



QUEENIE LAU 劉恩沛大律師

Call: 2008 (HK)

Solicitor: 2007 to 2008 (HK); 2008 to present (England and Wales – non-practising)

Accredited as a mediator by CEDR in 2009

Accredited as a general mediator by HKIAC in 2009

Accredited as a mediator by HKMAAL in 2013

Fellow of the Chartered Institute of Arbitrators since 2017

Fellow of the Hong Kong Institute of Arbitrators since 2016

Member of the HKIAC List of Arbitrators since 2018

PROFILE

Queenie Lau is described by Legal 500 as *“highly intelligent, great attention to detail, hugely responsive and just a pleasure to deal with”*, as well as having *“a comprehensive and detailed knowledge of many areas of law”*. Legal 500 has ranked her in the top category of leading Hong Kong juniors for commercial disputes and employment law. Chambers Asia also describes Queenie as *“very bright”*, and a *“solid junior”* who *“conducts herself with aplomb and confidence”*; *“her analysis is great and her advocacy is extremely good”*.

Queenie has a broad, predominantly civil, practice which includes commercial law, securities and regulatory matters, banking, company law, land law, conveyancing, building management, professional negligence, employment law, family law, defamation, probate and commercial fraud. She has been instructed by a media conglomerate to advise and act for it in a range of cases, acts for the Securities and Futures Commission as well as parties under investigation, and also acts both for and against banks. She has substantial trial and appellate experience both as an advocate in her own right and as junior counsel.

Queenie is also regularly involved in arbitration and mediation.

CONTACT

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SECRETARY

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PRACTICE AREAS

- Commercial
- Company
- Banking / Finance
- Injunction / Contempt
- Professional Liability
- Defamation / Media
- Securities & Regulation
- Arbitration
- Building / Construction
- Competition

- Confidentiality / Privacy
- Conflict of Laws
- Civil Fraud / Asset Recovery
- Discrimination
- Employment
- Equity / Trust
- Insolvency
- Mediation
- Property & Conveyancing
- Public Law / Judicial Review
- Probate / Succession
- Personal Injury / Medical Negligence
- Restitution / Unjust Enrichment
- Commission of Inquiry / Inquest
- Technology, Media and Telecommunications
- Intellectual Property

APPOINTMENTS AND PUBLIC OFFICE

- Temporary Deputy Registrar, High Court (Oct. 2018; Sept. 2019)

Hong Kong Bar Association

- Member, Bar Council (Jan. 2011 to Jan. 2014)
- Chairman, Young Barristers Committee (2011)
- Member, Special Committee on Companies Law (2011 to 2012)
- Member, Special Committee on Code of Conduct (2010 to present)
- Member, Special Committee on Practice Promotion (2008 to 2015)
- Member, Special Committee on Civic Education (2009 – 2010)

University of Hong Kong

- PCLL Course: Assessor for the Commercial Dispute Resolution Advocacy Assessment (various); Part-Time Lecturer for mediation exercise (various)

Other

- Part-time Member, Central Policy Unit, Government of the HKSAR (2012)
- Member of the Management Committee, Consumer Legal Action Fund (2015 to present)
- Member, Disciplinary Panel A of the Hong Kong Institute of Certified Public Accountants (2013 to 2019)
- Member, Private Columbaria Appeal Board (2017 to present)
- Member, Licensing Appeals Board (2012 to 2017)
- Member, Transport Tribunals' Panel (2012 to 2018)
- Member, HKSAR Passport Appeals Board (2012 to 2018)
- Member, Regulatory Framework Sub-committee, Steering Committee on Mediation (2012 to 2017, 2019 to present)
- Member, Accreditation Sub-committee, Steering Committee on Mediation (2017 to present)
- Member, Eastern District Fight Crime Committee (2012 to 2018)
- Member of Board of Governors, The Prince Philip Dental Hospital (2017 to present)
- Member, Pharmacists Sub-group, Steering Committee on Strategic Review on Healthcare Manpower Planning and Professional Development (2012 to present)

