

# Hong Kong Legal Services Forum - From Bay Area to International Arena

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**Guangzhou**  
5/9/2018

## **Organiser**

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- Department of Justice,  
The Government of the Hong Kong Special Administrative Region

## **Co-organisers**

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- Hong Kong Trade Development Council
- Hong Kong Bar Association
- The Law Society of Hong Kong
- Hong Kong International Arbitration Centre
- International Court of Arbitration of the International Chamber of Commerce (Asia Office)
- China International Economic and Trade Arbitration Commission  
Hong Kong Arbitration Center
- China Maritime Arbitration Commission Hong Kong Arbitration Center
- The Asian Academy of International Law Ltd

## **Supporting Organisations**

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- Intellectual Property Department,  
The Government of the Hong Kong Special Administrative Region
- Invest Hong Kong,  
The Government of the Hong Kong Special Administrative Region
- Hong Kong Economic and Trade Office in Guangdong,  
The Government of the Hong Kong Special Administrative Region
- Hong Kong Institute of Arbitrators
- The Chartered Institute of Arbitrators (East Asia Branch)
- Joint Mediation Helpline Office
- Association of China-Appointed Attesting Officers Limited

## **Co-organisers**

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- Department of Justice, Guangdong
- Department of Commerce of Guangdong Province
- State-owned Assets Supervision and Administration Commission,  
The People's Government of Guangdong Province
- Guangdong Intellectual Property Office
- Hong Kong and Macao Affairs Office,  
The People's Government of Guangdong Province
- Guangdong Lawyers Association

## **Supporting Organisations**

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- Guangdong Federation of Industry & Commerce
- China Council for the Promotion of International Trade, Guangdong Sub-council
- Legislative Affairs Office of Shenzhen Municipal People's Government
- Guangzhou Lawyers Association
- Shenzhen Lawyers Association
- Foshan Lawyers Association
- Zhongshan Lawyers Association
- Dongguan Lawyers Association
- Zhaoqing Lawyers Association
- Hui Zhou Lawyers Association
- Guangzhou Arbitration Commission
- Shenzhen Court of International Arbitration
- Jiangmen Arbitration Commission
- Huizhou Arbitration Commission
- Guangdong Chamber of Commerce of Importers & Exporters
- Guangdong Patent Agency Association
- Guangdong Copyright Protection Association
- Guangzhou Headquarters Economy Association
- Guangzhou Association of Service Trade & Outsourcing

(Listed in no particular order)

# 香港法律服务论坛 - 汇聚湾区 迈向国际

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广州

5/9/2018

## 主办机构

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- 香港特别行政区政府律政司

## 合办机构

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- 香港贸易发展局
- 香港大律师公会
- 香港律师会
- 香港国际仲裁中心
- 国际商会国际仲裁院(亚洲事务办公室)
- 中国国际经济贸易仲裁委员会香港仲裁中心
- 中国海事仲裁委员会香港仲裁中心
- 亚洲国际法律研究院

## 支持机构

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- 香港特别行政区政府知识产权署
- 香港特别行政区政府投资推广署
- 香港特别行政区政府驻粤经济贸易办事处
- 香港仲裁司学会
- 特许仲裁学会(东亚分会)
- 联合调解专线办事处
- 中国委托公证人协会有限公司

## 合办机构

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- 广东省司法厅
- 广东省商务厅
- 广东省人民政府国有资产监督管理委员会
- 广东省知识产权局
- 广东省人民政府港澳事务办公室
- 广东省律师协会

## 支持机构

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- 广东省工商业联合会(总商会)
- 中国国际贸易促进委员会广东省分会
- 深圳市人民政府法制办公室
- 广州市律师协会
- 深圳市律师协会
- 佛山市律师协会
- 中山市律师协会
- 东莞市律师协会
- 肇庆市律师协会
- 惠州市律师协会
- 广州仲裁委员会
- 深圳国际仲裁院
- 江门仲裁委员会
- 惠州仲裁委员会
- 广东进出口商会
- 广东专利代理协会
- 广东省版权保护联合会
- 广州市总部经济协会
- 广州服务贸易与服务外包行业协会

(排名不分先后)



# 论坛议程

## 上午环节

**08:30 - 08:45 嘉宾签到**

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**08:45 - 09:15 开幕环节**

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开幕辞：**郑若骅**资深大律师，GBS, JP  
香港特别行政区政府律政司司长

开幕辞：**李春生**  
广东省人民政府副省长

**09:15 - 10:15 主论坛一：香港作为交易促成者 —  
为「走出去」大湾区企业提供跨境交易法律服务**

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**香港作为交易促成者 — 香港有何优势？**

主持人：**陈泽铭**律师  
香港律师会副会长

讲题 (1)：**香港与内地法律下合资企业投资者 / 少数股东在投资及股权争议中的  
预防性措施**  
**梁定邦**资深大律师  
亚洲国际法律研究院主席、香港大律师公会中国业务发展常委会顾问及  
深圳国际仲裁院副理事长

讲题 (2)：**跨境投资，合作与并购项目法律风险管理**  
**杜珠联**律师  
香港律师会一带一路委员会委员

讲题 (3)：**香港：筹款市场的不二选择**  
**周冠英**律师  
香港律师会公司法委员会委员

讲题 (4)：**国际税务 — 机会与挑战**  
**麦朗**律师  
香港律师会会员

讲题 (5)：**在香港投资 — 实务操作**  
**巩连全**先生  
香港特别行政区政府投资推广署  
商业及专业服务主管

**答问互动环节**

**10:15 - 10:30 茶歇**

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## 10:30 - 11:45      主论坛二：香港作为亚太区主要国际争议解决服务中心

