期望參加者可透過各個遊戲認識到調解的重要元素，把調解精神融入生活，學習與不同背景的人士和睦共處，融入社會。

To promote the use of mediation for resolving community disputes to the public, HKMC co-organized the Mediation Carnival of Mediation Week 2018 with the Department of

Justice ("DoJ"), Hong Kong Family Welfare Society and Home Affairs Department for the second time since Mediation Week 2016. Held on 13 May 2018 in the West Kowloon Mediation Centre, the Mediation Carnival featured music performance, art workshops and game booths to attract families and different ethnic groups. Mr. JJ Yeung, a youth mediator, was invited to share his experience as a peer mediator before the Carnival officially started. His experience indicated to the public that young people can also learn mediation and they are capable of resolving disputes among friends using mediation skills. Same as the year 2016, HKMC set up a few game booths to introduce the concept and advantages of mediation and arranged its mediators to provide free consultation. Hopefully, the participants would understand essential elements of mediation from the games and integrate into the community better by making these elements part of their daily lives and learning to live in harmony with people of different backgrounds.



主辦機構和合作機構代表合照留念。
Group photo of representatives of the organizers and co-organizers.

講座
TALKS物業管理周2018 - 論壇暨優秀從業員頒獎典禮
PROPERTY MANAGEMENT WEEK 2018 – FORUM AND OUTSTANDING PRACTITIONERS AWARDS CEREMONY

隨著經濟及社會迅速發展，香港每年皆有不少樓宇落成，而市民對住屋及物業管理的服務質素的要求日益提高。物業管理監管局於2016年正式成立，制定物業管理從業員的資歷要求，從而提高從業員的專業水平。物業管理問題愈趨複雜，從業員除了要掌握法律、大廈維修保養等不同範疇的知識外，也要善於溝通和談判，妥善處理糾紛。本年度香港和解中心再次聯同香港物業管理師學會及香港地產行政師學會於2018年6月29日合辦物業管理周2018 - 論壇暨優秀從業員頒獎典禮，以加深公眾對物業管理的認識，同時提升物業管理的專業形象。

是次論壇以「如何成為一個優秀物業管理從業員？」為題，匯聚了多名業界專業人士發表演講，分享心目中優秀從業員具備之條件。中心副會長關衛擎先生獲邀擔任演講嘉賓，談及物業管理從業員可在發生爭議時發揮協調能力，善用調解技巧為業主尋求雙贏的解決方案。優秀從業員頒獎典禮隨後緊接論壇舉行，以表揚各級物業從業員對行業作出的貢獻。關先生於頒獎典禮中頒獎及致辭，鼓勵所有從業員積極裝備自己，精益求精，為業戶提供優質的物業管理服務。





Owing to the rapid economic and social development, new homes are being built every year and people have higher expectations on housing and property management services. The Property Management Services Authority (“PMSA”) was set up in 2016 to define the qualification requirements of property management practitioners and enhance professionalism of the practitioners. With the increasing complexity of property management issues, practitioners need to be skilled at communication and negotiation to resolve disputes, in addition to having extensive knowledge in different aspects such as law and building repair and maintenance. To deepen public understanding of property management and strengthen professional image of property management, HKMC organized the Property Management Week 2018 – Forum and Outstanding Practitioners Awards Ceremony once again in partnership with Hong Kong Institute of Certified Property Managers (“HKICPM”) and Hong Kong Institute of Real Estate Administrators (“HKIREA”) on 29 June 2018.

Themed “How to be an Outstanding Property Management Practitioner?”, the Forum gathered professionals in the field to deliver speeches and share perspectives on essential attributes for an outstanding practitioner. Mr. Frankie Kwan, Vice

President of HKMC, was invited to be one of the speakers. He said that property management practitioners can act as moderators in a conflict and make good use of mediation skills to seek a win-win solution for property owners. The Forum was followed by the Outstanding Practitioners Awards Ceremony to praise property management practitioners of all levels for their contributions. Mr. Kwan presented the awards and gave a presentation during the ceremony. He encouraged practitioners to take initiative to equip themselves and strive for excellence, so as to provide first-rate property management services for the owners.



大廈管理及調解講座 TALKS ON BUILDING MANAGEMENT AND MEDIATION

民政事務總署大廈管理及調解講座

TALKS ON BUILDING MANAGEMENT AND MEDIATION BY HOME AFFAIRS DEPARTMENT



尹達光先生於葵青區大廈管理證書課程2017擔任嘉賓講者。
Mr. Frank Wan spoke at Kawi Tsing District Building Management Certificate Course 2017.

大廈管理及樓宇維修爭議時有所聞，為協助業主及業主立案法團妥善管理大廈，並向他們推廣以調解解決相關糾紛，民政事務總署定期於各區舉辦大廈管理及調解講座。中心很高興獲邀派員於2017年10月至2018年10月期間的講座擔任嘉賓講者。過去一年間共4次的講座吸引了逾400名市民出席。講者除了介紹調解的概念和程序外，也透過真實個案的示範說明調解的好處，並藉此推廣「大廈管理義務專業調解服務計劃」，希望參加者日後面對大廈管理爭議時能利用調解以解決糾紛，達致互利雙贏。



中心調解員李少強先生（左三）與主禮嘉賓及其他講者之合照。
Group photo of Mr. Karson Li, mediator of HKMC (third left), officiating guests and other guest speakers.

Disputes on building management and maintenance works arise from time to time. To assist owners and owners' corporations in proper building management and promote the use of mediation to resolve building management disputes, Home Affairs Department organizes talks on building management and mediation in different districts on regular basis. HKMC was delighted to see its representatives invited to be guest speakers in the talks between October 2017 and October 2018. A total of 4 talks were conducted over the past year, attracting over 400 people. Apart from introducing concepts and procedure of mediation, the speakers highlighted the advantages of mediation by case studies and promoted Free Mediation Service Scheme for Building Management. Hopefully, participants will resolve building management disputes by mediation and arrive at a mutually beneficial solution in the future.



中心前理事英子烈先生於深水埗區優質私人樓宇管理課程擔任講者。
Mr. Daniel Ying, former Council Member of HKMC, spoke at Sham Shui Po District Private Building Management Course.



李少強先生於深水埗區大廈管理黃昏茶聚以「大廈管理的調解個案分享及實踐」為題發表演講。
Mr. Karson Li spoke on the topic "Case Sharing and Practice of Mediation in Building Management" at Sham Shui Po District Tea Reception on Building Management.

調解課程推廣講座 PROMOTIONAL TALKS FOR MEDIATION COURSE

承蒙聖雅各福群會之邀請，中心於2017年7月至2018年10月期間舉辦了9次調解推廣的講座。公眾反應十分熱烈，講座累積參與人數逾500人。講座主題廣泛，包括「調解專業與發展」、「職場調解—提升職場競爭力 化解職場爭議」和「認識調解 締造雙贏與解決跨境商業糾紛」，由副會長陳顯文先生、關衛擎先生、中心調解員羅惠兒女士、李少強先生和黎子健律師擔任嘉賓講者。講座旨在讓公眾認識調解的基本概念和程序，以及調解在香港的發展。另外，講者也會按主題介紹調解在職場及商業範疇上的應用，並提供晉身調解業的實用資訊，使有志投身調解專業的人士更了解認可專業調解員的發展階梯。



中心調解員李少強先生於「認識調解 締造雙贏與解決跨境商業糾紛」講座擔任講者。
Mr. Karson Li, mediator of HKMC, spoke in the talk entitled "Mediation - Win-win Solution & Cross-border Commercial Dispute Resolution".



中心調解員羅惠兒女士透過真實個案解釋調解概念。
Ms. Bibian Lo, mediator of HKMC, explained mediation concepts with real cases.

It was HKMC's pleasure to hold nine promotional talks on mediation for St. James' Settlement during the period from July 2017 to October 2018. The talks were popular and attracted more than 500 attendees in total. The talks featured a wide range of topics, including "Development of the Mediation Profession", "Workplace Mediation - Increasing Your Competitiveness & Resolving Workplace Disputes" and "Mediation - Win-win Solution & Cross-border Commercial Dispute Resolution". Mr. Alfred Chan, Mr. Frankie Kwan, Vice Presidents of HKMC; Ms. Bibian Lo, Mr. Karson Li, and



中心副會長陳顯文先生於「職場調解-提升職場競爭力 化解職場爭議」講座擔任講者。
Mr. Alfred Chan, Vice President of HKMC, spoke in the talk entitled "Workplace Mediation - Increasing Your Competitiveness & Resolving Workplace Disputes".

Mr. Jacky Lai, mediators of HKMC, were invited to be the guest speakers. The talks aimed to enhance public understanding of the basic concepts and procedure of mediation, as well as the development of mediation in Hong Kong. The speakers also introduced the use of mediation in the workplace or the business world depending on the given topic. Last but not least, the talks provided useful information for those aspiring to embark on a mediation career and helped them get a better understanding of the career path of accredited professional mediators.