- Member, Advisory Panel on Vetting of Amusement Games / Machines (2012 to 2018)
- Member, 11th and 12th Committees of the All-China Youth Federation (中華全國青年聯合會第十一及十二屆委員會委員) (2010 to present)

EDUCATION

- 2009 MA, University of Cambridge
 2004 BA (Hons) in Law, University of Cambridge

PUBLICATIONS AND ARTICLES

- Contributing author, *Securities & Futures Ordinance (Cap. 571): Commentary and Annotations*, Sweet & Maxwell, 2018
- Contributing author, *Hong Kong Competition Law*, 2017

SCHOLARSHIP AND PRIZES

- 2008 Middle Temple Society Scholarship
 2005 Represented Hong Kong in the LAWASIA Moot on Intellectual Property– Champion team, Best Mooter
 2004 Lizette Bentwich Prize (for academic performance), awarded by Trinity College, University of Cambridge
 2001 - 2004 Jardine Scholarship (full scholarship for undergraduate studies at University of Cambridge)

LANGUAGES

Fluent in Cantonese, Putonghua and English

SELECTED CASES

COMMERCIAL

- *Pony HK World Limited v. Vand Petro-Chemicals (BVI) Company Ltd and Other*, (2013) 16 HKCFAR 937 (CFA), [2012] 5 HKLRD 735 (CA) (enforcement of a put option) (led by Mr Charles Sussex SC)
- *Paul's Model Art GmbH v. UT Ltd and Others*, HCA 1501/2000, 30 August 2013 (14-day trial: breach of contract) (led by Mr Stewart Wong SC)

COMPANY

- *Re The Grande Holdings Ltd* [2016] 1 HKLRD 435 (what constitutes a liquidated sum that entitles a creditor vote at a creditors' meeting) (led by Mr Victor Joffe QC)
- *Pacific Electric Wire & Cable Company Limited v. Gold Global Limited and Others*, HCCL 17 and 18/2009, 12 April 2012 (18-day trial: diversion of companies' funds and properties, dishonest assistance etc.) (led by Mr Russell Coleman SC)

BANKING / FINANCE

- *Bank of China (Hong Kong) Ltd v. Eddy Technology Co. Ltd. and Others* [2019] HKCA 339 (summary judgment, including consideration of arguments concerning appropriation of payments, penalty clauses)

- *Standard Chartered Bank (Hong Kong) Ltd. v. Sweetmart Garment Works Ltd. and Others*, HCA 1807/2005, 10 March 2010 (enforcement of a guarantee) (led by Mr Paul Shieh SC)

INJUNCTION / CONTEMPT

- *La Dolce Vita Fine Dining Company Limited v. Zhang Lan* [2018] HKCFI 548 (acted for the founder of the South Beauty restaurant chain (俏江南) in a contempt of court trial) (led by Mr Benjamin Yu SC)
- *張才奎所託管中國山水投資有限公司 and Another v. 張才奎 and Another*, HCA 1661, 1766, 2191/2014 & HCA 623, 939, 1564/2015 (Consolidated), 9 October 2015, 26 October 2015; HCMP 2498/2015 (CA), 22 October 2015 (resisted 1st Defendant's various applications for injunctions against two independent non-executive directors)
- *Komal Patel and Others v. Chris Au and Others*, HCA 183/2014, 11 July 2014 (Defendants' applications for the discharge of interlocutory injunctions; Plaintiffs' applications for summary judgment and further interlocutory injunctions) (led by Mr Charles Sussex SC)

PROFESSIONAL LIABILITY

- Acting for an auditor in a professional negligence claim in excess of USD500 million (led by Queen's Counsel in England and by Senior Counsel in HK)
- *Orient Power Holdings Limited (receivers and managers appointed) (in liquidation) and Others v. Ernst & Young*, HCCL 14/2014, 15 February 2017 (discovery); CAMP 6/2017, 28 August 2017 (resisting the introduction of a new witness) (led by Ms Roxanne Ismail SC); instructed to represent EY in the 60-day trial (led by Mr Justin Fenwick QC and Ms Roxanne Ismail SC) (The case settled on the eve of trial.)