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主持人：谭允芝资深大律师

香港大律师公会中国业务发展常委会主席及

香港大律师公会前主席

讲题 (1)：国际争议解决方式的不同选择：

- 诉讼、仲裁抑或调解？

- 为何选择香港？

梁定邦资深大律师

亚洲国际法律研究院主席、香港大律师公会中国业务发展常委会顾问及深圳国际仲裁院副理事长

讲题 (2)：多元化及多选择的优势：如何选择仲裁机构？香港国际仲裁中心、国际商会国际仲裁院以及中国国际经济贸易仲裁委员会的特色以及各自优势

毛乐礼资深大律师

香港大律师公会副主席

讲题 (3)：仲裁协议的主要考虑：管辖法律、仲裁地以及仲裁员的选择

叶永耀律师

香港律师会仲裁委员会委员

讲题 (4)：仲裁的第三方资助：议题与考量

黎逸轩大律师

亚洲国际法律研究院副秘书长

讲题 (5)：以调解解决争端（尤指投资争端）

陈洁仪律师

香港特别行政区政府律政司

争议解决政策统筹办公室主任

答问互动环节

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## 12:00 - 14:00      专题午餐会

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欢迎辞：方舜文女士

香港贸易发展局总裁

主题演讲嘉宾：林郑月娥, 大紫荆勋贤, GBS

香港特别行政区行政长官

## 下午环节

### 14:15 - 16:15 专题论坛环节

#### 专题分组论坛 (1)

14:15 - 15:15 **模拟仲裁庭**  
( 商务纠纷案件 )

透过模拟仲裁庭方式及讨论环节，展示如何有效利用仲裁解决争议。

旁述: **王皓成先生**  
中国国际经济贸易仲裁委员会香港仲裁中心 /  
中国海事仲裁委员会香港仲裁中心总法律  
顾问

首席仲裁员: **谭允芝资深大律师**  
香港大律师公会中国业务发展常委会主席及  
香港大律师公会前主席

仲裁员: **黎逸轩大律师**  
亚洲国际法律研究院副秘书长  
**梁汉威律师**  
香港律师会会员

广啤集团法律代表: **毛茅大律师**  
香港大律师公会中国业务发展常委会委员

香港德啤法律代表: **徐倩姿律师**  
香港律师会会员

广啤集团专家证人: **洪羽龑大律师**  
香港大律师公会中国业务发展常委会委员

香港德啤事实证人: **陈嘉华律师**  
香港律师会会员

#### 讨论互动环节

主持人: **黎逸轩大律师**  
亚洲国际法律研究院副秘书长  
**文理明律师**  
香港律师会大中华法律事务委员会委员

讲者: **杨玲博士**  
香港国际仲裁中心副秘书长兼上海代表处首  
席代表

**王皓成先生**  
中国国际经济贸易仲裁委员会  
香港仲裁中心 / 中国海事仲裁委员会香港仲  
裁中心总法律顾问

**苏绍聪律师**  
香港律师会前会长

**谭允芝资深大律师**  
香港大律师公会中国业务发展常委会主席及  
香港大律师公会前主席

#### 专题分组论坛 (2)

14:15 - **新经济下企业面对的法律风险**  
15:15 创新科技、知识产权保护以及知识产权商  
业化

主持人:

**马锦德大律师**  
香港大律师公会国际业务常委会副主席

讲题 (1): 知识产权保护、品牌发展策略及  
知识产权授权

**杨先恒律师**  
香港律师会大中华法律事务委员会委员

讲题 (2): 跨境电子商贸 — 智能合约与区块  
链的使用以及法律风险管理

**郭恩锋律师**  
香港律师会创新科技委员会委员

讲题 (3): 创新科技 / 知识产权企业使用香  
港法律 / 争议解决服务的成功故事

**徐茜女士**  
深圳华大基因股份有限公司  
董事会秘书及总法律顾问

讲题 (4): 香港在知识产权方面的争议解决  
方法的最新发展 — 仲裁、调解和网络争议  
解决平台

**赵之威律师**  
香港律师会创新科技委员会委员

#### 问答互动环节

## 专题分组论坛 (1)

15:15 - 服务内地企业的

16:15 香港法律服务提供者

1. 香港律师在协助内地企业跨境经营中的角色
2. 香港 / 内地律师事务所的合伙联营
3. 香港大律师和内地律师在查明外国(香港)法律中的角色
4. 香港大律师作为内地法律顾问
5. 在大湾区的规划下广东律师与香港律师可以怎样更好合作
6. 一站式服务：香港的外地律师事务所可为内地企业跨境业务提供的服务
7. 法律服务的新趋势

### 问答互动环节

主持人：

**彭耀鸿资深大律师**

香港大律师公会副主席

**苏绍聪律师**

香港律师会前会长

讲者：

1. **郑宗汉律师**  
香港律师会大中华法律事务委员会副主席
2. **林新强律师**  
香港律师会大中华法律事务委员会委员及香港律师会前会长
3. **麦业成大律师**  
香港大律师公会大中华事务常委会主席
4. **王洛嫒大律师**  
香港大律师公会大中华事务常委会名誉秘书及新晋大律师常委会委员
5. **陈方律师**  
广东省律师协会副会长
6. **侯洛文律师**  
香港律师会注册外地律师(百慕达)

## 专题分组论坛 (2)

15:15 - 关于争议解决的热点议题

16:15 1. 在香港执行内地仲裁裁决的相关情况

2. 中国内地与香港两地法院互相执行判决的近期发展与前瞻
3. 中外仲裁中所使用的语言、仲裁费用、索偿金额及费用的利息
4. 香港法院对仲裁提供的协助

### 问答互动环节

主持人：

**彭韵僊律师**

香港律师会会长

**林定国资深大律师**

香港大律师公会前主席

讲者：

1. **许伟强资深大律师**  
香港大律师公会中国业务发展常委会副主席及竞争法委员会副主席
2. **韦业显律师**  
香港律师会大中华法律事务委员会副主席
3. **邝志强律师**  
香港仲裁司学会代表理事
4. **梁伟强大律师**  
特许仲裁学会(东亚分会)前主席

## 16:00 - 17:30 现场与香港律师一对一谘询

# Forum Programme

## AM Session

**08:30 - 08:45 Registration**

**08:45 - 09:15 Opening Session**

Opening Address: **The Hon Ms Teresa Cheng Yeuk-wah, GBS, SC, JP**  
Secretary for Justice, The Government of the Hong Kong Special Administrative Region

**Mr Li Chunsheng**  
Vice-Governor, the People's Government of Guangdong Province

**09:15 - 10:15 Plenary Session One - Hong Kong as the Deal Maker: Cross-Border Transactional Legal Services for Bay Area Enterprises 'Going out'**

