



## JOHN LEUNG 梁晉豪大律師

Call: 2019 (HK)

### PROFILE

John joined Chambers in 2019 following completion of pupillage with Mr Abraham Chan SC, Mr Jin Pao SC, Mr Laurence Li SC, and Mr Tony Li.

Before being called to the Hong Kong Bar, John was a Judicial Assistant at the Court of Final Appeal where he provided assistance to the judges in substantive appeals, leave applications, and various publications.

John also worked as an intern at the Office of the President in the United Nations International Residual Mechanism for Criminal Tribunals in The Hague, where he assisted in the cases of both the Mechanism and the International Criminal Tribunal for the Former Yugoslavia.

John completed his Bachelor of Laws degree at University College London as the top graduate of his class. He then obtained his postgraduate Bachelor of Civil Law degree at the University of Oxford with distinction.

John is developing a broad civil practice and has been instructed in cases relating to judicial review/human rights, civil fraud, arbitrations, injunctions, securities and regulation, and disciplinary proceedings. He has appeared before the Court of First Instance, the Court of Appeal and the Court of Final Appeal. He accepts instructions in all areas of Chambers' work.

### CONTACT

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### SECRETARY

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### PRACTICE AREAS

- Commercial
- Public Law / Judicial Review
- Discrimination
- Arbitration
- Restitution / Unjust Enrichment
- Civil Fraud / Asset Recovery
- Injunction / Contempt
- Company
- Securities & Regulation
- Insolvency
- Disciplinary
- Equity / Trust

- Conflict of Laws
- Defamation / Media
- Insurance
- Probate / Succession
- Admiralty

## APPOINTMENTS AND PUBLIC OFFICE

- Judicial Assistant at the Court of Final Appeal, Hong Kong (2018)
- Reporter for the Oxford Reports on International Law (2015 - present)
- Associate Editor of the Oxford University Commonwealth Law Journal (2015)

## EDUCATION

2017	PCLL, Chinese University of Hong Kong
2016	BCL, University of Oxford (Distinction) (Magdalen College)
2015	LLB (Hons), University College London (First Class Honours, Top of Class)

## PUBLICATIONS AND ARTICLES

- J. Leung and S.Y. Wong, 'Subrogation and Unjust Enrichment in the Supreme Court' (2016) 3 LMCLQ 337

## SCHOLARSHIP AND PRIZES

2019	Middle Temple Scholarship for Advocacy Training, London
2018	The Bar Scholarship
2016	Champion of the Shearman & Sterling University of Oxford Moot Competition
2016	The Law Faculty Prize in International Commercial Arbitration
2016	The Planethood Foundation Prize in International Criminal Law
2016	The Oxford Meron Mechanism for International Criminal Tribunals (MICT) Internship Fund
2016	Magdalen College Award for BCL Distinction
2015	The Andrews Medal & Prize for Top of LLB Class
2015	The Dean's List, Faculty of Laws
2015	The International Corporate Rescue Prize for Company Law
2015	The Cheng Tien-Hsi Prize for Public International Law
2014	The Hurst Prize for Best Performance in LLB Second Year
2014	UCL Faculty Undergraduate Scholarship for Excellence
2014	Best Performance in Tort Law
2014	Honourable Mention for the Pieter Sanders Award in the Willem C Vis International Commercial Arbitration Moot
2013	Finalist and Runner-up of the Cambridge University International Criminal Court Moot Competition
2012	Sir Edward Youde Memorial Scholarship for Overseas Studies
2012	Hong Kong University Graduates Association Education Foundation Outstanding Student Award

