

WILLIAM KW LEUNG & CO

HONG KONG • BRITISH VIRGIN ISLANDS | SOLICITOR ADVOCATE • SOLICITORS • ARBITRATOR |
| 梁景威律師事務所 | 香港、英屬維京群島 | 訟辯律師、事務律師、仲裁員 |

Dr. William Leung (梁景威)

Ph.D (Tsinghua), LL.M (Lond), LL.M (Peking U), MBA (HKU), FCIArb., FSIArb., FAMINZ, FHKSI, FHKIoD, CMILT

Hong Kong Solicitor Advocate*

Practising Solicitor in Hong Kong, England & Wales and British Virgin Islands

Founder and Principal of William KW Leung & Co., Solicitors of Hong Kong SAR, China

Founder and Principal of William KW Leung & Co., Solicitors of British Virgin Islands#

* Hong Kong Solicitor Advocate enjoys his higher right of audience, such right having been enjoyed by any Hong Kong barrister in appearing at all higher courts in Hong Kong including High Courts, Court of Appeal and Court of Final Appeal.

The one and only law firm in the British Virgin Islands being owned and operated by ethnic Chinese.

Principal of **William KW Leung & Co., Solicitors of Hong Kong SAR, China** whose experience includes: (i) an arbitrator having been appointed in cases involving use of arbitration rules of various international arbitral institutions including HKIAC, LMAA, ICC, SIAC, CIETAC, CMAC, KCAB, KLRCA, WIPO and UNCITRAL; and (ii) an advocate in cases involving use of the aforesaid arbitration rules.

Area of Expertise

English common laws and Hong Kong laws, in particular the following areas of laws:

Contentious:

1. international litigation (including maritime shipping aviation; vessel aircraft's sale and purchase, charterparty, charter hires; corporate (shareholders and directorship disputes); commercial; investment and trade; constructions; IPR; matrimonial);
2. international arbitration (including commercial and investment);
3. corporate insolvency (liquidation and restructuring);

Non-Contentious (transactional):

1. capital market; mergers and acquisition and due diligence;
2. international transportation and trade;
3. constructions and infrastructure project development and estate planning;
4. IPR.

Practising/ Legal Qualification

	<u>Year</u>
1. Practising Solicitor of <u>England & Wales, United Kingdom</u>	1988
2. Practising Solicitor of <u>Hong Kong SAR, China</u>	1988
3. Solicitor of <u>Australian Capital Territory, Australia</u>	1990
4. Barrister of High Court of <u>Australia</u>	1990

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| 5. | Solicitor of <u>New South Wales, Australia</u> | 1996 |
| 6. | Solicitor of <u>British Virgin Islands</u> , Caribbean Central America | 2014 |
| 7. | Practising Solicitor Advocate* of <u>Hong Kong SAR, China</u> | 2016 |

Education Qualifications

		<u>Year</u>	
1.	Bachelor in English Laws	Cardiff University, United Kingdom	1985
2.	Solicitors Final Examination	College of Law, Guildford, England, United Kingdom	1986
3.	Master of Laws	University of London, United Kingdom	1988
4.	Master of Business Administration	University of Hong Kong, Hong Kong	1992
5.	Diploma in Advanced Security Market Analysis	Hong Kong Stock Exchange and Chinese University of Hong Kong	1996
6.	Bachelor of Laws (International Economics)	China University of Political Science and Law, People's Republic of China	1997
7.	Master of Laws (Economic)	Peking University, People's Republic of China	2001
8.	Doctorate of Philosophy in Law	Tsinghua University, People's Republic of China	2024
		<u>Thesis topic: Enforcement of Foreign Arbitral Award – Exercise of Residual Judicial Discretion</u>	