**Hong Kong as the deal maker – Why Hong Kong?**

Moderator: **Mr CM Chan**  
Vice-President, The Law Society of Hong Kong

Topic (1): **A comparative review on the pre-emptive remedies available to cross-border JV investors/minority shareholders in investment and shareholder disputes under Hong Kong Law and under Chinese Law**  
**Dr Anthony Neoh, SC**

Chairman, Asian Academy of International Law; Advisor, Standing Committee on China Practice Development, Hong Kong Bar Association; Vice-Chairman, Shenzhen Court of International Arbitration

Topic (2): **Legal risk management in cross-border investment, joint ventures and mergers & acquisitions**

**Ms Julianne Doe**  
Member, Belt and Road Committee,  
The Law Society of Hong Kong

Topic (3): **Capital raising? Look no further than Hong Kong**

**Mr Paul Chow**  
Member, Company Law Committee,  
The Law Society of Hong Kong

Topic (4): **International taxation - opportunities and challenges**

**Mr Stefano Mariani**  
Member, The Law Society of Hong Kong

Topic (5): **Practical aspects of investing in Hong Kong**

**Mr Philip Kung**  
Head, Business & Professional Services  
Invest Hong Kong, The Government of the Hong Kong Special Administrative Region

**Question & Answer Session**

**10:15 - 10:30 Coffee Break**

**10:30 - 11:45**

## **Plenary Session Two - Hong Kong as a Leading Centre for International Dispute Resolution Services in the Asia-Pacific region**

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Moderator: **Ms Winnie Tam, SC**

Chairman, Standing Committee on China Practice Development, Hong Kong Bar Association and Former Chairman, Hong Kong Bar Association

Topic (1): **Options in international dispute resolution**

- Litigation, arbitration or mediation?
- Why Hong Kong?

**Dr Anthony Neoh, SC**

Chairman, Asian Academy of International Law; Advisor, Standing Committee on China Practice Development, Hong Kong Bar Association; Vice-Chairman, Shenzhen Court of International Arbitration

Topic (2): **Strength in diversity:**

Which arbitration institution? Rules and practice of HKIAC, ICC and CIETAC compared

**Mr José-Antonio Maurellet, SC**

Vice-Chairman, Hong Kong Bar Association

Topic (3): **Important considerations in the arbitral agreement:**

Choice of law, choice of seat and nomination of arbitrator

**Mr Steven Yip**

Member, Arbitration Committee,  
The Law Society of Hong Kong

Topic (4): **Third party funding for arbitration:**

Issues and considerations

**Mr Adrian Lai**

Deputy Secretary-General, Asian Academy of International Law, Barrister-at-Law

Topic (5): **Resolving disputes (especially investment disputes) by mediation**

**Ms Ada Chen**

Commissioner of the Joint Dispute Resolution Strategy Office, Department of Justice,  
The Government of the Hong Kong Special Administrative Region, Solicitor

**Question & Answer Session**

**12:00 - 14:00**

## **Keynote Luncheon**

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Welcome Remarks: **Ms Margaret Fong**

Executive Director, Hong Kong Trade Development Council

Keynote Speech: **The Hon Mrs Carrie Lam Cheng Yuet-ngor, GBM, GBS**

The Chief Executive of the Hong Kong Special Administrative Region

# Forum Programme

## PM Session

### 14:15 - 16:15 Breakout Sessions

#### Session 1:

14:15 - 15:15

#### **Mock Arbitration** (Commercial dispute)

This breakout session will demonstrate effective dispute resolution by arbitration through the staging of a mock arbitration followed by panel discussion.

Narrator: **Mr Brad Wang**

Managing Counsel, China International Economic and Trade Arbitration Commission Hong Kong Arbitration Center /China Maritime Arbitration Commission Hong Kong Arbitration Center

Presiding Arbitrator: **Ms Winnie Tam, SC**

Chairman, Standing Committee on China Practice Development, Hong Kong Bar Association and Former Chairman, Hong Kong Bar Association

Co-Arbitrators: **Mr Adrian Lai**

Deputy Secretary-General, Asian Academy of International Law, Barrister-at-Law

**Mr Hugo Leung**

Member, The Law Society of Hong Kong

Legal representative for **Ms Adela Mao**

Guangdong Brewery: Member, Standing Committee on China Practice Development, Hong Kong Bar Association

Legal representative for **Ms Jennifer Tsui,**

GermanyBeer Hong Kong: Member, The Law Society of Hong Kong

Expert Witness for **Ms Stephanie Hung**

Guangdong Brewery: Member, Standing Committee on China Practice Development Hong Kong Bar Association

Factual Witness for **Ms Clara Chan**

GermanyBeer Hong Kong: Member, The Law Society of Hong Kong

#### **Panel Discussion**

Co-Moderators: **Mr Adrian Lai**

Deputy Secretary-General, Asian Academy of International Law, Barrister-at-Law

**Ms Catherine Mun**

Member, Greater China Legal Affairs Committee, The Law Society of Hong Kong

Panellists: **Dr Ling Yang**

Deputy Secretary-General, Hong Kong International Arbitration Centre and Chief Representative of the Shanghai Office

**Mr Brad Wang**

Managing Counsel, China International Economic and Trade Arbitration Commission Hong Kong Arbitration Center /China Maritime Arbitration Commission Hong Kong Arbitration Center

**Mr Thomas So**

Immediate Past President, The Law Society of Hong Kong

**Ms Winnie Tam, SC**

Chairman, Standing Committee on China Practice Development, Hong Kong Bar Association and Former Chairman, Hong Kong Bar Association

#### Session 2:

14:15 -  
15:15

#### **The Advent of the New Economy and Associated Legal Risks**

#### **Overview of InnoTech and IP Protection and Commercialisation**

Moderator:

**Mr Douglas Clark**

Vice-Chairman, Standing Committee on International Practice, Hong Kong Bar Association

#### **Topic (1): IP rights protection, brand strategy and IP licensing**

**Mr Lawrence Yeung**

Member, Greater China Legal Affairs Committee, The Law Society of Hong Kong

#### **Topic (2): Cross-border e-commerce – the use of smart contracts and blockchain and legal risk management**

**Mr Philip Kwok**

Member, InnoTech Committee, The Law Society of Hong Kong

#### **Topic (3): Success story of IP/IT company using Hong Kong legal and dispute resolution services**

**Ms Susan Xu**

Secretary, Board of Directors and General Counsel, BGI Genomics Co. Ltd.

