



ASHLEY BURNS SC 包毅成資深大律師

Call: 1996 (HK)
Inner Bar: 2007 (HK)
Solicitor: 1972-1996 (England and Wales); 1977-1996 (HK)

Fellow of the Chartered Institute of Arbitrators
Panel Member of the Hong Kong International Arbitration Centre
Accredited as a Mediator by the Centre for Effective Dispute Resolution (CEDR)

PROFILE

Ashley Burns, SC has been practicing law in the field of commercial dispute resolution for over 40 years. He first qualified as a solicitor in England in 1972 and was admitted as a solicitor in Hong Kong in 1977. He was a partner of Johnson Stokes & Master (now known as Mayer Brown) from 1981 to 1987, the managing partner of Turner Kenneth Brown's Hong Kong office from 1987 to 1993 and then managing partner of the Hong Kong office of Wilde Sapte (subsequently known as Denton Wilde Sapte and now known as SNR Denton) from 1993 to 1996. He was called to the Hong Kong Bar in 1996 and took Silk in 2007.

Ashley Burns has a broad predominantly commercial practice with an emphasis on employment and partnership related matters. He regularly appears in the High Court – in the Court of First Instance; in the Court of Appeal and also in the Court of Final Appeal. He has also been involved in a number of arbitrations (both as arbitrator and advocate) and is available for both arbitration and mediation work.

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PRACTICE AREAS

- Employment
- Insolvency
- Probate / Succession
- Banking / Finance
- Equity / Trust
- Commercial
- Family / Matrimonial

EDUCATION

1969 LLB (Hons), Class 2(1), University of Sheffield,

SELECTED CASES

EMPLOYMENT

- *Williams v. Jefferies Hong Kong Ltd* (unreported), 8 July 2013, 12 July 2013
- *Cantor Fitzgerald Europe v. Boyer and others* (unreported), 29 February 2012
- *ICAP (Hong Kong) Ltd v. Chan and others* (unreported), 22 December 2010
- *Kwan Siu Wa Becky v. Cathay Pacific Airways Ltd* (unreported), 6 November 2009, 18 November 2011 (Court of Appeal)
- *Chong Cheng Lin Courtney v. Cathay Pacific Airways Ltd*, (unreported), Court of Appeal, 16 November 2010
- *Tadjuddin v. Bank of America* [2009] 4 HKC 507
- *IBM China/Hong Kong Ltd v. Knight* (unreported), 14 November 2009
- *PCCW HKT Telephone Ltd v. Aitken and another* [2009] 2 HKC 342 (Court of Final Appeal)
- *HSBC Bank v. Wallace* (unreported), 28 November 2007
- *Au Kwai Fun and others v. Cathay Pacific Airways Limited* [2008] 2 HKC 507
- *ICAP (Hong Kong) Ltd v. BGC Securities (Hong Kong) Ltd* [2005] 3 HKC 137
- *Deacons v. White & Case* [2003] 3 HKC 374
- *Kao Lee & Yip v. Koo* [2003] 2 HKC 252

INSOLVENCY

- *Lee Yuk Shing v. Dianoor International Limited (In Liquidation)* [2016] 4 HKC 535
- *Re China Fisheries International Ltd*, HCCW 367/2015, (Unreported), 17 March 2016
- *Moulin Global Eyecare Trading Ltd (in liquidation) v. Commissioner of Inland Revenue* [2014] 3 HKC 323
- *Moulin Global Eyecare Trading Ltd (in liquidation) v. Olivia Lee* [2011] 2 HKC 545, [2012] 3 HKC 272, [2013] 4 HKC 592
- *Akai Holdings Ltd (in liquidation) v. Everwin Dynasty Ltd and others* [2012] 3 HKC 485
- *Re Lehman Brothers Securities Asia Ltd* (unreported), 20 April 2011
- *Re Lehman Brothers Securities Ltd* (unreported), 27 August 2009

PROBATE / SUCCESSION

- *Chinachem Charitable Foundation v. The Secretary for Justice and Administrators of the Estate of Nina Kung* (deceased) (Court of Final Appeal) (2018) HKCFAR 414, 18 May 2015 [construction of will, charitable trusts]
- *Re LLC* (unreported), 16 July 2010 [statutory will]

BANKING / FINANCE

- *Zhang Hong Li and others v. DBS Bank (Hong Kong) and others*, unreported, 13 April 2018 (Court of First Instance) [2017] HKCU 956, 27 July 2018 (Court of Appeal) [2018] HKCA 435 and 22 November 2019 (Court of Final Appeal) (2019) 22 HKCFAR 392

EQUITY / TRUST

- *Zhang Hong Li and others v. DBS Bank (Hong Kong) and others*, unreported, 13 April 2018 (Court of First Instance) [2017] HKCU 956, 27 July 2018 (Court of Appeal) [2018] HKCA 435 and 22 November 2019 (Court of Final Appeal) (2019) 22 HKCFAR 392

COMMERCIAL

- *Zimmer Sweden AB v. KPN Hong Kong Limited* [2016] 2 HKC 282
- *Johnson Electric International Ltd v. Bel Global Resources Holdings Ltd* [2014] 5 HKC 504 [application for leave to appeal; admission of fresh evidence]
- *Chinaplus Wines Ltd v. Berry Bros & Rudd Ltd* (unreported) 13 December 2012 [confidential information; interlocutory injunction]
- *Dynasty Line Ltd v. Sukampto Sia & Anor* (unreported), 9 February 2009 [jurisdiction and forum]
- *Unruh v. Seeberger* [2007] 2 HKC 609 (Court of Final Appeal) [maintenance and champerty and estoppel by convention]

FAMILY / MATRIMONIAL

- *Leung Lun Ping v. Kwok Yu Wah*, 22 December 2015 (Court of Final Appeal) (2015) HKCFAR 605
- *AVT v. VNT* [2015] HKFLR 385
- *Z v. Z* [2012] HKFLR 346