Past Employment

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|----|--|------------|
| 1. | Articleship with Isadore Goldman , a top City of London firm specializing in insolvency (corporate); recovery; commercial and international litigation. | 1986-1988 |
| 2. | Assistant solicitor with Wilkinson & Grist , a reputable local solicitor firm | 1990 |
| 3. | Corporate finance associate with CEF Capital Limited , a local finance house | 1991 |
| 4. | Founder and Principal Solicitor of William KW Leung & Co., Solicitors of Hong Kong SAR, China | 1992 - now |
| 5. | Visiting Lecturer in the Department of Logistics and Maritime Studies, Hong Kong Polytechnic University | 2010-2016 |

Appointments

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| 1. | Appointed by the Hong Kong's High Court and Official Receiver as "Provisional Liquidators" and " Liquidators " (or " Insolvency Practitioner ") of more than 100 companies in Hong Kong | 2003 - now |
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Professional Qualification

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|----|---|---------|
| 1. | Certificate in "Maritime Arbitration in New York" course by Society of Maritime Arbitrators Inc., New York, USA | 2006/02 |
| 2. | Fellowship by Hong Kong Institute of Arbitrators (FHKI Arb) | 2006/12 |

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| 3. | Fellowship by Singapore Institute of Arbitrators (FSI Arb) | 2007/08 |
| 4. | Fellowship by Chartered Institute of Arbitrators, United Kingdom (FCI Arb) | 2009/07 |
| 5. | Fellowship by Arbitrators and Mediators' Institute of New Zealand Inc. (FAMINZ) | 2018/04 |

Languages

Fluent in Cantonese, Mandarin and English

Panel of Arbitrators and Membership of Arbitral Institution(s)

<u>Hong Kong</u>		<u>Year</u>
1.	Hong Kong Shipowners Association	Hong Kong Maritime Arbitration Group Member 2010 - now
2.	Hong Kong International Arbitration Centre (HKIAC)	Panel of Arbitrators 2015 - now
<u>China</u>		
3.	China Maritime Arbitration Commission (CMAC)	Panel Arbitrator 2008 - now
4.	China Academy of Arbitration Law (CAAL)	Standing Committee 2009 - now
5.	China International Economic and Trade Arbitration Commission (CIETAC)	Panel Arbitrator 2011 - now
6.	Qingdao Arbitration Commission (QAC)	Panel Arbitrator 2014 - now
7.	Wuhan Arbitration Commission (WAC)	Panel Arbitrator 2014 - now
8.	Shenzhen Court of International Arbitration; South China International Economic and Trade Arbitration Commission (SCIA)	Panel Arbitrator 2014 - now
9.	Langfang Arbitration Commission (LAC)	Panel Arbitrator 2015 - now
10.	Xi'an Arbitration Commission (XAAC)	Panel Arbitrator 2023 - now
11.	Chongqing Arbitration Commission (CQAC)	Panel Arbitrator 2024 - now
<u>Other Asian Countries</u>		
12.	Kuala Lumpur Regional Centre for Arbitration (KLRCA)	Panel of Maritime Arbitrator 2011 - now
13.	Asian Domain Name Dispute Resolution Centre (ADNDRC)	Panel Arbitrator 2012 - now
14.	Singapore International Arbitration Centre (SIAC)	Panel Arbitrator 2013 - now
15.	Korean Commercial Arbitration Board (KCAB)	Panel Arbitrator 2013 - now
16.	Singapore Chamber of Maritime Arbitration (SCMA)	Panel Arbitrator 2018 - now
17.	Thailand Arbitration Center (THAC)	Distinguished Panel of Arbitrators 2022 - now
<u>United Kingdom</u>		
18.	London Maritime Arbitrators Association (LMAA)	Supporting Member 2010 - now
<u>International</u>		
19.	International Chamber of Commerce (ICC)	Commission on 2024 (1 st)

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	Arbitration and ADR	July) to 2027 (30 th June)
20. Dubai International Arbitration Centre (DIAC)	Panel Arbitrator	2024 - now
21. World Intellectual Property Organization (WIPO)	Panel Arbitrator	2015 - now

