

Saying Sorry Without Legal Liability - Impacts for the Enactment of New Apology Ordinance (Cap.631)



by
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Specialist,
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Mr. Albert So, practising solicitor of High Court of Hong Kong and the Chairman of Hong Kong Mediation and Arbitration Centre. Over the past years, he has been responsible for handling financial crime prosecutions, and has also been the lecturer of various law and mediation programmes in Hong Kong and overseas universities.

Before Mr. So joined the legal profession, he had been one of the team members of a financial regulatory authority, responsible for conducting criminal investigation, handling litigation and disciplinary-related professional proceedings. Throughout his professional time as a regulator, he had personally handled over 800 financial disputes and their relevant litigations.

The Apology Ordinance (Cap.631) 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 complaints/disputes and facilitating their amicable resolutions. It is the first of its kind in Asia region and is one of the most comprehensive versions in the world.

This training will cover the reasons for enacting apology legislation, the contents of the Apology Ordinance and the civil and criminal legal implications of offering an apology after commencement of the ordinance. A combination of interactive lectures, case studies, practical scenario trainings, role-play sessions, group discussion/sharing will be used in the seminar.

Meaning and Definitions of "Apology"

- Common Types of "Apology" in Complaint Handling Process
- Expression of "Sorry", "Regret", "Sympathy"
- Written Apology, Oral Apology vs. by Conduct
- Statement of Facts
- Admission of Fault and Liabilities in Accidents
- Full Apology vs. Partial Apology

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Legal Effects of Apology

- Will "Apology" be used in Legal Claims by Complainants?
- Criminal Proceedings vs. Civil Proceedings
- Disciplinary and Regulatory Proceedings
- Admissibility of Evidence of Apology

Contract of Insurance or Indemnity

- Will an Apology made by Staff Affect Any Insurance Cover under Contract of Indemnity of Insurance?
- Will All the Existing Insurance Contracts be Affected under New Apology Ordinance?
- Legal Effects on Time Limitation of Actions

Application to Public/Private Settings

- How will this "Apology Ordinance" be Applicable to Public/Private Settings?

Application of Apology Ordinance in Complaint Handling/Customer Services

- How to Apply Legal Protection under the Apology Ordinance in Complaint Handling and Conflict Situations?
- Strategies and Handling Skills of Difficult External/Internal Customers and Emotional clients

Case Demonstration and Practical Training

- Case Studies Regarding Daily Disputes
- Real Cases Sharing (Including Cases from Hong Kong Police Force, Labour Department, HKMA, Labour Department, Office of the Privacy Commissioner for Personal Data)

Code:	EVT000000219	Level:	Intermediate
Date:	24 April 2018 (Tuesday)	Language:	English
Time:	14:30 - 17:45 (Reception starts at 14:00)	Accreditation(s):	LSHK 3.0 CPD Points HKMAAL 3.0 CPD Points HKIAC 3.0 CPD Points for Accredited Mediators HKMC 3.0 CPD Points
Venue:	Kornerstone Institute 15/F, Hip Shing Hong Centre 55 Des Voeux Road Central Central, Hong Kong	Request for Rerun:	Please Contact Us for Details



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