調解講座 - 專業團體及其他機構

MEDIATION TALKS FOR PROFESSIONAL BODIES AND OTHER ORGANIZATIONS

香港佛教聯合會會屬小學「調解實務守則」工作坊

WORKSHOP ON CODE OF PRACTICE FOR MEDIATION FOR HONG KONG BUDDHIST ASSOCIATION PRIMARY SCHOOL

我們都不時聽聞校園糾紛的發生，這些糾紛可能涉及教育者、學生及家長。為保持和諧及愉快的學校環境，教職員需要有足夠的知識和技巧以有效地處理校園糾紛。中心獲香港佛教聯合會會屬小學邀請，於2017年11月4日為其教職員舉辦調解工作坊，並由中心認可調解員及指導員凌蔚璣律師擔任嘉賓講者，講解

調解概念及技巧，以及調解在校園糾紛的應用。參加者能更確切掌握如何善用調解以解決校園糾紛，是次工作坊獲逾80名參加者出席。



香港佛教聯合會會屬小學代表致送感謝狀予講者中心調解員凌蔚璣律師（右）。
Representative from Hong Kong Buddhist Association Primary School presented a Certificate of Appreciation to Ms. Vickie Ling, mediator of HKMC (right).

We can often hear that there are disputes in school, involving educators, students and parents, teachers and principal, and so on. It is essential to equip teachers and school management staff with the knowledge and skills to handle school disputes effectively, in order to maintain a harmonious school environment. HKMC was invited by Hong Kong Buddhist Association Primary School to hold a mediation workshop for their teachers and staff on 4 November 2017. Ms. Vickie Ling Wai Kay, an accredited mediator, coach of HKMC and solicitor, served as speaker and delivered a talk regarding mediation concept and skills, and the application of mediation in school disputes. Participants could have a better understanding on how to utilize mediation in resolving school disputes. Around 80 participants attended the workshop.

嶺南大學持續進修學院調解講座：香港調解服務概覽

MEDIATION TALK FOR LINGNAN INSTITUTE OF FURTHER EDUCATION: AN OVERVIEW OF MEDIATION SERVICES IN HONG KONG



中心副會長陳顯文先生於講座擔任講者。
Mr. Alfred Chan, Vice President of HKMC, spoke in the talk.

中心一直積極向公眾教育及推廣調解，尤其是向年青人。承蒙專上學院的心理學和輔導學系之邀請，中心於2017年11月10日為嶺南大學持續進修學院的學生舉行講座，中心副會長陳顯文先生擔任講者，介紹香港的調解服務及調解發展。參加者皆對調解有濃厚興趣，並希望認識更多有關調解的資訊。中心期望透過此講座，令學生進一步了解香港的調解服務，藉此喚起新一代的青年人對調解專業的興趣和關注。

It is always significant to take a step forward to educate the public about mediation, especially the young generation. HKMC was delighted to be invited by the Lingnan Institute of Further Education to hold a talk for psychology and counselling students on 10 November 2017. Mr. Alfred Chan, Vice President of HKMC, was invited to speak in the talk, to introduce mediation services and mediation development in Hong Kong. Students expressed an interest in learning more about mediation. It is hoped that the talk will not only provide insights into mediation services and its advantages in resolving disputes, but also spark the young generation's interest in the mediation profession.

菲臘牙科醫院之醫護事務調解培訓

MEDICAL MEDIATION TRAINING FOR THE PRINCE PHILIP DENTAL HOSPITAL

近年，醫療糾紛於本港時有發生。如果糾紛得不到妥善解決，它們將影響病人、其家人以及醫護人員之間的關係，甚至可能影響醫療服務的質素。中心於2018年3月16日獲菲臘牙科醫院邀請為其醫護人員舉辦醫護事務調解培訓。中心副會長陳顯文先生於培訓中擔任講者，教授參加者調解概念及技巧，並介紹香港醫療爭議之現況及以真實醫療爭議作案例分享。中心希望參加者能透過培訓，有需要時能適當地應用調解，這將對病人、其家人以及醫護人員攜手建設和諧的醫護環境有莫大裨益。

In recent years, medical disputes often arise in Hong Kong. They will affect the relationship between patients, their family, and the healthcare staff, and thus may adversely affect the quality of healthcare service provided, if the

disputes are not resolved properly. HKMC was invited by The Prince Philip Dental Hospital to hold a medical mediation training for its healthcare staff on 16 March 2018. Mr. Alfred Chan, Vice President of HKMC, served as speaker to teach the participants mediation concepts and skills, and introduce the current situation of medical disputes in Hong Kong. With real-life dental care dispute cases, participants can understand well on the resolution of dental care disputes by mediation. Through the training, HKMC hoped to equip the participants with better mediation knowledge and skills, which would facilitate in building a harmonious healthcare environment for patients, their family, as well as the healthcare staff.

民眾安全服務隊少年團之「專業調解助你提升職能競爭力，再創新領域」講座 TALK ON PROFESSIONAL MEDIATION HELPS YOU ENHANCE FUNCTIONAL COMPETITIVENESS, OPEN UP NEW FIELDS FOR THE CADET CORPS OF CIVIL AID SERVICE



民眾安全服務隊少年團代表致送感謝狀予中心會長羅偉雄博士（左）。
Representative from the Cadet Corps of Civil Aid Service presented a Certificate of Appreciation to Dr. Francis Law, President of HKMC (left).

民眾安全服務隊（簡稱民安隊）不時要執行各種應急服務，以協助減輕本港正規部隊的負擔。他們執行任務時有機會處理各方的糾紛。掌握如何專業地處理糾紛不但使他們的工作更便捷，還有助提升個人競爭力。中心於2018年4月10日獲邀為民安隊少年團舉辦「專業調解助你提升職能競爭力，再創新

領域」講座，中心會長羅偉雄博士擔任講者，向參加者講解調解概念及技巧，希望他們藉此更了解調解及其應用，日後能善用調解以服務社會，超過100名參加者的反應熱烈。

The Civil Aid Service usually undertakes a wide range of emergency duties and help to relieve the pressure on Hong Kong's full-time emergency forces, and may handle disputes during work. Dealing with disputes professionally not only makes their work easier, but also helps to enhance individual competitiveness. HKMC was invited to hold a talk on Professional Mediation Helps You Enhance Functional Competitiveness, Open up New Fields for The Cadet Corps of Civil Aid Service on 10 April 2018. Dr. Francis Law, President of HKMC, the speaker of the talk, talked about the concept and skills of mediation. It is hoped that they can have better understanding on mediation and its application and make good use of mediation to serve the community professionally in the future. More than 100 participants responded enthusiastically.

2018調解周之如何以調解解決娛樂行業的相關糾紛研討會 MEDIATION WEEK 2018: MEDIATION AND THE ENTERTAINMENT INDUSTRY SEMINAR



中心會長羅偉雄博士以「娛樂行業相關的跨境糾紛」為題發表演講。
Dr. Francis Law, President of HKMC, spoke on the topic of Cross-border Disputes in the Entertainment Industry in the seminar.

由律政司主辦的「2018年調解周」乃調解業界兩年一度之盛事，旨在向社會不同界別推廣調解。藝人與經紀人、經紀公司之間的糾紛時有所聞，如在創作過程中、利益分配問題等等，讓從事娛樂行業之人士掌握處理糾紛的知識和技巧尤其重要。中心會長羅偉雄博士獲律政司邀請，於2018年5月15日舉行的「如何以調解解決娛樂行業的相關糾紛研討會」擔任嘉賓講者，以「娛樂行業相關的跨境糾紛」為主題，介紹行業中常見的跨境糾紛，並分享處理相關糾紛之困難，帶出如何善用跨境平台有效地解決

相關糾紛以滿足業界需要，相信參加者能從中掌握處理糾紛的知識和技巧，在工作時學以致用。

Mediation Week 2018, organized by the Department of Justice ("DoJ"), is a biennial event for the mediation profession to promote mediation in various sectors. There are often disputes between artists, brokers and management company, for example, in the creative process, distribution of interests, etc. It is important for the entertainment practitioners to master the knowledge and skills to deal with disputes. Dr. Francis Law, President of HKMC, was invited by DoJ to serve as guest speaker at the seminar on Mediation and the Entertainment Industry on 15 May 2018. He spoke on the topic of Cross-border Disputes in the Entertainment Industry. He introduced common cross-border disputes encountered in the entertainment industry, shared the difficulties in dealing with related disputes, and highlighted how to make good use of cross-border platforms to resolve the related disputes effectively to meet the needs of the industry. It is believed that participants are equipped with the knowledge and skills of handling disputes at work.

海南海航商務服務有限公司專業職場調解講座 WORKPLACE MEDIATION TALK FOR HNA BUSINESS SERVICES COMPANY LIMITED

在職場中，人與人之間產生衝突在所難免，而管理人員需要花費不少精神及時間來處理職場衝突。有技巧地處理職場衝突不僅能改善員工或合作伙伴之間的關係，亦可提升企業的競爭優勢。海南海航商務服務有限公司於2018年6月27日舉辦專業職場調解講座，並邀請中心會長羅偉雄博士擔任講者。羅博士向公司的行政及人力資源管理人員講授各種職場調解技巧以處理職場上所遇到的衝突，藉此把調解專業推廣至航空業界。

There is no doubt that conflicts between people are inevitable in workplace, which the management needs to spend a lot of effort and time to deal with the conflicts. Skillfully handling of workplace conflicts not only improves the relationship between employees or partners, but also enhances the competitive advantage of the company. HNA Business Services Company Limited held a workplace mediation talk on 27 June 2018, and invited Dr. Francis Law, President of HKMC, to be the speaker. He taught the executives and human resources management to deal with workplace conflict by various mediation skills, hoping to promote mediation to the aviation industry.



中心會長羅偉雄博士於工作坊擔任講者。
Dr. Francis Law, President of HKMC, spoke in the workshop.