Panel of Mediators

1. The High People's Court of Guangdong Province	Mediator for cross-border commercial disputes in the Guangdong-Hong Kong-Macao Greater Bay Area	2020 - now
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Membership of other Professional Institution(s)

1. Hong Kong Securities and Investment Institute (HKSI)	Fellow	2014/12
2. Hong Kong Institute of Directors (HKIoD)	Fellow	2015/04
3. The Chartered Institute of Logistics and Transport (CILTHK)	Fellow	2023/09

Reported Decisions

Shipping Transport and International Trade

1. *Center Optical (Hong Kong) Limited v Jardine Transport Services (China) Limited and Pronto Cargo Corporation (Third Party)* Lloyd's Law Report [2001] Volume 2 678-690, 750-752
2. *Vastfame Camera Limited v Birkart Globistics Limited; and Birkart East-West Freight Limited* HKLRD [2005] 4 117
3. *Vastfame Camera Limited v Birkart Globistics Limited; and Birkart East-West Freight Limited* 2005 AMC No.10 2705-3000
4. *NEC v Industrial and Commercial Bank of China* [2006] 2 HKLRD 645-673

Employment

5. *Tadjudin v Bank of America National Association* [2010] 3 HKLRD page 417-430

Substantial Commercial Disputes/ Arbitration

6. *Dickson Valora Group (Holdings) Co Ltd and Another v Fan Ji Qian* [2019] 2 HKLRD 17
7. *Dickson Holdings Enterprise Co Ltd v Moravia CV and Others* [2019] 3 HKLRD 210
8. *Smart Trike Mnf Pte Ltd v Chiu Sui Chun and Others* [2024] HKCFI 1562
(recent winning judgment having been obtained after over 13 years)

Capital Market (Corporate Finance)

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9. *Polyline Development Ltd v. Ching Lin Chuen and others* [2023] HKEC 618, [2023] HKCA 235
10. *Polyline Development Ltd v. Ching Lin Chuen and others* [2021] HKEC 686, [2021] HKCFI 483
11. *The Agricultural Productive Cooperative <<Fishing Collective Farm <<Severnaya Zvezda>>>>, a Russian corporate v. Dragon Seafoods Ltd (in Creditors Voluntary Liquidation)* [2021] HKEC 920, [2021] HKCFI 675
12. *Vasileva Elena Nikolaevna, the Liquidator of Agricultural Productive Cooperative <<Fishing Collective Farm <<Severnaya Zvezda>>>>, a Russian corporate (in liquidation) v. Dragon Seafoods Ltd* [2019] HKEC 1599, [2019] HKCFI 1287
13. *QoQa Services SA v A; B; C; D* [2014] HKEC 2172 (worldwide mareva injunction)
14. *Zhu Kuan v (i) Brickell; (ii) Morgan Chubb; (iii) John Robert Lees; (iv) ING; (v) Pacific Capital* [1996] HKEC 303 (liquidators' duties)

Intellectual Property

15. *SmarTrike v (i) Fung Kwok Hoi (馮國開); (ii) Yip Pan Wai (葉斌蔚)* [2019] HKEC 885 (summary judgment for breach of copyrights and registered designs)

Insurance

16. *Amiantit Yacoat; Saudi Arabian Cooperative Insurance Company v (i) Kings Ocean Shipping; (ii) Hua Dao Shipping; (iii) Tianjin Reda International Shipping Agency* [2015] HKEC 645 (assessment of damages)

Land Conveyancing and Tax; Adverse Possession

17. *Fong Mi Yee v Lao Kim* [2020] HKDC 991
18. *Harvest Sheen Ltd v Collector Of Stamp Revenue* [1997] HKLRD page 889
19. *Tam Wing Chung v U Ha Min also known as Tam Man* [2017] HKEC 790

Matrimonial (Divorce) Ancillary Reliefs

20. *NSV v PU* [2018] HKCA 74
21. *NSV v PU* [2017] HKEC 2659 (domicile; forum non convenius)
22. *NSV v PU* [2017] HKEC 2660 (leave to appeal)

