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## **Foreign Related Civil And Commercial**

According to The Supreme People's  
Court's Provisions on Litigation and  
Jurisdiction in Foreign-related Civil and  
Commercial Case: "the first instance of  
foreign-related civil and commercial  
case is administered by the following  
People's Court: 1. the People's Court of  
the economic and technological  
development zone approved by the  
State Council; 2. the Intermediate  
People's Court in the capital of  
provinces, autonomous regions and  
municipality; 3. the Intermediate  
People's Court in special ...

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## **Special Provisions on Foreign- Related Civil and Commercial ...**

With regard to the applicable legal issues related to foreign-related commercial and maritime disputes related to the COVID-19 Pandemic, it is clear that the applicable laws should be determined in accordance with the Law on Choice of Law for Foreign-related Civil Relationships of the People's Republic of China.

## **China: SPC's Guiding Opinions on Foreign-Related ...**

CONVENTION ON THE RECOGNITION  
AND ENFORCEMENT OF FOREIGN  
JUDGMENTS IN CIVIL AND COMMERCIAL  
MATTERS (Concluded 1 February 1971)

The States signatory to the present  
Convention, Desiring to establish  
common provisions on mutual  
recognition and enforcement of judicial  
decisions rendered in their respective  
countries,

## **HCCH | #16 - Full text**

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Two tribunals were set up in Hainan, China's southernmost province, to centrally hear foreign-related civil and commercial cases in the whole province. It marks China's first step towards a more centralized administration system on international cases. The two tribunals set up in Hainan Province were respectively named the First Foreign-related Civil and Commercial Tribunal (located at Haikou, the capital city of Hainan), and the Second Foreign-related Civil and Commercial Tribunal ...

### **China to Centralize Jurisdiction over International Cases ...**

The central administration system for foreign civil and commercial cases is an important measure adopted by the Supreme People's Court to deal with challenges in foreign trials after China joined the WTO. The Supreme People's Court assigned foreign civil and commercial cases for central administration system to four kinds of people's courts.

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## **Central administration system for foreign civil and ...**

Convention of 2 July 2019 on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters. ... This Convention shall not apply to arbitration and related proceedings. 4. A judgment is not excluded from the scope of this Convention by the mere fact that a State, including a government, a governmental agency or any person ...

## **HCCH | #41 - Full text**

The Hague Judgments Convention, formally the Convention of 2 July 2019 on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters is an international treaty concluded within the Hague Conference on Private International Law. It was concluded in 2019, and has not entered into force.

## **Hague Judgments Convention -**

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No partner of a registered partnership may, either on his own account or on account of another person, carry on without the consent of all the other partners any business of the same nature as and competing with that of the partnership or without such consent be member with unlimited liability in another partnership carrying on a business of the same nature as and competing with that of the ...

## **Civil and Commercial Code: Partnership and Companies ...**

Definition of terms. The "recognition" of a foreign judgment occurs when the court of one country or jurisdiction accepts a judicial decision made by the courts of another "foreign" country or jurisdiction, and issues a judgment in substantially identical terms without rehearing the substance of the original lawsuit.. In English law, there is a clear distinction between recognition of foreign ...

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## **Enforcement of foreign judgments - Wikipedia**

The whole amount of every share must be paid in money, except shares allotted under Section 1108 sub-section 5, or under Section 1221. A shareholder cannot avail himself of a set-off against the company as to payments on shares.

## **Civil and Commercial Code: Limited Companies (Section 1117 ...**

Related to the termination clause is the “changes” clause. In essence, where commercial contracts must meet and unanimously approve any contract changes, the federal government has the power to call for changes without business approval.

## **Differences Between Government and Commercial Contracts ...**

China’s legal system covers laws that fall under seven categories and three different levels. The seven categories are the Constitution and Constitution-

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related, civil and commercial, administrative, economic, social, and criminal laws and the law on lawsuit and non-lawsuit procedures.

## **China's Legal System**

However, on July 2, 2019, the delegates of the 22nd Diplomatic Session of the Hague Conference on Private International Law (“HCCH”) finalized and adopted a new multilateral treaty, the 2019 Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters (the “2019 Enforcement Convention”), which obliges contracting states to recognize and enforce civil and commercial judgments rendered by the courts in another contracting state without a thorough ...

## **Enforcement of Foreign Judgments Abroad (The New Hague ...**

Interestingly, article 14 of the regulations provides that registered foreign arbitral institutions shall be



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entitled to lawfully administer only “foreign-related” civil and commercial arbitral disputes. Although the FTZ plan had not indicated any limitations, article 24 of the regulations clarifies that any dispute being administered by a foreign institution must have a “foreign-related element.”

### **Shanghai Allows Foreign Institutions to Administer ...**

Applicable Law/Statutory Regime.  
Relevant Jurisdiction(s) Corresponding  
Section Below. EU Regime\* EU  
Regulation 1215/2012 on jurisdiction  
and the recognition and enforcement of  
judgments in civil and commercial  
matters (Brussels Recast Regulation)  
applicable to legal proceedings  
instituted on or after 10 January 2015.

### **Enforcement of Foreign Judgments 2020 | England & Wales | ICLG**

Commercial Litigation Versus Other Civil  
Litigation, and Emerging Commercial  
Litigation Trends. Civil litigation is a

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lawsuit between two parties to enforce or defend a legal right where the plaintiff typically seeks compensation in the form of monetary damages from the defendant. Many different types of lawsuits fall under the broad umbrella ...

### **Commercial Litigation Versus Other Civil Litigation, and ...**

Chinese civil procedure law provides the choice of foreign courts through jurisdiction agreements in foreign-related commercial and maritime disputes.

### **Party autonomy in choice of court and jurisdiction over ...**

Unless the party to be served will accept service voluntarily, the documents to be served must be accompanied by a translation into the official language of the foreign country. See Ristau, International Judicial Assistance (Civil and Commercial), International Law Institute, 1995, Vol. 1, Section 4-2-3 (5), pp. 133-138.

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**Hague Convention on the Service  
Abroad of Judicial and ...**

According to the arrangement for mutual recognition and enforcement of civil and commercial judgments between Mainland China and Hong Kong, subject to certain conditions, Hong Kong judgments can be recognised in the Intermediate People's Court at the place of domicile or ordinary residence of the party against whom the recognition application is filed, or the place where the property of that party is situated.

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