勞工處「青年就業起點 (Y.E.S.)」講座：淺談調解及行業發展 TALK ON MEDIATION AND ITS DEVELOPMENT FOR “YOUTH EMPLOYMENT START” OF THE LABOUR DEPARTMENT

青年是社會持續發展的新動力，鼓勵他們認識調解有助於調解行業發展。再次承蒙勞工處「青年就業起點 (Y.E.S.)」的邀請，中心於2018年7月28日為其舉辦講座，名為「淺談調解及行業發展」。講座由中心認可調解員及指導員李少強先生主講，透過介紹調解員的工作內容以及簡介相關調解及談判技巧，加深青年人對調解員及香港調解行業發展的認識。

Youth is a new impetus for the sustainable development of society, encouraging them to understand mediation would facilitate the development of the mediation profession. Once

again, thanks to the invitation from “Youth Employment Start” of the Labour Department, HKMC held a Talk on Mediation and its Development on 28 July 2018. The talk was given by Mr. Karson Li Siu Keung, accredited mediator and coach of HKMC. Through the introduction of the mediation profession and mediator's work, as well as mediation and negotiation skills, the young people's understanding on mediators and the development of mediation in Hong Kong has been deepened.



中心調解員李少強先生於講座擔任講者。
Mr. Karson Li, mediator of HKMC, spoke in the talk.

教育 EDUCATION

小學調解先鋒計劃 “MASTER OF MEDIATION” PROGRAMME FOR PRIMARY SCHOOL STUDENTS

學校是社會的縮影，學生跟成年人也同樣會面對各種人際問題。學生之間產生磨擦時，若一方胡亂發洩情緒或選擇逃避可能令彼此關係更緊張；反之，學生若懂得以和平理性的方式化解糾紛，則能促進校園和諧，有利他們的身心健康。中心於2017年在聖文德天主教小學推行「小學調解先鋒計劃」，於10月7、14及21日為20多名四至六年級的同學提供半天的培訓，教導他們如何以調解方式處理衝突。課程由中心調解員劉家明先生、羅子淇先生、梁淑瑜女士和李少強先生負責主講。他們除了教授調解概念、程序及技巧外，也通過小組討論及角色扮演讓同學們活學活用；而表現最優秀的兩名同學最後獲頒書券，以示鼓勵。中心期望完成培訓的同學們在調解及溝通技巧上都得以提升，並能協助老師解決同儕間的爭執。

School is a society in miniature, students encounter interpersonal problems as adults do. When students get involved in an argument, venting negative emotions or avoiding conversations during an argument is likely to put

more strain on their relationships; on the contrary, settling disagreements peacefully and rationally can foster harmony on campus and promote students' physical and emotional well-being. In 2017, HKMC organized the “Master of Mediation” Programme in St. Bonaventure Catholic Primary School. Half-day training sessions were held on 7, 14 and 21 October for around 20 Primary 4 to 6 students, teaching them how to resolve conflicts by mediation. Trainers of this programme were accredited mediators of HKMC, Mr. Lau Ka Ming, Mr. Jacky Law, Ms. Fish Leung and Mr. Karson Li. They not only taught participants the concepts, procedure and skills of mediation, but also provided them with opportunities to practise new knowledge and techniques in group discussions and role plays; at the end, two participants were offered book coupons to recognize their outstanding performance. HKMC hoped that the training has enhanced participants' mediation and communications skills in a way that they can help their teachers resolve disputes among their peers.

2017-2018年度灣仔區大廈管理調解訓練課程 WAN CHAI DISTRICT BUILDING MANAGEMENT MEDIATION TRAINING COURSE 2017-2018

為了加強宣傳調解於大廈管理上的應用，中心繼與民政事務總署合作推行「大廈管理義務專業調解服務計劃」後，於2017年11月2、10、17、23及30日與灣仔區議會屬下社區建設及房屋事務委員會和聖雅各福群會合辦灣仔區大廈管理調解訓練課程。是次課程獲灣仔區議會撥款資助，費用全免，並獲得律政司及灣仔民政事務處支持，吸引了120人參加。中心兩位副會長陳顯文先生、關衛擎先生及中心調解員羅惠兒女士先後擔任講者，介紹調解概念和程序，並透過小組討論、模擬調解會議和角色扮演等互動的教學方式令參加者更快掌握調解之基本技巧。中心在角色扮演環節中安排的個案均是常見的大廈管理爭議，如漏水、噪音滋擾和維修糾紛等等，期望參加者日後有需要時能學以致用，化解糾紛。

In order to enhance public awareness of mediation as a building management dispute resolution, HKMC co-organized a Wan Chai District Building Management Mediation Training Course with the Community Building and Housing Affairs Committee of Wan Chai District Council and St James' Settlement on 2, 10, 17, 23 and 30



中心代表與合辦機構代表合照留念。
Group photo of representatives of HKMC and co-organizers.



中心副會長關衛擎先生、陳顯文先生及調解員羅惠兒女士（左至右）進行模擬調解會議。
Mr. Frankie Kwan, Mr. Alfred Chan, Vice Presidents of HKMC, and Ms. Bibian Lo, mediator of HKMC (from left to right) had a case demonstration.

November 2017, in addition to launching the Free Mediation Service Scheme for Building Management in collaboration with the Home Affairs Department. Funded by Wan Chai District Council and supported by the Department of Justice and Wan Chai District Office, the free course attracted 120 participants. Mr. Alfred Chan and Mr. Frankie Kwan, Vice Presidents of HKMC; and Ms. Bibian Lo, mediator of HKMC, were invited to offer participants an introduction to mediation concepts and procedure. They actively engaged participants in group discussions, case demonstration and role play activities so as to help them get a better grasp of basic mediation skills. HKMC asked participants to role-play in common situations of building management disputes, such as water seepage nuisance, noise nuisance and construction disputes, in the hope that they will make good use of mediation to resolve disputes when necessary.

綜合調解員培訓課程及企業培訓 GENERAL MEDIATOR TRAINING COURSE & CORPORATE TRAINING

中心於調解推廣方面一直不遺餘力，通過定期舉辦培訓課程增加公眾對調解的認知，並為調解業界培育新力軍。中心於2017年7月至2018年10月期間，主辦及與其他辦學團體合辦的40小時綜合調解員培訓課程共有22班，吸引了逾580人報讀。課程內容全面，教授調解概念、程序及相關的法律知識，裝備學員掌握各種調解技巧，日後能夠處理日常生活中的衝突或爭議。

此外，為鼓勵各行各業善用調解化解糾紛，中心亦為不同機構，包括企業、政府部門及大專院校等，因應其需要而設計不同培訓內容以提供最合適及專業之調解培訓。

HKMC has spared no effort to promote mediation over the years. It holds training courses regularly to enhance public understanding of mediation as well as nurturing the next generation of mediation professionals. A total of 22 classes of 40-hour General Mediator Training Course were organized or co-organized by HKMC from July 2017 to October 2018, attracting over 580 students. The well-rounded course covers concepts of mediation, mediation procedure and relevant legal

knowledge, equipping students with various mediation skills to deal with conflicts or disputes in daily lives.

Moreover, to encourage the use of mediation to resolve disputes in different sectors, HKMC provides professional mediation training for different organizations, including enterprises, government departments and tertiary institutions, by customizing training materials to meet their needs.



學員透過模擬個案（角色扮演）練習調解技巧。
Students practised mediation skills through role-plays.

廣告宣傳 PUBLICITY

為鼓勵市民以調解方式處理糾紛，中心自2017年9月起在各區懸掛宣傳橫額推廣免費社區調解服務計劃。此外，中心於2017年8月訂製了印有中心標誌的紫色領帶，方便會員在代表中心出席活動時穿戴，藉以建立中心調解員的專業形象。領帶款式簡單大方，容易配襯。領帶售價為港幣40元，如欲購買，請電郵至 admin@mediationcentre.org.hk 或致電 2866 1800 與中心職員聯絡。

To encourage the use of mediation to resolve disputes, HKMC has put up promotional banners in different districts for the Free Community Mediation Service Scheme since September 2017. Moreover, HKMC ordered custom purple ties with embroidered logos of HKMC in August 2017; the ties will enable members to present themselves as professional mediators when they represent HKMC at functions. With a

simple and subtle pattern, the ties go well with a variety of shirts. The ties are available for purchase at a cost of HK\$40 each. To make a purchase, please contact HKMC's staff at admin@mediationcentre.org.hk or 2866 1800.



免費社區調解服務計劃之宣傳橫額
Promotional banner of the Free Community Mediation Service Scheme



印有中心標誌的領帶（港幣40元）
Tie with logos of HKMC (HK\$40)

媒體報導 MEDIA COVERAGE

近年政府積極推動調解發展，加上中心多年來透過不同活動推廣調解服務，使調解漸漸為社會大眾所認識。中心在過去一年獲不同報章、雜誌及電台之邀請接受訪問，向大眾介紹調解的應用和調解服務在香港以至國際的發展。

中心秘書長黃欣女士於2017年7月28日接受《Recruit》訪問時，指出掌握調解技巧有助化解職場糾紛，而且各行各業的人士皆可投身調解專業，發展第二事業。而中心會長羅偉雄博士於2018年6月8日接受《明報JUMP》訪問時進一步解釋了進行職場調解的過程和注意事項。另外，羅會長與聖各雅福群會延續教育中心經理劉遠章先生一同接受《經濟一週》訪問，講解調解業的前景和專業調解員的發展階梯；有關報導已於2018年3月9日刊出。談及香港調解業未來的發展方向，羅會長於2018年5月接受中央人民廣播電台香港之聲《雙城生活》專訪時，表示香港的跨境爭議解決平台將會配合內地的多元化糾紛解決機制，為參與「一帶一路」倡議的兩地、國際企業提供更完善和有效的爭議解決及風險管理服務。

此外，羅會長為《求職廣場》的專欄作家，定期發表有關調解的文章，分享調解業的最新動向及資訊，並透過真實個案分享讓讀者更了解調解員的工作。

Due to the government's active promotion of mediation in recent years, as well as HKMC's years-long effort in popularizing mediation services through a variety of activities, mediation is gradually gaining attention from the public. Over the past year, HKMC was invited for newspaper, magazine and radio interviews to introduce applications of mediation and development of mediation services in Hong Kong and overseas.