#### **Topic (4): Hong Kong's recent dispute resolution developments concerning IP disputes – arbitration, mediation and eBRAM**

**Mr Alan Chiu**

Member, InnoTech Committee, The Law Society of Hong Kong

#### **Question & Answer Session**

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## Session 1:

15:15 - **Hong Kong Legal Service Providers for Mainland Enterprises**  
16:15

1. The role of Hong Kong solicitors in assisting Mainland enterprises in cross-border work
2. Partnership associations with Mainland law firms
3. The role of barristers and Mainland lawyers in foreign (Hong Kong) law ascertainment
4. Hong Kong barristers as Mainland legal consultants
5. Co-operation of Guangdong and Hong Kong lawyers in the Bay Area
6. Hong Kong as one-stop shop: services provided by foreign law firms in Hong Kong to Mainland enterprises in cross-border business
7. Recent trends in legal services

### Question & Answer Session

Co-Moderators:

**Mr Robert Pang, SC**  
Vice-Chairman, Hong Kong Bar Association

**Mr Thomas So**  
Immediate Past President, The Law Society of Hong Kong

Panellists:

1. **Mr Neville Cheng**  
Vice-Chairman, Greater China Legal Affairs Committee, The Law Society of Hong Kong
2. **Mr Ambrose Lam**  
Member, Greater China Legal Affairs Committee and Past President, The Law Society of Hong Kong
3. **Mr Andrew Mak**  
Chairman, Standing Committee on Greater China Affairs, Hong Kong Bar Association
4. **Ms Carol Wong**  
Honorary Secretary, Standing Committee on Greater China Affairs and Member, Standing Committee on Young Barristers, Hong Kong Bar Association
5. **Mr Lawson Chen**  
Vice-President, Guangdong Lawyers Association
6. **Mr Norman Hau**  
Registered Foreign Lawyer (Bermuda), The Law Society of Hong Kong

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## Session 2:

15:15 - **Topical Issues on Dispute Resolution**  
16:15

1. Enforcement of Mainland arbitral awards in Hong Kong
2. Recent trends in the reciprocal enforcement of court judgments between Mainland China and Hong Kong and the way forward
3. Language in Arbitral Proceedings involving Chinese and Foreign Parties, Costs of Arbitration, Interest on Damages and Costs
4. Hong Kong court assistance in granting interim measures in aid of arbitration

### Question & Answer Session

Co-Moderators:

**Ms Melissa Pang**  
President, The Law Society of Hong Kong

**Mr Paul Lam, SC**  
Immediate Past Chairman, Hong Kong Bar Association

Panellists:

1. **Mr Richard Khaw, SC**  
Vice-Chairman, Standing Committee on China Practice Development and Vice-Chairman, Committee on Competition Law, Hong Kong Bar Association
2. **Mr Henry Wai**  
Vice-Chairman, Greater China Legal Affairs Committee, The Law Society of Hong Kong
3. **Mr CK Kwong**  
Representative Council Member, Hong Kong Institute of Arbitrators, Solicitor
4. **Mr Leung Wai-keung, Richard**  
Immediate Past Chair, Chartered Institute of Arbitrators (East Asia Branch), Barrister-at-Law

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## 16:00 - 17:30 Business Matching Session



# Guest of Honour and Keynote Luncheon Keynote Speaker

## **The Hon Mrs Carrie Lam Cheng Yuet-ngor, GBM, GBS**

The Chief Executive of the Hong Kong Special Administrative Region

Mrs Carrie Lam joined the Administrative Service of the Hong Kong Government in August 1980 and rose to the rank of Administrative Officer Staff Grade A1 in September 2006. She became a Principal Official on July 1, 2007 when she was appointed Secretary for Development. She was appointed Chief Secretary for Administration on July 1, 2012.

Mrs Lam has served the public for more than 36 years in 20 public service positions including Director of Social Welfare, Permanent Secretary for Housing, Planning and Lands (Planning and Lands), Director-General of the Hong Kong Economic and Trade Office in London, Permanent Secretary for Home Affairs, Secretary for Development and Chief Secretary for Administration.

Mrs Lam was elected as the Fifth-Term Chief Executive of the Hong Kong Special Administrative Region on March 26, 2017, and was officially appointed to this position by the Central People's Government on March 31, 2017 to assume office on July 1, 2017.

Mrs Lam is married and has two sons.

## 林郑月娥, 大紫荆勋贤, GBS

香港特别行政区行政长官



林郑月娥在一九八零年八月加入香港政府政务职系，并在二零零六年九月晋升为首长级甲一级政务官。她于二零零七年七月一日获委任为发展局局长，成为主要官员，并在二零一二年七月一日获委任为政务司司长。

林郑月娥先后在二十个不同公务岗位服务市民超过三十六年，包括社会福利署署长、房屋及规划地政局常任秘书长（规划及地政）、香港驻伦敦经济贸易办事处处长、民政事务局常任秘书长、发展局局长和政务司司长。

林郑月娥在二零一七年三月二十六日当选为香港特别行政区第五任行政长官，并于二零一七年三月三十一日获中央人民政府任命为第五任行政长官，于二零一七年七月一日就职。

林郑月娥已婚，育有两子。

## **The Hon Ms Teresa Cheng Yeuk-wah, GBS, SC, JP**

Secretary for Justice, The Government of the Hong Kong Special Administrative Region

Ms Teresa Cheng, SC, was appointed Secretary for Justice on January 6, 2018. She was a Senior Counsel in private practice before joining the Government. She is also a chartered engineer, chartered arbitrator and accredited mediator. She was frequently engaged as arbitrator or counsel in complex international commercial or investment disputes.