DEFAMATION / MEDIA

- *Jonathan Lu and Others v. Paul Chan Mo-Po and Another*, CACV 251/2015 and CACV 252/2015, 23 December 2016 (appeal against jury verdict), 5 April 2017; [2018] HKCFA 11 (led by Mr Benjamin Yu SC)
- *Wong Wing Yue Rosaline v. Next Media Interactive Limited and Others*, HCA 2701/2016, 21 February 2017 (whether a disclosure order should be granted in this action for copyright infringement and breach of confidence; protection of journalistic sources)
- *Bawang International (Group) Holding Ltd. v. Next Magazine Publishing Ltd.*, HCA 1109/2010, 23 May 2016 (38-day trial involving, inter alia, expert evidence on toxicology, chemical engineering, PRC law and accounting) (led by Mr Benjamin Yu SC)
- *Hong Kong Television Network Ltd. and Another v. Asia Television Limited and Another*, HCA 2217/2012, 20 November 2015 (acted for HKTV and Mr Ricky Wong Wai Kay in a trial concerning libel by ATV and Mr James Pan Yu Shing)
- *Emperor International Holdings Ltd. v. AtNext Ltd.* [2016] 1 HKLRD 77 (resisted the continuation of an ex parte interlocutory injunction)
- *Jigme Rinpoche v. Brightec Ltd. and Others* [2015] 1 HKC 566 (first trial in Hong Kong to consider the defence of reportage)

SECURITIES & REGULATION

- Advising a leading financial institution in a regulatory investigation (led by Queen's Counsel in England and by Senior Counsel in HK)
- *Securities and Futures Commission v. Wong Yuen Yee* [2017] 1 HKLRD 788 (nature and scope of the SFC's obligations of disclosure in disqualification proceedings) (led by Mr Victor Joffe QC)
- *Securities and Futures Commission v. Wang Jian Hua and Others*, HCMP 745/2013, 29 October 2015 and 30 May 2016 (disqualification of directors) (led by Mr Eugene Fung SC)
- *Securities and Futures Commission v. Yeung Kui Wong and Others*, HCMP 1742/2009, 1 March 2011 (disqualification of directors) (led by Mr Anderson Chow SC)
- Advising on provisions of the Securities and Futures Ordinance (Cap. 571) both in the civil and criminal contexts

ARBITRATION

- Acted in an arbitration regarding a breach of contract claim involving patent issues, with the claim being for over RMB 2.8 billion in damages (UNCITRAL Arbitration Rules) (led by Mr Charlie Manzoni QC SC)
- Represented the vendor in a dispute concerning the sale and purchase of shares in a Hong Kong company and the land use rights held by that company in the PRC; the governing law was Hong Kong law but PRC

law applied to various issues concerning the land use rights in the PRC (Putonghua-only HKIAC arbitration)

- Represented an Australian-incorporated company in a dispute concerning whether it had to pay over HK\$20 million in service fees to a company incorporated in England and Wales (Putonghua-only HKIAC arbitration)
- Represented a leading beverage brand in a dispute with its distributor in Macau in an ICC arbitration
- Represented a European investment company in HKIAC proceedings arising from the breakdown of a joint venture in the PRC
- Represented a private equity fund in an arbitration arising from an investment dispute (UNCITRAL Arbitration Rules)
- Resisted jurisdictional challenges in both HKIAC and ICC arbitrations
- *Dennis Lau & Ng Chun Man Architects & Engineers (HK) Limited v. China International Fund Limited*, HCCT 9/2014, 6 August 2014 (resisted an application for stay of execution re: enforcement of arbitral award), 24 September 2014 (resisted an application for leave to appeal re: setting aside of arbitral award)
- Acted as a member of a tribunal with respect to a dispute concerning a Share Transfer Agreement and a Guarantee (UNCITRAL Arbitration Rules)
- Currently acting as arbitrator in a number of arbitrations, both in English and Chinese.

