



JONATHAN CHANG SC 張天任資深大律師

Call: 2001 (HK) (full practice 2003)
Inner Bar: 2020

CEDR Accredited Mediator: 2010

PROFILE

Jonathan practices in all areas of Chambers' work, with a particular emphasis on commercial litigation, judicial review, tax, land and regulatory work. He has appeared in a wide variety of cases, at all levels of the Courts, the Board of Review, the Insider Dealing Tribunal, the Market Misconduct Tribunal and the Securities and Futures Appeals Tribunal. He was also appointed as a Deputy District Judge in 2012 and 2016.

Born and educated in Hong Kong, Jonathan is comfortable with the use of the Chinese language in Court proceedings, and he has on numerous occasions conducted trials and appeals in Chinese. He has also given expert evidence on Hong Kong law in Putonghua in Mainland proceedings.

Jonathan has earned plaudits as "really shining in the courts" and a "tough and assertive advocate who always provides pragmatic advice" (Chambers and Partners), "very bright, responsive, accommodating and pragmatic - a great team player" (Legal 500 Hong Kong), and a "smart and sensible lawyer who displays deep-seated knowledge of public law matters" (Who's Who Legal - Future Leaders).

CONTACT

Email: jchang@templechambers.com

Tel: [\(+852\) 2523 2003](tel:+85225232003)

SECRETARY

Name: Fanny Chang

Tel: [\(+852\) 2248 1870](tel:+85222481870)

PRACTICE AREAS

- Commercial
- Public Law / Judicial Review
- Arbitration
- Injunction / Contempt
- Property & Conveyancing
- Tax / Revenue

APPOINTMENTS AND PUBLIC OFFICE

- Honorary Secretary of the Bar Council (2019)
- Deputy Honorary Secretary of the Bar Council (2016-2019)
- Deputy District Judge (2012, 2016)
- Member of Appeal Panel (Housing) (2017-present)

- Member of Law Reform Commission on Access to Information (2019-present)
- Member of Telecommunications (Competition Provisions) Appeal Board (2020-present)
- Vice-chairman of Municipal Services Appeal Board (2021-present)

EDUCATION

2002	LLM, King's College London
2001	PCLL, University of Hong Kong
2000	LLB, University of Hong Kong

SCHOLARSHIP AND PRIZES

2001	Bar Scholarship
------	-----------------

LANGUAGES

English, Cantonese and Putonghua

SELECTED CASES

COMMERCIAL

- *Remedy Asia Ltd v Patrick Tong Hing Chi & Ors* [2020] HKCFI 398 (defending a complex commercial claim against de facto/shadow directors for causing a company to carry on business when there was no prospect of trading out of insolvency) (led by Rimsky Yuen SC)
- *China Citic Bank Corporation Ltd (Quanzhou Branch) v Li Kwai Chun & Ors* [2019] HKCFI 2540 (resisting an application to set aside the registration of a Mainland judgment for enforcement in Hong Kong) (led by Jat Sew-Tong SC)
- *Re Pacific Wire & Cable Co Ltd* (HCCL 16-18/2009; on appeal CACV 90, 91, 93-96/2012; before the Appeal Committee (2014) 17 HKCFAR 710) (claim for a previously listed Taiwan company in an asset recovery action against its senior officers and third parties) (led by Anthony Neoh SC, Godfrey Lam SC, and Eugene Fung SC)
- *Tang Chung Wah Alan & Anor v Jonathan Russell Leong & Ors* (HCA 1691/2011, on appeal CACV 38/2016) (partnership dispute between majority and minority partners in an accountancy firm)
- *Lin Man Yuan v Kin Ming Holdings International Ltd & Anor* (HCA 216/2008) (claim by a purchaser for specific performance of a contract involving the sale and development of the Strait City in Xiamen, China) (led by Anthony Neoh SC)
- *Toyota Tsusho (HK) Corp Ltd v Chimei Innolux Corp & Anor* (HCA 1173/2011) (fraudulent misrepresentation claim on sale of goods and L/C)

ARBITRATION

- Representing a syndicate of lenders against a Chinese natural gas company in a claim for outstanding principal of a USD 400 million credit facility in HKIAC arbitration
- Representing a Swiss company engaged in R&D of artificial intelligence against a Chinese investor for unpaid investment of CHF 1.5 million in HKIAC arbitration
- Representing a joint venture partner in a dispute in the development of a commercial complex in Nanjing, China in HKIAC arbitration (conducted in Chinese/Putonghua)
- Representing the organizer of a football tournament in Guangzhou, China in a USD 1.65 million dispute with a German marketing agency in HKIAC arbitration

- Representing a local football club in a sports arbitration relating to the right to participate in the regional premier club football tournament
- Representing two French investors in a misrepresentation claim against their joint venture partners relating to an aborted project to organize yearly musical festivals and launch jazz cafés in China in HKIAC arbitration