Ms Cheng was one of the founders and Chairman of the Asian Academy of International Law. She is a Past Vice President of the International Council of Commercial Arbitration, Past Vice President of the ICC International Court of Arbitration and Past Chairperson of Hong Kong International Arbitration Centre. In 2008, she became the first Asian woman elected through a global election as President of the Chartered Institute of Arbitrators. She served as Deputy Judge / Recorder in the Court of First Instance of the High Court of Hong Kong from 2011 to 2017. She is a member of the International Centre for Settlement of Investment Disputes Panel of Arbitrators, and was a member of the World Bank's Sanctions Board.

Ms Cheng is a Fellow of King's College in London, and was the Course Director of the International Arbitration and Dispute Settlement Course at the Law School of Tsinghua University in Beijing.

Ms Cheng has co-authored numerous books and articles in journals and seminars. Some of her publications include "Construction Law and Practice in Hong Kong" and "Arbitration in Hong Kong: A Practical Guide", published by Sweet & Maxwell, as well as papers in the "International Council for Commercial Arbitration Congress Series", published by Kluwer Law International.

## 郑若骅资深大律师, GBS, JP

香港特别行政区政府律政司司长



郑若骅资深大律师于 2018 年 1 月 6 日获委任为律政司司长。加入政府前是私人执业资深大律师，具特许工程师、特许仲裁员及专业调解员资格，经常在国际商事及国际投资纠纷中获委任为代理人或仲裁员。

郑若骅是亚洲国际法律研究院创始成员及前任主席、国际商事仲裁会前任副主席、国际商会国际仲裁院前任副主席及香港国际仲裁中心前任主席。于 2008 年经全球选举成为首位出任特许仲裁学会主席的亚洲女性，2011 年至 2017 年担任香港高等法院原讼庭暂委/特委法官。现为世界银行国际投资争端解决中心仲裁员，并曾任世界银行制裁委员会成员。

郑若骅是伦敦大学英皇学院院士及清华大学法学院国际仲裁与争端解决前任专案主任。

郑若骅与其他作者合著许多著作，包括书籍和在期刊及研讨会发表的文章，已出版的书籍计有 *Construction Law and Practice in Hong Kong* 和 *Arbitration in Hong Kong: A Practical Guide* (Sweet & Maxwell 出版)，并有多篇文章刊载于 *International Council for Commercial Arbitration Congress Series* (Kluwer Law International 出版)。

# Moderator of Plenary Session (1)

## **Mr CM Chan**

Vice-President, The Law Society of Hong Kong

Mr CM Chan first joined the Council in February 2016 and has since been involved in the work of Standing Committee on Compliance, Standing Committee on Practitioners Affairs, Standing Committee on Standards and Development, Public Policy Committee and various other committees. Mr Chan was the founding chairman of In-House Lawyers Committee. He was nominated to represent the Law Society in the International Bar Association Corporate Social Responsibility Committee (2007 - 2012) and LAWASIA as Country Councilor (2016 - 2018). He currently serves on a number of statutory bodies, including the Board of Review (Inland Revenue) and the Committee on Provision of Space in the Legal Hub.

Mr Chan is qualified to practise as a solicitor in Hong Kong (1997) and England and Wales (2002). He is also a Civil Celebrant, Registered Financial Planner, and Chartered Tax Advisor. Mr Chan holds an LLM degree from London School of Economics, an MBA degree from the University of Oxford and an MPA degree from Harvard University.

Mr Chan had practiced in a notable law firm, where he advised high net-worth clients and corporations in relation to their asset management, trust, succession and tax planning matters. Thereafter, he became a legal adviser of different Family Offices for prominent families. Mr Chan is now a General Counsel of an investment company.

# 主论坛(一)主持人

## 陈泽铭律师

香港律师会副会长



陈泽铭律师自 2016 年 2 月起加入律师会理事会，并参与审查及纪律常务委员会、执业者事务常务委员会、专业水准及发展常务委员会、公共政策委员会及其他委员会工作，也是香港律师会企业律师委员会创会主席。另外，陈泽铭律师曾代表香港律师会担任国际律师会企业社会责任委员会委员(2007 - 2012)，现为亚太法律协会理事(2016 - 2018)。陈律师亦参与不同的公职，包括香港税务上诉委员会委员和法律枢纽空间分配委员会成员。

陈律师获准在香港(1997)和英格兰及威尔斯(2002)执业，同时亦为香港婚姻监礼人、香港注册财务策划师及香港注册税务师。陈律师持有伦敦政治经济学院法律硕士、牛津大学工商管理硕士和哈佛大学公共行政管理硕士。

陈律师曾于一家大型律师事务所任职，专门处理高端客户的资产管理、信托有关的法律和税务事宜。其后加入不同香港望族的家族办公室担任法律顾问。陈律师现为一家投资公司的法律顾问。

# Speaker of Plenary Session (1) and Plenary Session (2)

## **Dr Anthony Neoh, SC**

Chairman, Asian Academy of International Law

Advisor, Standing Committee on China Practice Development,  
Hong Kong Bar Association;

Vice-Chairman, Shenzhen Court of International Arbitration

Anthony is a senior member of the Hong Kong Bar, active in civil appellate and international litigation and arbitration. From 1995 to 1998, he was Chairman of the Hong Kong Securities and Futures Commission; during which time, he was the first Asian to be elected to the Technical Committee of the International Organisation for Securities Commissions. From 1998 to 2004, he was Chief Advisor to the China Securities Regulatory Commission at the personal invitation of the former Premier Zhu Rongji. He has been an arbitrator for the China International Economic and Trade Arbitration Commission since 1989. From 1997 to 2007, he was a Member of the Hong Kong Basic Law Committee of the Standing Committee of the National People's Congress. He has been active as an international arbitrator in commercial and investment cases. Since 2010, he has been designated by the People's Republic of China as a member of the List of Conciliators and Arbitrators of the World Bank's International Centre for Settlement of Investment Disputes. Apart from his experience in global issues in financial regulation and international arbitration, he has been keeping up over the years a keen interest in different areas of public international law. He is one of the founding members of the International Law Society of Hong Kong and has lectured on public international law in many universities around the world.