## LANGUAGES

English, Cantonese, Putonghua

## SELECTED CASES

### PUBLIC LAW / JUDICIAL REVIEW

- *ZN v Secretary for Justice* FACV 4/2019 (led by Lord Pannick QC, Stewart Wong SC, and Jin Pao SC) – whether BOR 4 includes a prohibition against human trafficking and imposes a duty of specific criminalisation
- *Leung Kwok Hung v Commissioner of Correctional Services* FACV 8/2019 (led by Stewart Wong SC and Jin Pao SC) – whether gender-based appearance codes in prison are discriminatory
- *Chan Ka Lam v The Country and Marine Parks Authority* FACV 5/2020 (led by Abraham Chan SC, with Keith Lam) – statutory interpretation and the duty to consult under s.5(1)(b) of the Country Parks Ordinance
- *Royal Billion Investment Limited v Town Planning Board* HCAL 1916/2018 (led by Yvonne Cheng SC) – concerning the Board’s determination of a s.12A application
- Advising in a judicial review concerning the use of letters of no consent under s.25A of the Organized and Serious Crimes Ordinance (led by Abraham Chan SC, with Timothy Parker)
- *Junior Police Officers’ Association of the Hong Kong Police Force and Anor v Electoral Affairs Commission, Chief Electoral Officer and Electoral Registration Officer* HCAL 3042/2019, CACV 73/2020 (led by Abraham Chan SC, with Tony Ko) – whether the public disclosure of electors’ linked names and addresses is a breach of privacy
- *Nick Infinger v Hong Kong Housing Authority*, HCAL 2647/2018 (led by Abraham Chan SC) – whether excluding same-sex couples from public rental housing is discriminatory
- *Kwok Cheuk Kin and Leung Kwok Hung v President of the Legislative Council for and on behalf of the Legislative Council* HCAL 1094 and 1120/2017 (led by Benjamin Yu SC, Abraham Chan SC, with Danny Tang) – whether the quorum requirement in BL 75(1) is applicable to a meeting of a committee of the whole Council

### ARBITRATION

- *X v Y* HCCT 62/2018 (led by Bernard Man SC, with Justin Ho) – resisting enforcement of a Taiwan award on jurisdictional and procedural fairness grounds
- HCCT 42/2019 (led by Paul Shieh SC) – s.34 AO review of a jurisdictional award involving the interpretation of a bilateral investment treaty under public international law
- HCCT 11/2021 (led by Victor Joffe QC, with Justin Ho) – defending an award in a s.81 AO application to set aside under procedural fairness grounds
- HKIAC / PA19116 (led by Eva Sit SC) – HKIAC arbitration on a complex PRC tenancy dispute
- HKIAC/20054 (led by Victor Dawes SC) – mounting a jurisdictional challenge in a construction arbitration dispute
- Advising on several refusal of enforcement and setting aside proceedings
- Advising on issues of Hong Kong contract law for Singaporean arbitral proceedings

### INSOLVENCY

- *Hsin Chong Construction Company Ltd (In Liquidation) v Build King Construction Limited* FACV 11/2020 (led by Charles Manzoni SC)
- *Hsin Chong Construction Company Ltd (In Provisional Liquidation) v Build King Construction Limited* CACV 321/2019 (led by Linda Chan SC, later Charles Manzoni SC) – on the anti-deprivation principle, the pari passu principle, and the scope of s.182 C(WUMP)O

### COMMERCIAL

- *China Shanshui Cement Group Limited & Ors v Zhang Caikui & Ors* HCA 2880/2015 (led by Raymond Leung SC) – trial reserved for 41 days concerning breach of directors’ duties and unlawful means conspiracy
- Advising on various matters including unfair prejudice petitions, shareholders disputes, derivative actions, contempt proceedings, general commercial and contractual disputes
- Advising on email fraud claims involving asset-tracing and third-party liabilities including applying for

injunctions and disclosure orders

- *DP Properties Ltd v E Cube Club (Tsuen Wan) Ltd* HCA 2003/2017 (led by Eva Sit SC)

#### SECURITIES & REGULATION

- Advising on suitability for listing (led by Laurence Li SC)
- Advising on application to vary SFC restriction notices (led by Laurence Li SC)
- Advising on classification as collective investment schemes (led by Laurence Li SC)
- Advising on a judicial review application against the HKEx's decision to suspend trading of a listed issuer's shares and commence delisting procedure (led by Laurence Li SC)
- *Andrew Edward Left v Securities and Futures Commission* FAMV 195/2019 (led by Laurence Li SC)

#### DISCIPLINARY

- Acted for an insurer in disciplinary proceedings before the Insurance Agents Registration Board, Cases No. C17/806/JC & C17/1184/JC (led by Jin Pao SC) – on issues of apparent authority and natural justice