Ms. Amy Wong, Secretary General of HKMC, in an interview with *Recruit* on 28 July 2017, said that a mastery of mediation skills helps resolve workplace disputes and can lead to a second career. Dr. Francis Law, President of HKMC, in an interview with *Ming Pao JUMP* on 8 June 2018, further explained the procedure of workplace mediation and gave practical tips on handling workplace disputes. In addition, Dr. Law and Mr. John Lau, Manager of St. James Settlement's Continues Education Centre, were interviewed by *Economic Digest* to offer insights into the career opportunities in the mediation profession and the progression path of professional mediators; the interview was published on 9 March 2018. Regarding the future development of mediation in Hong Kong, Dr. Law, in an interview with *China National Radio Hong Kong Edition* in May 2018, said that Hong Kong's cross-border dispute resolution platform will support Mainland's diversified dispute resolution mechanism so as to provide Hong Kong, Mainland and international enterprises involved in the Belt and Road Initiative with advanced and more effective dispute resolution and risk management services.

Feature
在職進修
提升人際軟實力

打工仔維修價值，除了鑽研本業技能，也可從心出發提升軟實力，修讀一些實用課程如調解、輔導，以至藝術治療等，可在「對人」工作上大放異彩，甚至發展成專門事業。

調解——化解職場紛爭

打

工作環境競爭激烈，與同事爭執，是常事。若處理不當，不僅損害良好工作關係，甚至影響工作表現。調解技巧，能協助員工處理職場紛爭，有效改善職場氣氛，提升團隊合作能力。

發展第二事業

調解技巧不僅可應用於工作，也可發展成第二事業。成為認可調解員，可承接各類商業、非商業糾紛及民事、刑事、家庭、工程、法律、理財、健康、商業糾紛等諮詢服務，是許多專業人士的第二收入來源。香港調解中心及香港和聲中心共同成立的「香港調解員培訓聯盟」，為專業人士提供專業培訓，提升調解技能，發展第二事業。

羅偉雄博士

香港調解中心秘書長黃欣女士，在《Recruit》雜誌專訪時，指出掌握調解技巧有助化解職場糾紛，而且各行各業的人士皆可投身調解專業，發展第二事業。而中心會長羅偉雄博士於2018年6月8日接受《明報JUMP》訪問時進一步解釋了進行職場調解的過程和注意事項。另外，羅會長與聖各雅福群會延續教育中心經理劉遠章先生一同接受《經濟一週》訪問，講解調解業的前景和專業調解員的發展階梯；有關報導已於2018年3月9日刊出。談及香港調解業未來的發展方向，羅會長於2018年5月接受中央人民廣播電台香港之聲《雙城生活》專訪時，表示香港的跨境爭議解決平台將會配合內地的多元化糾紛解決機制，為參與「一帶一路」倡議的兩地、國際企業提供更完善和有效的爭議解決及風險管理服務。

中心秘書長黃欣女士接受《Recruit》訪問的內容於2017年7月28日刊登。
Recruit's interview with Ms. Amy Wong, Secretary General of HKMC, was published on 28 July 2017.

40小時專業調解員 最高時薪3,000元

【本報專訊】由香港調解中心主辦的「40小時專業調解員培訓課程」，將於今年七月至九月間舉行。該課程旨在為專業人士提供專業培訓，提升調解技能，發展第二事業。課程內容包括：調解理論、調解技巧、調解實務、調解倫理、調解合約、調解證書等。課程由資深調解員主講，並設有實習機會。課程費用為1,500元，包括教材、證書及午餐。有意報讀者可致電香港調解中心查詢及報名。

調解員的職業發展

調解員的職業發展途徑多樣，可選擇成為認可調解員，承接各類商業、非商業糾紛及民事、刑事、家庭、工程、法律、理財、健康、商業糾紛等諮詢服務。此外，調解員還可選擇成為調解培訓導師，為專業人士提供專業培訓，提升調解技能，發展第二事業。

中心會長羅偉雄博士與聖各雅福群會延續教育中心經理劉遠章先生接受《經濟一週》訪問，報導於2018年3月9日刊登。
Economic Digest's interview with Dr. Francis Law, President of HKMC; and Mr. John Lau, Manager of St. James Settlement's Continues Education Centre, was published on 9 March 2018.

Furthermore, Dr. Law is a columnist for *Job Market*. He writes regularly on mediation, offers latest trends and news about mediation and shares real cases to help readers understand more about the roles of a mediator.



運用職場調解技巧

息爭拗 締造和諧工作氣氛

f mingpao jump

為進一步促進調解在香港的發展，律政司司長成立了「調解督導委員會」，成員包括法律專業人士、醫生、學者、行政管理人員及社工。其職權範圍之一，是監察香港調解員的資格審查及監管事宜，包括「香港調解員協會」的組成和運作可能出現的事宜……

職場上難免會遇到或大或小的爭拗，甚至衝突，與工無倫是員工和員工之間，或與客戶、上級、同事等，如生何解？若能夠適當地運用調解技巧，相信有助締造和諧工作空間。

文：莫慧欣 圖：受訪者提供



「調解是解決爭端最有效的方法之一，一個既有效又可以維持關係的方法。」
香港和中心資深調解員、博士（Francis，左圖）強調，調解並非由第三方介入，而是透過雙方共同合作磋商，故有較大機會找出雙方都滿意的解決方案。

「透過多次會面交換，雙方可以更深入和願意遵守調解結果，也同時有助將本身已破裂的關係作出修補，從而改善雙方關係。」

處理員工糾紛 費時失事

他說，有不少管理層、從事人力資源、行政或前線客戶服務的上班族都會想透過學習調解技巧以應付日常的人際問題。故此，調解課程未必是為了考取專業資格或成為調解員，更多的是為了解決職場上遇到的糾紛，提升個人的技能，實屬有學生向他表示「訴苦」說，每天上班開始工作前都要先投投大量時間處理員工之間的糾紛，既費時又失事，故特意進修調解解決技巧。

衝突源自思考及做事方式不同，而調解方法適用於大部分糾紛，包括家庭、同事、商業等。當中不少衝突都是來自職場，例如上司和下屬之間的思維不同，工作模式不同，顧客和公司之間的服務分歧，對服務質量的期望有落差；員工的工作、資源分配不均、回報不相稱，導致立和不滿，部門之間不能合作；以及近年常見的文化、國籍、宗教及價值觀等，都可以透過調解調解員化解以上的紛爭。

調解六步法 查找心結所在

Francis 解釋，比起綜合調解，職場調解較為簡單，較少觸及合約法律條文之外，程序上亦可簡化為以下 6 個步驟，首兩部分屬事前準備，其餘則進入調解程序。

第一步：職場調解員進行調解前，先與雙方當事人會面，如上司和下屬。了解他們如何看待事件，並解釋使用調解的方式有何好處。

第二步：了解雙方的考慮後，職場調解員要為事件作出評估，同時亦要聽取雙方積極參與過程和接受調解的方案，研究將承受的風險。

第三步：做好事前準備後，雙方可以正式展開調解會議。這是讓雙方交換看法的機會，了解對方的行為動機和真實訴求。

第四步：按照大致的看法以及目前的發展狀況，交換期望以及預計將來的狀況。

第五步：理解對方的想法、行為背後的原因後，便可一起尋找實際又可行的方法，並展開討論。

Francis 強調，調解員在這個階段務必要注意當事人的情緒變化，令他們有秩序地進行談判。「一個好的調解員，應在談判階段之前，已能令雙方脫離原有的情緒波動，坦誠地討論雙方都能接受的方法。這一步是調解過程中最為困難的，如果成功就可以進入最後階段。」

第六步：調解員必須清楚知道雙方是否能夠接受協議的方案，並是可行的。成功完成調解後，如事件的協商結果涉及公司的運作，則需要通知公司，取得批准或由公司處理協議結果。

調解不設立場 切忌亂拍胸、勸冷靜

「作為調解員，不應有立場決定誰對誰錯！」Francis 強調，一個專業的調解員必須先得到當事人的信納，故對調解員的身體語言或說話技巧都是有一定的要求。

「調解過程中，調解員需要跟調解對象面談，因此眼神接觸、真誠的笑容不可或缺，而在聆聽過程中，切忌皺眉或托腮、掩嘴等。因這些舉動都會令當事人感到不受重視或感覺調解員並沒有認真聆聽。」

