

Policy Statement on the Incorporation of Mediation Clauses in Government Contracts

The HKSAR Government is a staunch supporter of the “Mediate First” culture, namely the wider use of mediation to resolve disputes, recognising that mediation enables parties to a dispute, with the assistance of an impartial mediator, to resolve conflicts voluntarily by mutually agreeable solutions, in a manner that is flexible, time-saving and economical.

To take the lead, the Government will, as a matter of general policy, incorporate a mediation clause in all government contracts. The mediation clause signifies the parties’ agreement to use mediation to resolve disputes first before resorting to arbitration or litigation.

Department of Justice
6 November 2024

有關在政府合約中加入調解條款的政策宣言

香港特區政府一直支持「調解為先」的文化，即更廣泛地使用調解來解決爭議，基於調解可以讓爭議各方在不偏不倚的調解員的協助下，以靈活、省時、經濟的方式和雙方都同意的方案自願解決衝突。

政府將牽頭在政府合約中加入調解條款，以身作則，並以此作為一般政策。調解條款表示當事人同意在訴諸仲裁或訴訟前先使用調解作為爭議解決途徑。

律政司

2024 年 11 月 6 日