

16 November 2015, Monday ✦ 12.00pm – 1.30pm ✦

Lunch included

Federal Bartholomew Conference Room, Federal Building, NUS (BTC)

Judicial Review and Good Governance in Hong Kong

by Professor Gu Minkang
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ABSTRACT

According to some scholars, one of the features of good governance is that laws are well respected, which means that government should exercise its administrative power based on existing laws on one hand, all people should respect relevant laws on the other hand. This should also be the spirit of the rule of law. Against this background, it is true that judicial review is a good process to ensure that government decisions or actions comply with relevant laws. In Hong Kong, there is an increasing tendency of judicial review cases. It was estimated that there were more than 100 cases per year. Would these cases increase unnecessary burden to courts? Certainly, it is also legitimate to ask the intention of seeking judicial review, i.e., whether those judicial review cases are created based on political motivation and for the purpose of hindering the proper governmental actions, or delaying the bills relating to people's living hood?

This talk tries to address these issues and to propose that on one hand, the government should be more prudent in decision making process; there should be a mechanism to prevent the judicial review from being abused on the other hand.

ABOUT THE SPEAKER



GU Minkang is a Professor of School of Law, City University of Hong Kong. He graduated from the East China University for Political Science and Law (Shanghai, PRC) and earned his LL.B in 1984 and Master of Law in 1987. He worked for the same university as a Lecturer in Law for 5 years. During that time, he went the Rule University of Bochum (Germany) as a Visiting Scholar for a year. Subsequently in 1993, he went to the United States and successfully completed his legal study in the Willamette University College of Law and earned Doctor of Jurisprudence in 1996. When he was working at City University of Hong Kong, he went to France to continue his legal study and earned a degree in Master of European Business Law.

GU Minkang was the first "Shanghai Oriental Scholar Chair Professor" (appointed by Shanghai Educational Authorities) of the East China University for Political Science and Law. He is the PhD Tutor of the School of Law, Renmin University of China and visiting professor of many other law schools in China. He is Arbitrator of many institutions including China International Economic and Trade Arbitration Commission, Shenzhen Arbitration Commission and Shenzhen Court of International Arbitration. He is also the People's Assessor of Nanshan District People's Court, Shenzhen.

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Admission is Free & Lunch is Provided

Closing date of registration: 12 November 2015