遇當事人情緒激動 調解員不能做的事

若職場調解過程中，遇到情緒激動的當事人，調解員應怎樣處理？有那些不該說的話和不該做的事呢？Francis 表示，調解員首要處理的是當事人情緒，在他們激動的時候，有兩件事是千萬不能做：

第一：「拍胸脯」。在日常生活中，輕拍朋友的肩膀，大多是顯示對方的關心。但此舉在調解角度，則會予人置身於危險之外，更會令當事人感到反感。

第二：跟當事人說「冷靜點」。這個是還心理學有關的，意謂人不要做的事，人們都會有趨向反操作，因此，當當事人說「冷靜點」，只會令他們情緒更激動，更專注於冷靜之中。

調解員的 Do and Don't	
Do	Don't
有眼神接觸	眼神閃避
真誠的笑容	皺眉或托腮、掩嘴
讓當事人抽離情緒，說出真正的想法。	拍胸脯、叫當事人「冷靜點」

職場調解技巧應用廣泛

聖雅各福群會聯同香港和中心合辦了「職場調解培訓課程」課程，給有意提升工作技能和溝通技巧的在職人士提供，出席率達 8 成的學員可獲頒發「職場調解員培訓證書」。學員憑培訓證書可自由選擇「內地—香港聯合調解中心」的職場調解員認證登記，申請成為「認可職場調解員」。另外，聖雅各福群會亦舉辦「綜合調解員培訓課程」，給有意投身成為綜合調解員的人士報讀。



相關課程	
課程名稱	專業調解員培訓課程
課程目標	掌握各類個案、香港和中心
授課模式	2堂，共17小時
收費	6800 (港幣) / \$5200 (港幣)
查詢	2117 5818 http://www.cjmb.com
專業家事調解培訓課程	
課程目標	掌握家事個案及處理技巧
授課模式	7堂，共42學時
收費	\$10,000
查詢	2130 4000 https://cjc.hk/jp/eng
社區調解培訓課程	
課程目標	掌握社區個案及處理技巧
授課模式	21堂，共64小時
收費	\$15,000
查詢	2790 9022 https://www.cjmb.com

(以上資料僅供參考，以課程公佈為準。)

羅會長接受「明報JUMP」訪問的內容於2018年6月8日刊登。
Ming Pao JUMP's interview with Dr. Law was published on 8 June 2018.

調解世代

公職人員糾紛 調解個案分享(一)

今次我們邀請到資深調解員、香港和中心資深調解員、博士（Francis，左圖）分享一個公職人員糾紛調解個案。Francis 表示，公職人員糾紛調解個案，通常涉及公務員與僱主之間的糾紛，例如薪酬、工作條件、升遷等。調解員在處理這類個案時，需要保持中立，並協助雙方達成共識。

調解世代

公職人員糾紛 調解個案分享(二)

在另一個個案中，Francis 提到，公職人員糾紛調解個案，通常涉及公務員與僱主之間的糾紛，例如薪酬、工作條件、升遷等。調解員在處理這類個案時，需要保持中立，並協助雙方達成共識。

調解世代

公職人員糾紛 調解個案分享(三)

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羅會長在「求職廣場」發表的其中三篇專欄
Three of Dr. Law's articles in Job Market

對外聯繫 COLLABORATION

香港和解中心以觀察員身份參與聯合國國際貿易法委員會會議 HKMC PARTICIPATES IN UNCITRAL SESSIONS AS OBSERVER

香港和解中心自2016年起，以聯合國國際貿易法委員會觀察員的身份參與第二工作組（爭議解決），中心對此感到非常榮幸，藉此積極參與討論並提出專業意見。中心會長羅偉雄博士、副會長陳顯文先生及秘書長黃欣女士代表本中心，於過去一年赴美國紐約聯合國總部及奧地利維也納參與聯合國貿法會第五十屆（2017年7月）、第五十一屆（2018年6月）會議及第二工作組第六十七屆（2017年10月）、第六十八屆（2018年2月）會議，與其他國際機構等代表深入交流。

在2018年初的第六十八屆會議結束時，聯合國貿法會第二工作組最後確定了關於調解所產生國際商事和解協議執行的文書草案，該草案最終於6月25日的第五十一屆聯合國貿法會會議上提交並完成，並將於今年稍後時間提交予委員會通過。

公約簽署儀式將於2019年第三度新加坡舉行，該公約將稱為《新加坡調解公約》，而《示範法》將由聯合國貿法會秘書處編寫。此亦被視為國際調解之一大里程碑，並有賴多達85個成員國和35間國際組織/非政府機構於過去數年間的共同努力。

中心很高興能夠見證《新加坡調解公約》和《示範法》於最近一屆在紐約聯合國總部舉行的會議中誕生。工作組和委員會成員的卓越成果，標誌著國際間對調解機制現代化的重大承諾，以應對其在解決跨境和國際爭議的優先應用。《新加坡調解公約》和《示範法》的制訂能確保並推進爭議解決於國際間的可執行性，這也是由合乎經濟效益、具自主性和保密性質的調解所產生。

自1958年通過了《承認及執行外國仲裁裁決公約》後，本年已是《紐約公約》60周年。與此同時，聯合國貿法會為此於6月28日舉行了紀念活動，並邀請成員國代表及觀察員共300位嘉賓參加。

適逢《紐約公約》60周年，中心祝願《新加坡調解公約》及《示範法》的通過可以為各國調解實務提供更佳的前景。



中心會長羅偉雄博士（左一）、副會長陳顯文先生（右一）與各國政府代表於第五十一屆會議之酒會合照留念。

Group photo of Dr. Francis Law, President of HKMC (first left); Mr. Alfred Chan, Vice President of HKMC (first right); and government representatives at the cocktail reception of the 51st Session.

HKMC is honored to be the United Nations Commission on International Trade Law (“UNCITRAL”) observer in the Working Group II since 2016 and actively involved in discussions with representatives from various international institutes, and presented professional opinions in the commission. Dr. Francis Law, President of HKMC, Mr. Alfred Chan, Vice President of HKMC and Ms. Amy Wong, Secretary General of HKMC, attended the 50th (July 2017) & 51st (June 2018) session of UNCITRAL General Assembly and 67th (October 2017) & 68th (February 2018) session of Working Group II on behalf of HKMC at the Headquarters of the United Nations in New York, U.S. and Vienna, Austria in the past year.

At the end of the 68th session in early 2018, UNCITRAL Working Group II finalized the draft instruments on enforcement of settlement agreement resulting from international mediation. This prepared draft is finally submitted and completed at the 51st session of UNCITRAL General Assembly on the 25th of June and will be referred to the Commission later this year for adoption.

While the Model Law will be prepared by the UNCITRAL Secretariat in the near future, the convention signing ceremony will take place in Singapore, in the third quarter of 2019. The convention will also be referred as the “Singapore Convention on Mediation”. The applauding milestone of international mediation is the result of as many as 85 state delegates and 35 IGOs/NGOs’ collective effort over the past few years.

HKMC is thrilled and excited to witness the birth of the Singapore Convention on Mediation and Model Law on international mediation at the United Nations Headquarters in New York in the latest Commission session. The landmark achievement by the Working Group and the Commission members signifies the strong world-wide commitment in the modernization of mediation mechanism to confront its advancing application on resolving cross-border and international disputes. This also represents a way forward to secure the international enforceability of a dispute settlement, that is resulted from mediation - an economic resolution, self-determined and confidential protected conflict resolving mechanism.

Meanwhile, in the occasion of the 60th anniversary of the New York Convention on the 28th June, a commemoration event was held by the Commission. Together with the

representatives of the member States and observers of the UNCITRAL, 300 guests were invited to the event and celebrate the joint movement on the recognition and enforcement of the foreign arbitral awards since 1958.

In the occasion of the 60th anniversary of the New York Convention, HKMC wishes the adoption of the Singapore Convention on Mediation and the Model Law, to provide a successful prospect to multinational mediation practice.

亞洲調解協會2017年周年大會 ANNUAL GENERAL MEETING 2017 OF ASIAN MEDIATION ASSOCIATION

亞洲調解協會2017年周年大會已於2017年10月27日在泰國曼谷舉行，是次大會由時任輪值主席，中國國際貿易促進委員會 / 中國國際商會調解中心之盧鵬起先生主持。

作為亞洲調解協會始創成員之一，香港和解中心會長羅偉雄博士率領代表團副會長關衛擎先生以及秘書長黃欣女士代表中心出席。另外7個成員國之代表亦參加了是次會議。

各成員國在會上逐一匯報了2017年的工作進展。會中更通過由印尼調解中心於2018年1月1日接任成為亞洲調解協會主席及秘書處，並於2018年10月24日至25日於印尼雅加達主辦第五屆國際調解研討會。

The Annual General Meeting 2017 of Asian Mediation Association (“AMA”) was held on 27 October 2017 in Bangkok, Thailand. The meeting was chaired by The China Council for the Promotion of International Trade (“CCPIT”) /

China Chamber of International Commerce (“CCOIC”) as the Chairman on Duty of AMA, Mr. Lu Pengqi.

Being one of the founding members of AMA, Dr. Francis Law, President of HKMC led the delegation including the Vice President Mr. Frankie Kwan and the Secretary General Ms. Amy Wong to attend the meeting. The meeting was well-attended by representatives from other 7 members of AMA.

In the AGM, members took turn to report their works in 2017. It was also resolved that the next rotating chair country of AMA would be the Indonesian Mediation Center (PMN) starting from 1 January 2018. The 5th AMA Conference, a large-scale conference hosted by PMN, was held in Jakarta from 24 to 25 October 2018.