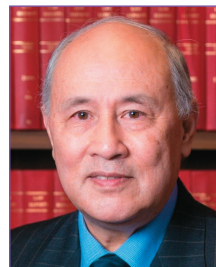
# 主论坛(一)及主论坛(二)讲者

## 梁定邦资深大律师

亚洲国际法律研究院主席

香港大律师公会中国业务发展常委会顾问

深圳国际仲裁院副理事长



梁定邦博士为香港执业资深大律师及仲裁员，一直致力教学并同时研究法律金融史，比较法律制度及当前的金融监管课题。他于1995年至1998年期间担任香港证券及期货事务监察委员会主席，其后应时任中国总理朱镕基先生邀请，在1998年至2004年出任中国证券监督管理委员会首席顾问。2010年获国家商务部及财政部提名担任世界银行国际投资争端解决中心调停及仲裁员。梁博士是出任国际证监会组织技术委员会主席的首位亚洲人士，也曾任全国人民代表大会常务委员会香港特别行政区基本法委员会委员(1997年至2007年)。除了拥有应对金融监管和国际仲裁全球问题的丰富经验以外，他一直热衷于研究国际公法的不同领域。他是香港国际律师会的创始成员之一，曾在世界各地的大学讲授国际公法。



# Speaker of Plenary Session (1)

## Ms Julianne Doe

Member, Belt and Road Committee, The Law Society of Hong Kong

Ms Julianne Doe is a corporate partner with Dentons Hong Kong LLP with an emphasis on corporate and commercial areas. Her practice area covers advising on public listings of companies on the Hong Kong Stock Exchange, bond issues, M&A, private equity, restructurings, corporate governance compliance, securities regulatory, financial services and investment matters. She has more than 25 years of experience in structuring strategic acquisition and investment transactions, including cross-border M&A and private equity, as well as bringing companies to initial public offerings and other forms of capital raising.

Julianne is experienced in foreign investment projects into China as well as Chinese investment into the global market, and has dealt with projects in the financial, real estate, retail, technology and other sectors, and is able to offer insights into challenges, obstacles, risk management and methodologies in order to assist clients in successfully identifying, preparing for and managing foreign investments.

### Practice Focus

- M&A
- Foreign investment and acquisitions
- Joint ventures
- Hong Kong IPOs
- US IPOs
- UK/Europe IPOs
- Corporate Governance advisory
- Due diligence
- Listed Company Compliance
- Privatisations, Restructurings
- Share Placements,
- Shareholder Disputes
- SFC licensing
- Connected Transactions

## 杜珠联律师

香港律师会一带一路委员会委员



杜珠联律师是德同国际有限法律责任合伙\*的合伙人，主攻公司和商业领域。业务范围包括在香港证券联合交易所发行新股及债券相关问题，合并和收购、私募、公司重组、内部管治及合规性事务，证券监控体系、金融服务提供以及各种投资方式的运作。

并购项目方面，杜律师对于外资于中国境内进行并购，及中国企业迈向国际的并购项目同样累计丰富经验，其中包括金融机构、房地产、高端品牌产品、高科技等项目。杜律师对境外投资产生的难题及挑战、风险评估，均有丰富的分享实例，协助有意投资方有效地寻找、筹备及管理海外投资项目。

(\* 其为 Dentons 国际律师事务所香港分所)

### 服务专长

- 企业并购
- 境外投资并购
- 合资项目
- 香港上市
- 美国上市
- 英国 / 欧洲上市
- 企业管治问题
- 尽职调查
- 上市公司合规问题
- 私有化、重组问题
- 配售 / 增发股份
- 股东争议
- 香港证监会发牌规定
- 关连交易

# Speaker of Plenary Session (1)

## **Mr Paul Chow**

Member, Company Law Committee, The Law Society of Hong Kong

Mr Paul Chow is a partner in Davis Polk's Corporate Department, resident in Hong Kong. He advises on a range of public and private M&A transactions, cross-border and strategic investment transactions and a number of privatizations and takeovers in Hong Kong. His clients have included PRC state-owned and private enterprises, Hong Kong-listed companies and international corporates, sovereign wealth funds and private equity and buyout funds. He has also advised investment banks and issuers on a large number of equity, equity-linked and debt offerings, including initial public offerings and rights issues.

Mr Chow is consistently recognized as a leading lawyer in various industry publications for his work in capital markets and M&A, such as Chambers Asia-Pacific and IFLR1000.

Legal Admissions:

Hong Kong, England and Wales, State of New York

Education:

LL.B., London School of Economics and Political Science, 1994

M.Sc., Global Business, The Chinese University of Hong Kong, 2000

## 周冠英律师

香港律师会公司法委员会委员



周冠英律师是达维律师事务所合伙人，常驻香港办公室。他在上市及非上市公司并购交易、跨境交易和战略投资及私有化等方面有丰富经验。他的客户包括中国国有和民营企业、香港上市公司和跨国集团、主权财富基金和私人股权投资收购基金等。周律师还代表投资银行和发行人参与了众多的股票、股票相关及债券发行项目，包括 IPO 和配股发行项目。

周律师被《钱伯斯亚洲》、《国际金融法律评论 1000》等多家法律界出版物评选为中国及香港资本市场和并购领域的顶尖律师。

律师执业资格：

香港、英格兰与威尔士、纽约州

教育背景：

伦敦政治经济学院，法学学士，1994 年

香港中文大学，国际商务理学硕士，2000 年

# Speaker of Plenary Session (1)

## **Mr Stefano Mariani**

Member, The Law Society of Hong Kong

Mr Stefano Mariani is tax counsel at Deacons. He has a broad range of advisory and contentious tax experience, ranging from corporate taxation and group reconstructions to personal taxation and trusts and estate planning and management. He advises on all matters of Hong Kong and international tax law, including tax-efficient structuring and restructuring, and tax appeals before the Board of Review and the higher courts. His experience includes cross-border tax planning and Double Taxation Treaty driven tax structuring.

He further advises on all areas of Hong Kong and international trusts, estate planning, and charities, including the drafting of trusts instruments, restructuring of trusts structures, and trusts dispute resolution. He is Honorary Secretary of Hong Kong Trustees' Association.