PROPERTY & CONVEYANCING

- *Kwan Chun Investments Ltd v Sik Tak Kwong & Ors* [2021] HKCFI 714 (representing the landowner in a dispute on the right to use part of a Buddhist monastery as columbarium)
- *Recall International Ltd v Panten Ltd (CACV 43/2017)* (whether a third party claim in respect of common part of a building affects title to the sale of a unit within the building) (led by Audrey Eu SC)
- *Big Most Ltd v Chau Wa Hung* [2012] 4 HKLRD 599 (duty to show good title by delivering original of mortgage and clarifying position of carparking space)
- *Tsang Kwok Hung Frederick v Ching Lai Tuen (CACV 48/2009)* (purchaser under no duty to accept vendor's offer to stakehold part of the purchase price to meet possible remedial works costs as proof of good title)

PUBLIC LAW / JUDICIAL REVIEW

- *Sham Wing Kan v Commissioner of Police* [2020] 2 HKLRD 529 (necessity of a police warrant before examining the digital contents of a seized mobile phone upon arrest) (led by Johnny Mok SC)
- *Tang Hanbo v SFC* [2018] 1 HKLRD 272 (legality of search warrant and SFC's transmission of materials to the China Securities Regulatory Commission in combatting cross-border market manipulation) (led by Benjamin Yu SC)
- *TVB v Takeovers and Mergers Panel* [2017] 5 HKLRD 541 (legality of conditions imposed for the grant of whitewash waiver on mandatory general offer for shares in a listed company) (led by Benjamin Yu SC)
- *Waddington Ltd v SFC (HCAL 199/2015)* (SFC's discretion whether to commence formal investigation of a complaint) (led by Horace Wong SC)
- *AA & Anor v SFC* [2019] 2 HKLRD 16 (constitutionality of production orders issued under s.181 SFO and SFC's transmission of information to overseas securities regulatory) (led by Benjamin Yu SC)
- *Chang Li Hsien Leslie v SFC (HCAL 164/2014)* (stay of Market Misconduct Tribunal proceedings) (led by Horace Wong SC)

COMMISSION OF INQUIRY / INQUEST

- Representing the main contractor in the *Commission of Inquiry into the Construction Works at and near the Hung Hom Station Extension under the Shatin to Central Link Project* (led by Paul Shieh SC and Sean Wilken QC)

INJUNCTION / CONTEMPT

- *Secretary for Justice v Chin Po Fun* [2021] HKCFI 598 (criminal contempt for breach of injunction prohibiting obstruction of the operation of the Hong Kong International Airport)
- *Secretary for Justice & Anor v Persons Unlawfully and Wilfully Conducting Themselves in Any of the Acts Prohibited under Paragraph 1(A), (B) and (C) of the Indorsement of Claim* [2019] 5 HKLRD 500 (injunction restraining doxxing activities against police officers and their families)
- *Secretary for Justice v Persons Unlawfully and Wilfully Obstructing Occupying or Remaining on or Hindering or Preventing the Passing and Repassing of the Public Highway* [2019] 5 HKLRD 334 (injunction restraining protestors from causing nuisance to police quarters and obstructing nearby streets)
- *Airport Authority v Persons Unlawfully and Wilfully Obstructing or Interfering with the Proper Use of the Hong Kong International Airport* [2019] HKCFI 2104 (interlocutory injunction restraining protestors from interfering with the operation of the airport) (led by Benjamin Yu SC)
- *MTR Corporation Ltd v Persons Unlawfully and Wilfully Obstructing or Interfering with the Proper Use of and Operation of the Railway as defined in the Mass Transit Railway Ordinance (Cap 556)* [2019] 4 HKLRD 446 (interlocutory injunction restraining protestors from interfering with the operation of the MTR) (led by Benjamin Yu SC)
- *Eastern Athletic Association Football Team Ltd v Alessandro Ferreira Leonardo* [2015] 5 HKLRD 905 (interlocutory injunction restraining a professional footballer from joining a rival club)

TAX / REVENUE

- *Feng Hongyan v The Collector of Stamp Revenue* [2018] 2 HKLRD 1471 (whether a cancellation agreement is subject to stamp duty as a conveyance on sale)

- *Wong Suet Foon Shirley v The Collector of Stamp Revenue* [2019] 2 HKLRD 227 (whether an assent is subject to stamp duty as a voluntary disposition inter vivos)
- *Nomura Funds Ireland Plc v The Collector of Stamp Revenue* [2019] HKDC 406 (whether a merger proposal of two foreign funds holding a portfolio of Hong Kong stocks is subject to stamp duty as a transfer of Hong Kong stocks)
- *Commissioner of Inland Revenue v Datatronic Ltd* [2009] 4 HKLRD 675 (profits tax implication arising from contract processing arrangement entered with a Mainland subsidiary) (led by Chua Guan-hock SC)
- *Commissioner of Inland Revenue v Kwong Mile Services Ltd* [2003] 3 HKLRD 874 (whether profits acquired through underwriting contracts with Mainland developer are subject to profits tax) (led by Chua Guan-hock SC)

SECURITIES & REGULATION

- *Re Tianhe Chemicals Group Limited (stock code 1619)* (appointed as the Presenting Officer in an inquiry before the Market Misconduct Tribunal)
- *SFC v Chin Jong Hua & Ors* [2019] HKCFI 2735 (misfeasance claim under s.214 SFO against directors of a listed company) (led by Horace Wong SC)