各成員代表合照留念。
Group photo of representatives of AMA members.

與內地及海外組織的聯繫 COLLABORATION WITH ORGANIZATIONS IN MAINLAND AND OVERSEAS

到訪馬來西亞推廣爭議解決服務 PROMOTING DISPUTE RESOLUTION SERVICES IN MALAYSIA



自「一帶一路」倡議推出以來，東南亞地區的貿易愈趨頻繁，如何妥善處理從中引伸的商業糾紛是建立可持續經貿合作關係中重要的一環。香港和解中心會長羅偉雄博士於2018年9月3日至7日率領本中心及國際爭議解決及風險管理協會代表團拜訪馬來西亞商會和專業機構，協助當地商企認識爭議解決服務，並推動與當地爭議解決機構的合作。另外，代表團出席了合作備忘錄的簽署儀式和經濟論壇。

羅博士代表國際爭議解決及風險管理協會與馬來西亞一帶一路總商會拿督伊斯甘達先生簽署合作備忘錄。馬來西亞一帶一路總商會是由馬來西亞企業家所創立的非牟利機構，致力促進中馬的經濟合作，助企業發掘有關「一帶一路」的投資及貿易機會。備忘錄為兩會提供良好的合作基礎，讓雙方在商業及專業服務上互補優勢。兩會可望透過合辦研討會、文化及教育方面的交流活動，促進業務發展，同時推廣多元化的國際爭議解決服務。

代表團亦參與了由馬來西亞廣東投資促進總商會主辦的經濟論壇。是次論壇的主題為「馬中經貿合作，再攀高峰」，旨在加強馬來西亞與中國，特別是與廣東省的經貿聯繫。羅博士獲邀在論壇上演講，介紹國際爭議解決機制。

此外，代表團會晤了不少商會、推動經貿發展或提供專業服務的法定機構及非牟利機構代表，當中包括亞洲國際仲裁中心。亞洲國際仲裁中心是國際爭議解決服務的先驅者，採用全面的糾紛管理系統，又制訂專用的仲裁規則，以切合環球商業營運的實際狀況。

中心此行獲益良多，不但增加了對馬來西亞調解仲裁機構的認識，而且加深了中心與當地機構在推廣「一帶一路」爭議解決服務上的合作和交流。期望中心日後能為東南亞、以至「一帶一路」沿線國家的經濟合作帶來新動力！

Since the launch of Belt and Road Initiative ("BRI"), trade in South East Asia has increased significantly. Handling related legal disputes is vital to sustaining the collaboration on trade and economic matters. Dr. Francis Law, President of HKMC, led a delegation from HKMC and International Dispute Resolution & Risk Management Institute ("IDRRMI") to visit chambers of commerce and professional institutions in Malaysia from 3 to 7 September 2018. The visit aimed to give Malaysian enterprises an insight into dispute resolution and enhance cooperation between Malaysia dispute resolution



institutes and HKMC. During the visit, the delegation witnessed the signing of Memorandum of Understanding (MoU) and participated in an economic forum.

Dr. Law, on behalf of IDRRMI, has signed a MoU with Datuk Iskandar Sarudin, President of Persatuan Muafakat One Belt One Road (“PMOBOR”). PMOBOR is an NGO established by Malaysian entrepreneurs to encourage Sino-Malaysian economic cooperation and help enterprises identify business opportunities of BRI. The MoU lays the groundwork for cooperation so that IDRRMI and PMOBOR can complement each other with their respective strengths in business and professional services. It is hoped that organizing forums and exchange activities in cultural and educational regards will boost the business prospects of both organizations, as well as contributing towards the promotion of diversified international dispute resolution services.

The delegation joined an economic forum organized by Malaysia-Guangdong Chamber of Investment Promotion (“MGCIP”). The Malaysia-China Economic and Trade Cooperation Forum sought to strengthen Sino-Malaysian

economic connection, especially that with Guangdong Province. Dr. Law was invited to be one of the keynote speakers and he introduced the International Dispute Resolution Mechanism.

Throughout the trip, the delegation visited a number of chambers of commerce and institutions promoting trade and economic matters or providing professional services, including Asian International Arbitration Centre (“AIAC”). AIAC is a pioneer in the provision of dispute resolution services. Its comprehensive dispute management systems and tailor-made arbitration rules accommodate practical needs of the global business community.

In short, this trip was very fruitful. Apart from learning more about the arbitration and mediation institutes in Malaysia, HKMC has promoted potential collaboration in the use of dispute resolution services in BRI at the same time. We hope that HKMC can bring new momentum to the economic cooperation among South East Asian countries, or even countries along routes of BRI!



由政府轉介的會議 MEETINGS REFERRED BY HKSAR GOVERNMENT

香港作為亞太區國際法律及爭議解決服務中心，世界各地的政府官員以及機構都希望與香港業界人士互相交流。在過去數月，經由政府新聞處轉介並獲律政司推薦，中心與不同政府官員及機構代表會面：於2017年10月18日與特許仲裁師學會主席 Nayla Comair-Obeid 博士和遠東及澳大利亞區總監 Camilla Godman 女士會面、於2018年1月19日與加中貿易理事會總裁 Graham Shantz 先生互相交流，並於2018年3月18日與上海市司法局局長陸衛東先生及法制處（研究室）處長（主任）葉林先生會面。會議期間，他們就爭議解決的最新發展互相交流，亦重點討論香港及全球的調解服務和培訓發展，相信雙方皆獲益良多。

Hong Kong as a leading center for international legal and dispute resolution services in the Asia-Pacific region, government officials as well as organizations across the world would like to interact with the practitioners in Hong Kong. With the referral by Information Services Department and nominated by the Department of Justice, over the past few months, various government officials and organizations visited HKMC, including Dr. Nayla Comair-Obeid, President of Chartered Institute of Arbitrators ("CI Arb") and Ms. Camilla Godman, Regional Director for the Far East & Australasia, CI Arb on 18 October 2017, Mr. Graham Shantz, President of Canada China Business Council on 19 January 2018,

Mr. Lu Weidong, Director of Shanghai Municipal Bureau of Justice and Mr. Ye Lin, Director of Legal Affairs Division, Shanghai Municipal Bureau of Justice on 18 March 2018. During the meetings, they had fruitful discussions and exchange of ideas on the latest development of dispute resolution, particularly in mediation services and training, in Hong Kong and worldwide.



中心會長羅偉雄博士（右）與黎巴嫩特許仲裁師學會主席Nayla Comair-Obeid博士（中）和遠東及澳大利亞區總監Camilla Godman女士（左）之合照。
Photo of Dr. Francis Law, President of HKMC (right), Dr. Nayla Comair-Obeid, President of CI Arb (middle) and Ms. Camilla Godman, Regional Director for the Far East & Australasia, CI Arb (left).

獲香港貿發局及不同政府部門邀請參加代表團 訪問中國、柬埔寨及越南 INVITATION FROM HONG KONG TRADE DEVELOPMENT COUNCIL AND GOVERNMENT DEPARTMENTS TO JOIN THE BUSINESS MISSION, VISITING CHINA, CAMBODIA AND VIETNAM

近年香港全面參與中國「一帶一路」建設，政府致力推動香港與內地及國際企業建立伙伴關係。有見及此，香港貿易發展局（香港貿發局）及不同政府部門不定期舉辦交流活動，並率領代表團訪問「一帶一路」沿線國家，及就企業在推進「一帶一路」發展所面對的機遇和困難，以及香港居中可以發揮的重要作用，尤其在爭議解決方面，作深入探討和分享。

中心很榮幸獲律政司推薦為香港特區代表團成員，中心會長羅偉雄博士於2018年2月3日在北京人民大會堂出席「國家所需香港所長——共拓一帶一路策略機遇」論壇。是次論壇由政府聯同一帶一路總商會舉辦，國家領導人、行政長官、政府主要官員、香港金融、法律、經貿、專業服務、科技界等代表、內地大型國企負責人及高管人員亦有參與論壇。當中，專題環節論及使用香港與國際接軌的爭議解決服務之優勢，透過與內地企業及各界人士交流，推動更廣泛使用調解以解決爭議。

羅會長於2018年3月19至23日期間，獲邀參加由商務及經濟發展局局長邱騰華先生率領的香港經貿代表團訪問柬埔寨及

越南，與柬埔寨商務部部長Pan Sorasak先生、柬埔寨總商會代表及柬埔寨發展理事會代表會面，了解當地營商及投資環境；亦與越南工商總會代表、胡志明市出口加工及工業區管理局代表及胡志明市投資及貿易促進中心代表進行交流，了解越南工商業的最新發展趨勢；與此同時，可提升柬埔寨及越南商界人士對調解的認識，當他們遇到糾紛時，可考慮以調解有效和迅速地解決商業紛爭。

其後，羅會長亦獲香港貿發局邀請於2018年5月31日參加「一帶一路」經貿代表團訪問深圳，參觀中興通訊股份有限公司，了解深圳企業在「一帶一路」之發展情況。午宴後，羅會長拜會深圳市委常委及常務副市長劉慶生先生，以及參加深港「一帶一路」合作圓桌會議，並與各企業代表互相交流。近年，深圳和香港不斷加強經貿合作，加上政府積極推動粵港澳大灣區發展，兩地發展關係緊密，企業隨之遇到的商業糾紛亦會增加，爭議解決服務的需求也會大增。羅會長與當地企業代表深入交流，了解其需要，並積極推動調解，加深企業對使用調解解決商業爭議的認識。



As Hong Kong is fully integrated with China's "Belt and Road" in recent years, the government is committed to promoting Hong Kong's partnership with Mainland and international enterprises. In view of this, Hong Kong Trade Development Council ("HKTD") and various government departments have held exchange activities and led delegations from time to time to visit the countries along "Belt and Road" to have in-depth discussion and sharing on Hong Kong's significant role in the opportunities and difficulties faced by enterprises in promoting the development of the "Belt and Road", especially in dispute resolution.