Outside of his professional practice, Stefano is a lecturer in revenue law at Hong Kong University, and a regular contributor to legal and industry publications, notably including the Hong Kong Law Journal, the Asia-Pacific Journal of Taxation, and the Asia-Pacific Tax Bulletin. He is a co-author of the seminal Encyclopaedia of Hong Kong Taxation, which is regarded as the most authoritative treatise on Hong Kong tax law.

## 麦朗律师

香港律师会会员



麦朗律师是的近律师行的税务法律顾问，他在税务咨询及税务争议领域拥有丰富经验，范围涵盖企业税务和集团改组，以至个人税务、信托和遗产规划与管理。他帮助客户处理香港及国际税务法律的各项事宜，包括有效税务构建与重组，以及向税务上诉委员会以至法院上诉。他也为客户规划跨境税务及由双重课税协定所带动的税务构建。

麦律师亦多次就香港及国际性信托、遗产规划及慈善组织的各个范畴提供意见，包括草拟信托文书、重组信托架构及解决信托争议等。麦律师亦担任香港信托人公会的义务秘书。

除专业执业以外，麦律师担任香港大学税务法律讲师，并经常在法律及业界刊物上撰文，主要包括《香港法律学刊》(Hong Kong Law Journal)、《亚太税务期刊》(Asia-Pacific Journal of Taxation)及《亚太税务公告》(Asia-Pacific Tax Bulletin)。他合著具有重大影响力的《香港税务百科全书》(Encyclopaedia of Hong Kong Taxation Materials)，此书被视为香港税务领域最权威的专著。

# Speaker of Plenary Session (1)

## **Mr Philip Kung**

Head, Business & Professional Services, Invest Hong Kong  
The Government of the Hong Kong Special Administrative Region

Mr Philip Kung has been with Invest Hong Kong, the Hong Kong Special Administration Region Government department established to help attract and retain foreign direct investment, as the Head of Business & Professional Services since January 2001. Prior to that, he has held several high-level positions in private consultancy firms, the Hong Kong Tourism Association and has worked for the Jamaican Government's Investment Promotion Board in Asia as Assistant Director for over five years. Mr Kung also is an entrepreneur having established and operated his own businesses in Hong Kong, Shanghai and Brazil.

He holds degrees of MBA in International Management from Thunderbird School of Global Management in Glendale, Arizona and Bachelor of Commerce from University of Calgary, Canada.

## 巩连全先生

香港特别行政区政府投资推广署  
商业及专业服务主管



香港特别行政区政府投资推广署致力为香港促进外来投资。巩连全先生于2001年1月加入该署，领导其属下的「商业及专业服务」小组。

在加入投资推广署之前，巩先生曾在私营顾问公司和香港旅游协会出任要职，并且曾担任牙买加政府亚洲投资推广部副部长五年之久。巩先生本身也是企业家，其经营的业务遍及香港、上海和巴西。

巩先生持有美国亚里桑那州雷鸟全球管理学院(Thunderbird School of Global Management)国际管理企管硕士学位和加拿大卡加利大学商业学士学位。



# Moderator of Plenary Session (2), Presiding Arbitrator of Mock Arbitration and Speaker of Breakout Session (1)

## **Ms Winnie Tam, SC, JP**

Chairman, Standing Committee on China Practice Development,  
Hong Kong Bar Association

Former Chairman, Hong Kong Bar Association

Winnie is a former Chairman of the Hong Kong Bar Association (2015 to 2017), barrister in private practice and a Senior Counsel of the Hong Kong Bar. She graduated from the University of Hong Kong in 1983 with an LL.B. (Hons) degree, obtained the Postgraduate Certificate in Laws in 1984. Between 1987 and 1988, she pursued specialised training in London in University College, London. She was also admitted to practise as a barrister in England and Wales, and as a barrister and solicitor in Singapore and the Australian Capital Territory.

Winnie was appointed Senior Counsel of the Hong Kong Bar in 2006. From 2015, she has been serving as a Recorder of the Court of First Instance, High Court of the HKSAR. Since January 2017, she has continued to serve the Hong Kong Bar by heading its two practice development committees. She is Member of Consulting Committee of Qianhai and Shekou Area of Shenzhen. In 2017, she was elected Co-Chair, Forum for Barristers and Advocates of the International Bar Association, and a member of the Policy Committee of the Bar Issues Commission of the IBA, advising and drafting policy statements on issues concerning legal communities around the world.

Her practice spans a wide range of litigation and arbitration in civil and commercial matters with an emphasis in intellectual property law. She is a panel arbitrator of the Hong Kong International Arbitration Centre, a member of the Expert Committee of the Hi-tech and IP Arbitration Committee of the South China International Arbitration Commission (SCIA), a panel arbitrator of SCIA, and a fellow of the Hong Kong Institute of Arbitrators and a CEDR-accredited mediator.

# 主论坛(二)主持人、专题分组论坛(一)模拟仲裁庭首席仲裁员及专题分组论坛(一)讲者

## 谭允芝资深大律师, JP

香港大律师公会中国业务发展常委会主席  
香港大律师公会前主席



谭允芝为香港大律师公会前主席(1.2015-1.2017)，执业资深大律师。她毕业于香港大学法律系，继而在伦敦大学大学学院深造，作专科实习并取得香港及英格兰及韦尔斯大律师执业资格。主要业务范围为民商诉讼及仲裁，尤其在涉及知识产权的商务纠纷和侵权争议解决上累积了多年经验。现为香港仲裁司学会资深会员、中国国际经济贸易仲裁委员会仲裁员、华南经贸仲高科技及知识产权仲裁中心专家仲裁员和香港国际仲裁中心专家仲裁员。

2006年5月，获香港特别行政区终审法院首席法官李国能委任为「资深大律师」，随后获委任为香港高等法院原讼庭特委法官。现任香港大律师公会中国业务发展委员会主席及业务发展委员会主席，深圳前海咨询会委员。2017年获推选为国际律师协会(IBA)讼辩律师论坛联席主席，及律师专业事务委员会政策小组委员。

## Speaker of Plenary Session (2)

### **Mr José-Antonio Maurellet, SC**

Vice-Chairman, Hong Kong Bar Association

José has been serving as one of the two Vice Chairmen of the Hong Kong Bar Association since elected in 2017. He is a barrister-at-law and a Senior Counsel in private practice at Des Voeux Chambers, Hong Kong. His practice is largely commercial with an emphasis on company and insolvency law, and he has advised and acted in numerous shareholder disputes, winding up petitions, applications arising out of liquidations of companies, schemes involving privatisation as well as creditors schemes, and disputes arising out of banking and financial services. He was appointed Senior Counsel in May 2016.