CONFLICT OF LAWS

- Advising on jurisdictional and *forum non conveniens* issues (instructed as junior counsel to Mr Jat Sew-Tong SC)
- *Yau Wah Lok and Other v Michel Weinstock and Other*, HCA 975/2010, 30 May 2012

EMPLOYMENT

- *Noble Spirit Ltd. t/a Life Solutions v. Wong Shu Yuen and Another*, HCA 842/2011, 8 May 2013 and 23 December 2013 (striking out of High Court proceedings on the ground that the Labour Tribunal has exclusive jurisdiction)

EQUITY / TRUST

- *Cheerbond Development Ltd. v. Tung Kwok Yu* [2010] 2 HKLRD 546 (trusts; illegality)
- *黃吉雲 對 孫磊及另二人*, HCA 752/2014, 10 February 2017 (dispute about the beneficial ownership of a property arising from a mortgage action)

INSOLVENCY

- *Re Chow Wing Kun*, HCB 7058/2012, 18 July 2013 (bankruptcy order)

PROPERTY & CONVEYANCING

- Advising a developer in respect of various restrictive covenants (led by Senior Counsel)
- *Join Union Investment Ltd v. China Tree Investment Ltd* [2016] 2 HKLRD 901
- *Channel Green Ltd v. Huge Grand Ltd* [2015] 1 HKLRD 655 (whether good title had been shown; construction of sale and purchase agreement) (led by Ms Lisa Wong SC)

PUBLIC LAW / JUDICIAL REVIEW

- *Mohammed Selim & Ors v Torture Claims Appeal Board* [2020] HKCFA 25 (acted as *amicus* in a hearing before the Court of Final Appeal)
- *Nancy Ann Kissel v. The Long-Term Prison Sentences Review Board*, HCAL 137/2016, 17 May 2018 (led by Mr Russell Coleman SC); CACV 230/2018 [2020] 3 HKLRD 335 (judicial review by Nancy Kissel, who was convicted of murdering her husband and sentenced to life imprisonment)
- *Tsang Kwong Kuen v. The Chairman of the Finance Committee of the Legislative Council*, HCAL 44/2015, 31 May 2017 (judicial review concerning a meeting of the Finance Committee of the Legislative Council held on 27 June 2014 at which the approval of funding in relation to the development of residential areas in Kwu Tung North and Fanling North was discussed)
- *Chan Yeuk Ming v. Housing Authority*, HCAL 25/2012, 7 September 2012 (judicial review concerning the Housing Authority's policy in allocating public housing to divorcees) (led by Mr Stewart Wong SC)
- Acting for the applicants in several applications for judicial review concerning claims made under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, e.g. *Hussain Tasawar v Betty Kwan Adjudicator* [2017] 2 HKLRD 567

DISCRIMINATION

- Advising on the Disability Discrimination Ordinance (Cap. 487)

OTHERS

- *Leung For Wing v. Liu Shaohuan; Cheng Chi Cheung v. Director of Legal Aid* [2018] 4 HKLRD 352 (acted for the Director of Legal Aid; extent to which costs orders can be enforced against the Director)
- *Mushtaq v. Secretary for Justice sued for and on behalf of Director of Immigration*, DCCJ 1766/2010, *Shahzad Saleem v. Secretary for Justice sued for and on behalf of Director of Immigration*, DCCJ 1875/2011, both dated 14 November 2014 (damages for wrongful detention; applications for leave to amend the Statement of Claim; the first and second of some 369 other similar actions)
- *International Associated Attorneys Ltd. v. Eurostock Energy Ltd.*, HCA 180/2012, 5 October 2012 (whether funds under a restraint order should be released to meet a judgment debt) (led by Mr Peter Ng SC)
- *Pido v. Compass Technology Co. Ltd.* [2010] 2 HKLRD 537 (conspiracy to injure) (led by Mr Jat Sew-Tong SC)
- *Akai Holdings Ltd. (in compulsory liquidation) and Others v. Ho Wing On, Christopher and Another*, HCCL 37/2005 and HCCL 40/2005, 1 June 2009 (interrogation/cross-examination of defendant as to his compliance with the terms of a Mareva order; discovery) (led by Mr Godfrey Lam SC)