

The Registrability Requirements under the New Registration Regime and the Court's Findings in *HD HYUNDAI INFRACORE v. LI ZHIWEI*

Statutory provision	Registrability requirements	The Court's findings
Section 2	The judgment must be a "Mainland Judgment".	It was held that the Relevant Part is a ruling and/or order for payment issued by the IPC.
Section 3(1)(a)(ii)	A "Mainland Judgment" in a civil and commercial matter is the one is given in criminal proceedings in the Mainland and contains an order for the payment of a sum of money in respect of compensation or damages by a party to the proceedings.	The Relevant Part falls within the description of a "Mainland Judgment in civil or commercial matters" since (i) it was given or made in proceedings that are criminal in nature under the Mainland law and (ii) it is an order for the payment of a sum of money in respect of compensation or damages.
Section 8	The judgment must be effective, i.e., enforceable and non-appealable, in the Mainland.	Mr. Jiang's expert evidence confirmed it falls under category 11 of Article 157 of the CPL and is thus a non-appealable ruling.
Section 10(1)(a)(i)	The judgment must be given on or after the commencement date, i.e., 29 January 2024, of the Ordinance.	The 2024 Criminal Enforcement Ruling was issued on 23 October 2024.
Section 10(1)(b)(i)	The judgment must require the payment of a sum of money or performance of an act.	The Court ruled that the Relevant Part is operative part of the 2024 Criminal Enforcement Ruling, i.e. the Respondent to compensate the sum of RMB 162,061,811.37.
Section 10(1)(b)(ii)	There must be a default in compliance occurred within 2 years from the date of registration application.	The default in complying with the 2024 Criminal Enforcement Ruling occurred within 2 years before the application date, satisfying the statutory window.
Section 14(2)	The judgment or part may only be registered to the extent that it relates to the payment.	The Plaintiff sought only to register the Relevant Part concerning the specific monetary compensation.