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According to a recent news report, the PRC courts tried approximately 11,000 foreign-related civil and commercial cases in 2009 alone. However, with rules on the choice of law in foreign-related cases scattered throughout different laws, regulations and judicial interpretations of the Supreme People's Court (SPC), it

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was not always easy to identify the choice of law principles applying to any given case at hand.

~~NPC promulgates new law on the choice of law for foreign...~~

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Hainan sets up tribunals for foreign-related civil and commercial, IP cases. Print Large Medium Small . Two foreign-related civil and commercial tribunals and one intellectual property tribunal were set up in Hainan, China's southernmost island province, on Sept 26. Luo Dongchuan, vice-president of the Supreme People's Court (SPC), attended the opening ceremony for one of the foreign-related civil and commercial tribunals in Haikou, capital of Hainan.

~~Hainan sets up tribunals for foreign-related civil and ...~~

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

(1) This Protocol shall apply to all foreign decisions, regardless of their State of origin, rendered in matters to which the Convention on the Recognition and Enforcement of Foreign Judgments in Civil and Commercial Matters extends, and directed against a person having his domicile or habitual residence in a Contracting State.

HCCH | #17 — Full text

Article 5 of the Provisions of the Supreme People ’ s Court (SPC) on Several Issues Concerning Jurisdiction in Foreign-Related Civil and Commercial Cases specifies that reference is to be made to the provisions when dealing with the issue of jurisdiction in civil and commercial disputes involving parties from Taiwan, determining that reference is to be made to regulations on foreign-related ...

~~Selecting the competent court and governing law in Taiwan ...~~

1. This Convention shall apply to the recognition and enforcement of judgments in civil or commercial matters. It shall not extend in particular to revenue,

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customs or administrative matters. 2. This Convention shall apply to the recognition and enforcement in one Contracting State of a judgment given by a court of another Contracting State. Article 2

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Andrew Thomas. Andrew is Managing Director and Founder of Civil & Commercial. He has overall responsibility for the management of the teams in London, Manchester and Bristol. Andrew has over 20 years ' experience in dealing with contentious costs, is instructed in all areas of commercial litigation, and in particular intellectual property related issues.

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On 2 July 2019 the Hague Conference on Private International Law announced the conclusion of a new international convention, the Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters (the Judgments Convention).

~~Hague Convention on enforcement of foreign judgments~~

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~~The latest enactment is the Law of the People ' s Republic of China on the Laws Applicable to Foreign-related Civil Relations adopted on 28 October 2010. The first part of the future Civil Code would be General Provisions which will be based on the current General Principles of Civil Law adopted in 1986.~~

~~Law of the People's Republic of China — Wikipedia~~

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~~The application of law to the settlement of Taiwan-related civil and commercial cases by mainland courts is not passive, but be active. Before the promulgation of the Provisions of the Supreme People's Court on the Application of Law in the Trial of Taiwan-Related Civil~~

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and Commercial Cases, the courts took pragmatic approaches and determined the applicable law through different ways.

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Chinese civil procedure law provides the choice of foreign courts through jurisdiction agreements in foreign-related commercial and maritime disputes. In Chinese judicial practice, foreign jurisdiction agreements may be held null and void because of the lack of actual connection between the agreed foreign jurisdictions and the foreign-related disputes.

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