HKMC is honored to be recommended by the Department of Justice as a member of the HKSAR delegation. Dr. Francis Law, President of HKMC, attended the Seminar on Strategies and Opportunities under the Belt and Road Initiative - Leveraging Hong Kong's Advantages, Meeting the Country's Needs on 3 February 2018 at the Great Hall of the People in Beijing, which was held by HKSAR Government and Belt and

Road General Chamber of Commerce. National leaders, the Chief Executive, key government officials, representatives in financial, legal, economic and trade, professional services, technological sectors in Hong Kong, and other large state-owned enterprises and senior executives in the Mainland also took part in the Seminar. The thematic session discussed the advantages of using dispute resolution services of Hong Kong with international standards. Through the exchange with mainland enterprises and the public, promotion on wider use of mediation to resolve disputes would be effective.

During the period from 19 March to 23 March 2018, Dr. Law was invited to participate in a Hong Kong business mission, led by the Secretary for Commerce and Economic Development, Mr. Edward Yau Tang-wah, to visit Cambodia and Vietnam. He met with Mr. Pan Sorasak, Minister of Commerce of Cambodia, and representatives of Cambodia Chamber of Commerce and Council for Development of Cambodia to understand more on the local business and



investment environment; he also exchanged views with representatives of Vietnam Chamber of Commerce and Industry, Ho Chi Minh City Export Processing and Industrial Zone Authority and Investment and Trade Promotion Center, Ho Chi Minh City to learn about the latest development trend in Vietnam's business and industry. Meanwhile, it enhanced the understanding of mediation by Cambodian and Vietnamese businessmen. When they encounter disputes, they can consider to resolve commercial disputes by mediation effectively and efficiently.

After that, Dr. Law was also invited by the HKTDC to participate in the Belt and Road business mission to visit Shenzhen on 31 May 2018, visiting Zhongxing Telecommunication Equipment Corporation to learn more about the development of Shenzhen enterprises under "Belt

and Road". After luncheon, Dr. Law met Mr. Liu Qingsheng, the Standing Committee of Shenzhen Municipal Committee and the Deputy Mayor of Shenzhen, and participated in the Shenzhen-Hong Kong Belt and Road cooperation roundtable meeting to exchange views with representatives of different enterprises. In recent years, Shenzhen and Hong Kong have continued to strengthen economic and trade cooperation. Together with the government's promotion of the development of Guangdong-Hong Kong-Macau Bay Area, the development of Hong Kong and Mainland become closer. Commercial disputes encountered by enterprises will thus increase, with the demand for dispute resolution services. Dr. Law communicated with local business representatives to understand their needs and actively promoted mediation to deepen their understanding of the use of mediation to resolve commercial disputes.

粵港澳交流活動－高端知識產權服務支持青年創業

EXCHANGE PROGRAMME TO HENGQIN AREA OF THE GUANGDONG PILOT FREE TRADE ZONE IN ZHUHAI

近年政府積極推動粵港澳大灣區發展，香港、澳門和珠海之間的商業和貿易亦隨之而迅速增長。珠海橫琴自由貿易試驗區促進了高端知識產權服務的發展，同時，商家和從業員對保障知識產權及可能出現的潛在糾紛都表示關注。承蒙知識產權署之邀請，中心會長羅偉雄博士及秘書長黃欣女士於2018年7月4日參與由知識產權署、廣東省知識產權局及廣東省商務廳合辦的粵港澳交流活動。當天代表團參觀了橫琴澳門青年創業谷，並與橫琴商務局及初創企業代表會談，充分了解珠海知識產權服務的發展，並與從業員就如何解決知識產權糾紛互相交流。

Business and trading between Hong Kong, Macau and Zhuhai increase rapidly, with the pushing-forward development of the Bay Area. While the development of high-end intellectual property services is promoted in Hengqin Pilot Free Trade

Zone in Zhuhai, businessmen and practitioners may be concerned about its protection, as well as potential disputes that may arise. Therefore, Dr. Francis Law, President of HKMC, and Ms. Amy Wong, Secretary General of HKMC, were invited to the exchange programme on 4 July 2018 to Hengqin area of the Guangdong Pilot Free Trade Zone in Zhuhai, which was co-organized by the Intellectual Property Department, the Guangdong Intellectual Property Office and the Department of Commerce of Guangdong Province. Dr. Law and Ms. Wong met up the intellectual property service providers and representatives of start-ups from technological and innovative industries. They had an extensive understanding on intellectual property service development of Zhuhai and exchanged ideas on resolving intellectual property disputes with the practitioners.

日本仲裁人協會到訪香港和解中心

JAPAN ASSOCIATION OF ARBITRATORS VISITED HKMC

香港以其作為亞太區國際法律和爭議解決服務領先中心的地位而聞名。2017年7月28日，日本仲裁人協會執行董事 Haruo Okada先生率領代表團訪問香港和解中心，並由會長羅偉雄博士及秘書長黃欣女士迎接。

日本仲裁人協會是一個非牟利組織，致力於日本推廣仲裁和另類爭議解決。由於該協會將於京都設立一所國際調解中心，代表團希望此行能了解更多有關香港和解中心過往成立之經驗並藉此借鏡，並探討兩所中心未來合作機會。

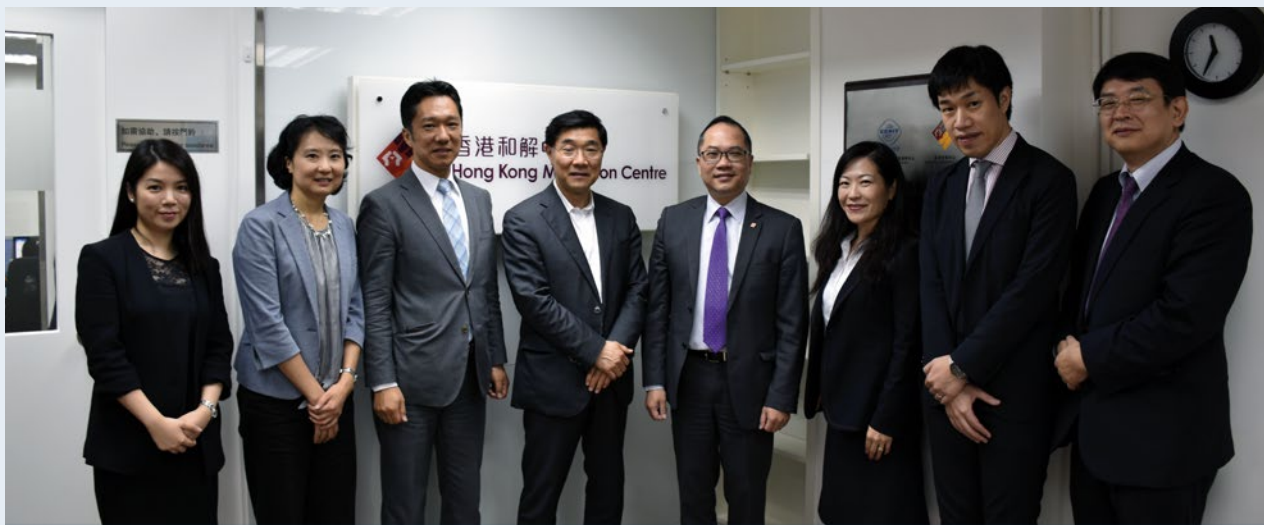
在會面期間，雙方就香港及全球爭議解決之最新發展進行討論及意見交流。此外，羅會長還介紹了跨境爭議解決機制，該機制結合了調解和仲裁的優勢，以解決跨境爭議。

Hong Kong is well known for its status as a leading center for international legal and dispute resolution services in the Asia-Pacific region. On 28 July 2017, the delegation of Japan Association of Arbitrators (JAA), led by Mr. Haruo Okada, Executive Director of Japan Association of Arbitrators, visited HKMC.

JAA is a non-profit organization and strives to promote arbitration and Alternative Dispute Resolution in Japan. Since JAA will establish an international mediation centre in Kyoto in cooperation with Doshisha University, the delegation was eager to learn more about the experience of setting up a mediation centre from HKMC and discuss any possible collaboration in the future.

During the meeting, they had fruitful discussions and exchange of ideas on the latest development of dispute resolution in Hong Kong and around the world. The unique

cross-border dispute resolution mechanism of Mainland - Hong Kong Joint Mediation Center, which combines the advantages of mediation and arbitration, was also introduced.



中心會長羅偉雄博士（右四）、秘書長黃欣女士（左一）與日本仲裁人協會代表團之合照。

Group photo of Dr. Francis Law, President of HKMC (forth right); Ms. Amy Wong, Secretary General of HKMC (first left); and the delegation of Japan Association of Arbitrators.