Personal Injuries

23. *Pang Ping Sum v Enpack (HK) Limited (綜建(香港)有限公司)* [2005] HKEC 1657

Contractual Disputes

24. *Chow Kwan Yee v Leung Mei Yin May* [2021] HKCA 497
25. *Chow Kwan Yee v Leung Mei Yin May* [2019] HKCFI 2998

Professional Achievements

The Arrangement Concerning Mutual Assistance in Court-ordered Interim Measures in Aid of Arbitral Proceedings by the Courts of the Mainland and of the Hong Kong Special Administrative Region (hereinafter, the Mutual Assistance Arrangement (MAA))

Asset preservation endeavour before Lianyungang Intermediate People's Court

On 27 November 2019, pursuant to the MAA, the Lianyungang Intermediate People's Court in Jiangsu Province, China (ie, a mainland court) assisted the HKIAC in an arbitration which had been referred to it by the HKIAC. The arbitration successfully completed a cross-border asset preservation valued at more than \$20 million in Lianyungang city. This is the first case in China where the HKIAC – having delivered papers directly to a mainland court under the auspices of the MAA – has successfully completed an asset preservation within 60 days of the MAA coming into effect, thus effectively safeguarding the parties' legitimate rights and interests.

More information at:

<https://www.internationallawoffice.com/Newsletters/Arbitration-ADR/Hong-Kong/William-KW-Leung-Co/Successful-completion-of-cross-border-asset-preservation-worth-more-than-20-million>

Publications

<u>Name of the Journal / Books / Website</u>	<u>Title of Articles</u>	<u>Year</u>
1. <i>The Arbitrator – Society Of Maritime Arbitrations, Inc.</i> (US) Vol. 34 No. 1 Pg. 6 – 9	“ <i>Misdelivery In The Absence Of Original Bills And Exemption Clauses</i> ”	2002/10
2. <i>P&I International</i> (UK) Vol. 16 Issue 12 Pg. 5 (ISBN 0950 4044)	“ <i>Investigating Misdelivery</i> ”	2002/12
3. <i>China Maritime Law Association Newsletter (中國海商法協會通訊)</i> (2003/1) (PRC) Pg. 18 – 24	「論偽造提單交貨，無單交貨及其免責」 (“ <i>Misdelivery In The Absence Of Original Bills And Exemption Clauses</i> ”)	2003/03
4. <i>Il Diritto Marittimo</i> (Italy) Pg. 918 – 920 (ISBN 0012-348x)	“ <i>Dual Role Of Freight Forwarder In Misdelivery Of Cargo: Contracting In The Capacity As Both Agent And Principal?</i> ”	2006
5. <i>Journal of Maritime Law and Commerce</i> (US) Vol. 38 No. 1 Pg. 97 – 109 (ISBN 0022-2410)	“ <i>The Dual Role Of The Freight Forwarder: Vastfame Camera Ltd. v. Birkart Globistics Ltd., 2005 High Court of Hong Kong 117, Stone J, 5 October 2005; 2005AMC 2864 (High Court of Hong Kong, 2005)</i> ”	2007/01
6. <i>Maritime Risk International</i> (UK) Vol. 21 Issue 2 Pg. 18 – 20 (ISBN 1742-9404)	“ <i>Labour Threat In China</i> ”	2007/03