拜訪匈牙利工商會仲裁法院

VISIT TO ARBITRATION COURT ATTACHED TO THE HUNGARIAN CHAMBER OF COMMERCE AND INDUSTRY

隨著國家積極推動「一帶一路」發展及「十三五」規劃，匈牙利與中國的國際貿易與合作將會增加。為了迎合這方面的需求，爭議解決機構之間的合作對兩地的貿易和商業發展至關重要。中心會長羅偉雄博士及秘書長黃欣女士於2017年10月9日

拜訪匈牙利工商會仲裁法院，就仲裁與調解的發展互相交流，並就國際爭議解決深入討論，相信有助促進香港和匈牙利爭議解決的發展，並能有效解決國際貿易中產生的爭議。



中心會長羅偉雄博士（左三）、秘書長黃欣女士（左二）與匈牙利工商會仲裁法院代表之合照。

Group photo of Dr. Francis Law, President of HKMC (third left); Ms. Amy Wong, Secretary General of HKMC (second left); and representatives of the Arbitration Court attached to the Hungarian Chamber of Commerce and Industry.

Following the Belt and Road and National 13th Five-Year Plan implemented by China, international trade and cooperation between Hungary and China would increase. To cater for the demand, collaboration between dispute resolution organization is essential for the trading and business development of two places. In view of this, Dr. Francis Law, President of HKMC, and Ms. Amy Wong, Secretary General of HKMC, visited the Arbitration Court attached to the Hungarian Chamber of Commerce and Industry on 9 October 2017, to exchange ideas on the development of arbitration and mediation, and have an in-depth discussion on the international dispute resolution. It is hoped that the development of dispute resolution in China, Hong Kong and Hungary can be fostered through our collaboration, so that disputes emerging from international trade can be resolved effectively.

參觀澳洲之爭議解決機構

VISIT TO DISPUTE RESOLUTION INSTITUTIONS IN AUSTRALIA

澳洲是全球最先實行調解及爭議解決的地區之一。在澳洲，比起訴諸法庭，調解被正式視為一項更好、便捷和有效的替代方法以解決糾紛。澳洲在調解發展的經驗非常值得香港借鑒。有見及此，中心會長羅偉雄博士於2018年7月24日至28日率領代表團一行五人到訪澳洲墨爾本。

是次澳洲之行收穫甚豐，代表團到訪了數間與解決爭議有關的機構，並與不同機構代表會面，了解澳洲爭議解決服務的最新發展，參觀交流之機構包括維多利亞州爭議解決協會及墨爾本皇家理工大學。

維多利亞州爭議解決協會於1986年成立，是一間非牟利組織，30多年來一直致力於推動調解和其他解決爭議方式，並提供廣泛的爭議解決服務，如談判、調解、和解和仲裁等。羅博士獲維多利亞州爭議解決協會邀請，為其會員舉行研討會，以「滿足中國、澳洲及香港高質素國際爭議解決的需求」為主題進行演講，加深他們對以調解解決國際及跨境爭議的知識，並與參加者就解決爭議互相交流，參加者的反應踴躍。

墨爾本皇家理工大學全球、城市及社會研究學院致力教育學生並推動解決爭議及調解的發展，鼓勵學生深入了解各類爭議解決服務的使用，以創建一個具社會意識和負責任的社區。



中心代表團參加2018年亞太區商事調解比賽歡迎酒會。
Delegation of HKMC took part in the Welcoming Cocktail Reception of the 2018 Asia-Pacific Commercial Mediation Competition.

中心代表團亦會見了澳大利亞工商會代表，並就澳洲和香港的工商發展，以及如何善用解決爭議方案以解決澳洲和香港之間的國際和跨境商業糾紛互相交流。

羅博士及中心副會長陳顯文先生獲澳大利亞國際商會邀請，於2018年亞太區商事調解比賽擔任評審，觀察參賽大學生的表現，並評價他們能否有效地利用調解及解決問題技巧成功代表各方利益以達成和解。

透過此行，中心代表團能與眾澳洲機構代表相互討論及交流，了解澳洲的最新調解發展。同時，香港的調解模式和發展亦得以推廣予澳洲業界人士。

Australia is one of the global forerunners in mediation and dispute resolution. Mediation is officially seen in Australia as a preferred, efficient and effective alternative to traditional court litigation, to resolve disputes. Australia's experience in mediation development is well worth learning. In view of this, Dr. Francis Law, the President of HKMC, led a group of delegation of 5 members to visit Melbourne, Australia for a five-day exchange trip from 24 July to 28 July 2018.

The trip to Australia was rewarding and fruitful. The delegation visited various dispute resolution institutions and met with their representatives to learn about the latest developments in the dispute resolution services in Australia, including Victorian Association for Dispute Resolution ("VADR") and Royal Melbourne Institute of Technology ("RMIT University").



中心代表團到訪墨爾本皇家理工大學，並致送紀念品予墨爾本皇家理工大學全球、城市及社會研究學院院長Robin Goodman教授。
Delegation of HKMC visited RMIT University and a souvenir was presented to Professor Robin Goodman, Dean of School of Global, Urban and Social Studies of RMIT University.

VADR was a non-profit organization established in 1986. It has been committed to promoting mediation and other forms of dispute resolution, as well as providing wide range of dispute resolution methods such as negotiation, mediation, conciliation and arbitration for over 30 years. Invited by VADR, Dr. Law served as a speaker in the Seminar on Satisfying the Demands of High Quality International Dispute Resolution in China, Australia and Hong Kong for the VADR members, to deepen their knowledge on resolving international and cross-border disputes by mediation. Ideas on dispute resolution were exchanged with over 50 participants and encouraging feedback was received.

The School of Global, Urban and Social Studies of RMIT University is devoted to educating students and promoting on dispute resolution and mediation. It encourages the students to develop a deep understanding on the use of wide range of dispute resolution services in creating a socially aware and responsible community.



中心會長羅偉雄博士於維多利亞州爭議解決協會研討會擔任講者。
Dr. Francis Law, President of HKMC, spoke in the VADR seminar.

The delegation also met the representatives from Australian Chamber of Commerce and Industry. They exchanged ideas on the commerce and industry development in Australia and Hong Kong and how dispute resolution can be put in use to assist resolving international and cross-border commercial disputes between Australia and Hong Kong.

Invited by Australia International Chamber of Commerce, Dr. Law and Mr. Alfred Chan, Vice President of HKMC, acted as judges in the 2018 Asia-Pacific Commercial Mediation Competition. They observed and commented on university students' performance on the effective use of mediation and collaborative problem-solving skills to successfully represent parties' interests and progress towards a settlement throughout the competition.

Through this trip, HKMC was able to learn more about latest mediation development of Australia through mutual discussion and exchange of ideas. Meanwhile, the mediation model and development of Hong Kong can also be promoted to the Australian professionals.

企業社會責任 CORPORATE SOCIAL RESPONSIBILITY

中心致力履行社會責任，除了提供免費的社區調解服務外，近年也開始與不同非牟利機構合作，鼓勵本中心會員參與義務工作，身體力行幫助弱勢社群。2018年，中心邀請會員為工業傷亡權益會及香港聾人協進會賣旗籌款，共襄善舉。兩次賣旗活動分別於2018年6月9日及9月8日舉行，獲得不少會員踴躍支持。前者所得之善款將用於職業傷病者、工傷意外受害者及其家屬的支援服務以及職安健教育的工作，後者則用以支援聾人和弱聽人士的福利和教育服務。

HKMC is committed to social responsibility. In addition to providing free mediation services in the community, HKMC has recently started working with different non-profit organizations to encourage its members to participate in

voluntary services and reach out to the needy. In 2018, HKMC invited members to join the flag days organized by the Association for the Rights of Industrial Accident Victims and Hong Kong Association of the Deaf as volunteers to raise funds. The two flag-selling events held on 9 June and 8 September 2018 respectively received great support from members. Funds raised in the former event will be used for support services for patients with occupational injuries, industrial accident victims and their families, and occupational safety and health education; while those in the latter event will support social and education services for the deaf and the hearing impaired.

其他資訊 OTHER INFORMATION

專業調解會員專享美食折扣優惠 EXCLUSIVE DINNING DISCOUNTS FOR PANEL MEMBERS

中心專業調解會員憑有效會員證，於下列日本餐廳消費滿指定金額即可享九折優惠。

By presenting a valid membership card of HKMC, panel members can enjoy a 10% discount upon a specific spending at the following Japanese restaurants.

- | | |
|--------------------------------|--|
| 1) 豐洲水產海鮮丼專門店
TOYOSU SUISAN | 惠顧滿 \$200元，可享9折優惠
10% OFF UPON SPENDING OF HK\$ 200 |
| 2) 鮨豐
SUSHI TOYO | 惠顧滿 \$300元，可享9折優惠
10% OFF UPON SPENDING OF HK\$ 300 |
| 3) 吉豚屋
CA-TU-YA | 惠顧滿 \$100元，可享9折優惠
10% OFF UPON SPENDING OF HK\$ 100 |

(如欲查看餐廳資料，請瀏覽<https://goo.gl/kQkVGh>。)

(For information about the restaurants, please refer to <https://goo.gl/kQkVGh>.)

會員專享優惠 EXCLUSIVE OFFERS FOR MEMBERS

出版社 Publisher	書名 Book Title	原價 (港幣) Original Price (HK\$)	折扣 (%) Discount Rate (%)	折實價 (港幣) Discounted Price (HK\$)
國際專家學會	調解通鑒	HK\$380	20%	HK\$304

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