Publications

<u>Name of the Journal / Books / Website</u>	<u>Title of Articles</u>	<u>Year</u>
7. <i>Journal of Maritime Law and Commerce</i> (US) Vol. 39 No. 2 Pg. 205 – 227 (ISBN 0022-2410)	“ <i>Misdelivery of Cargo without Production of Original Bill of Lading: Applicability of the Mandatory Legal Regime of Hague-Visby and the One Year Time Bar</i> ” (「無單放貨：海牙威爾斯比規則和海牙規則的適用及有關的一年效期」)	2008/04
8. 「海商法論叢 2008」第二屆兩岸三地海商法研討交流會 (中國政法大學海商法研究中心) (PRC) Pg. 277 – 287 (ISBN 978-7-5103-0022-6)	「貨運代理的雙重角色」	2008/12
9. <i>Annual of China Maritime Law</i> (中國海商法年刊) (PRC) Pg. 145 – 160 (ISSN 1003-7659)	「海牙 – 維斯比規則的一年訴訟時效是否適用無單放貨」“ <i>One-year time bar in Hague / Hague-Visby Rules: whether applicable to misdelivery of goods without production of original bill of lading?</i> ”	2009/01
10. <i>CIArb The International Journal of Arbitration, Mediation and Dispute Management</i> (UK) Vol. 79 No.2 Pg. 171 – 184 (ISSN 00037877)	“ <i>China’s Arbitration System: Changes in Light of the CIETAC Arbitration Rules 2012 and the Civil Procedure Law 2012</i> ”	2013/04
11. <i>Dispute Resolution International</i> (International Bar Association’s official publication) Volume 7 No. 1	“ <i>Enforcement of Arbitral Award Made by China’s Newly Proclaimed Foreign-Related Arbitration Commissions – a Tale of Two Cities</i> ”	2013/05
12. <i>The Oxford Handbook of ASIAN BUSINESS SYSTEMS</i> Published by Oxford University Press	“ <i>Hong Kong: Hybrid Capitalism as Catalyst</i> ” by Gordon Redding, Gilbert Wong and William Leung	2014/05
13. <i>China Legal Science</i> Vol. 7 No. 1 (ISSN 20954867)	“ <i>Exercise Of Residual Discretion Under Article V Of The New York Convention By Enforcement Court When Award Is Alive, Dead, And Undead In Seat</i> ”	2019/01
14. Lexology	“ <i>Enforcement courts’ residual discretion under New York Convention: active and passive remedies</i> ”	2018/12

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Publications

<u>Name of the Journal / Books / Website</u>	<u>Title of Articles</u>	<u>Year</u>
15. Lexology	<i>“Successful completion of cross-border asset preservation worth more than \$20 million”</i>	2019/12
16. Lexology	<i>“Two instances in which statutory regime amounts to deference of arbitration”</i>	2020/07
17. Lexology	<i>“Court affirms need for unsatisfied tax claim to use tax gathering defence”</i>	2021/06
18. Lexology	<i>“Adverse kitchen-sink comments by Hong Kong Recorder failed to bring about hesitation to Hong Kong Court of Appeal in overturning his Strike-Out Judgment in light of, inter alia, developing of law”</i>	2024/03

Honorary Services

1. Foshan Overseas Association (佛山海外聯誼會)	Standing Committee	2000 to present
2. Hong Kong Overseas Chinese General Association (香港華僑華人總會)	Honorary Legal Adviser	2001 to present
3. Hong Kong Exporters' Association (香港出口商會)	Honorary Legal Adviser	2002 to present
4. San Wui Commercial Association of Hong Kong (僑港新會商會)	Honorary Legal Adviser	2006 to present
5. Hong Kong Sze Yup Club (香港四邑會所)	Director and Member	2007 to present
6. Shi Chin Natives' Association (新會司前同鄉會)	Honorary Legal Adviser	2007 to present
7. Hong Kong Jiangmen Wu Yi Countryman Federation General Society (香港江門 (五邑) 僑聯聯誼會)	Honorary Legal Adviser	2009 to present
8. Federation of Hong Kong Guangdong Community Organisations (香港廣東社團總會)	Director (會董)	2011 to present
9. The Hong Kong Chinese Importers' & Exporters' Association (香港中華出入口商會)	Director	2013 to present
10. Hong Kong Federation of Overseas Chinese Associations (香港僑界社團聯會)	Director	2013 to present
11. Hong Kong Foshan Trader Association Ltd. (香港佛山工商聯會)	Director	2016 to 2018

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