José served as a Deputy District Judge in December 2012 and as a Deputy High Court Judge in May and June 2018. He is also involved in other positions in public service, including memberships in the Law Reform Commission sub-committee, Buildings Ordinance Appeals Tribunal and Panel A of the disciplinary tribunal of the Hong Kong Institute of Certified Public Accountants.

### 毛乐礼资深大律师

香港大律师公会副主席



毛乐礼现为香港大律师公会两位副主席之一、香港资深大律师、CEDR 认可调解员及香港国际仲裁中心认可之仲裁员，现执业于德辅大律师事务所。

毛乐礼毕业于牛津大学艾德蒙学院法律系，继而在 2000 年取得香港大律师执业资格，并在商事领域累积了多年经验。他尤为擅长处理公司法及破产清盘法事务，包括股东纠纷、清盘呈请以及银行和金融服务相关的争议。他在 2016 年获委任为「资深大律师」。

毛乐礼于 2012 年 12 月担任区域法院暂委法官，并于 2018 年 5 月至 6 月担任高等法院暂委法官，审理民事案件。他现时担任的公职包括香港会计师公会纪律委员会成员、香港法律改革委员会公开资料小组委员会成员以及《建筑物条例》上诉审裁小组主席等。

# Speaker of Plenary Session (2)

## **Mr Steven Yip**

Member, Arbitration Committee, The Law Society of Hong Kong

Mr Steven Yip is a partner in the Projects, Infrastructure & Construction group of MinterEllison. He is one of the region's leading advisors on construction issues and dispute resolution across Hong Kong and Asia. As well as rich private sector expertise, he has considerable experience in disputes involving government and public sector works.

Steven has handled numerous major arbitration and litigation proceedings. Most recently, he is acting for the Hong Kong Government in relation to a range of contractual and other issues relating to its biggest rail related project.

Steven is also a skilled mediator, instrumental in settling many major civil engineering and building disputes. Recommended for his contentious capabilities, Steven is described as a "leading individual" in Hong Kong / China for construction by Chambers Asia Pacific, and The Legal 500 Asia Pacific. He was praised by clients in Chambers Asia Pacific 2016 as "very sharp, very efficient", "a solid guy who is knowledgeable about the market", and "always tries to find a solution that is good for both parties."

In addition, Steven is a member of the Arbitration Committee of The Law Society of Hong Kong, a member of the Chartered Institute of Arbitrators (East Asia Branch), fellow of the Chartered Institute of Civil Engineering Surveyors and an active member of the construction interest group of the Hong Kong Mediation Council.

### 叶永耀律师

香港律师会仲裁委员会委员



叶永耀律师是铭德律师事务所的项目、基础设施和工程部门的合伙人。叶律师是香港和亚洲建筑和诉讼方面的领先顾问律师之一。他在私人公司范畴拥有丰富的专业知识，在政府和公共部门的争议工作方面亦有丰富经验。叶律师处理了多个重大的仲裁和诉讼案件。最近，他代表香港政府处理一个大型铁路建设项目有关的一系列合同问题和其他法律问题。

叶律师也是一位经验丰富的调解员，曾解决许多重大土木工程和建筑纠纷。基于他在处理争议事宜的能力，他被推荐为钱伯斯亚洲和亚洲法律500强在香港/中国建设的「领先律师」。钱伯斯亚洲2016的客户称赞他「非常敏锐，非常高效」、「对市场了如指掌」和「总是试图找到对双方都有利的解决方案」。

此外，叶律师还是香港律师会仲裁委员会委员、特许仲裁员协会（东亚分会）的成员、特许土木工程测量师协会会员和香港调解委员会建设小组的成员。

# Speaker of Plenary Session (2), Co-Arbitrator of Mock Arbitration and Co-Moderator of Breakout Session (1)

## Mr Adrian Lai

Deputy Secretary-General, Asian Academy of International Law,  
Barrister-at-Law

Adrian is a practising barrister in Hong Kong; he is also a Certified Public Accountant of Hong Kong and holds the specialist qualification in insolvency matters. Adrian maintains a predominantly civil practice and has been engaged as Counsel on matters relating to arbitration, banking, commercial, company, construction, professional accountants / auditors' negligence and professional disciplinary proceedings. Through practice Adrian has developed a wealth of experience and expertise on arbitration matters. He is on the Panel of Arbitrators of Hong Kong International Arbitration Centre and has been appointed as sole or co-arbitrator on international commercial arbitrations. Apart from sitting as an arbitrator, Adrian has been engaged as Counsel to advise or appear in international or domestic commercial arbitration, investor-State arbitration and State-State arbitration. Insofar as arbitration related litigations are concerned, he appeared as Counsel on important cases such as *FG Hemisphere v. Congo*, *Pacific China Holdings v. Grand Pacific Holdings*, *Shangdong Hongri v. Petrochina Int'l*, *S v. B, Re Inigma Technology*, *Gongbenhai v. HKIAC* and *TNB v. China National Coal*. He is often invited to speak on topical issues of arbitration. Adrian maintains an academic interest in international law. He graduated with a Master's degree on Public International Law and also attended The Hague Academy of International Law. He also spoke on the topics of "Jurisdictional Immunities and Chinese State-Owned Enterprises" at the Colloquium on International Law and international investment dispute resolution on other occasions.

# 主论坛(二)讲者、专题分组论坛(一)模拟 仲裁庭仲裁员及专题分组论坛(一)主持人

## 黎逸轩大律师

亚洲国际法律研究院副秘书长



黎逸轩大律师在香港执业；他也是香港注册会计师，并于香港会计师公会取得破产重整的专业文凭。执业范围以民事案件为主——仲裁、银行、商业、公司、建筑、会计师和审计师专业疏忽以及专业纪律聆讯。通过实践在仲裁事务方面积累了丰富的经验和专业知识。他是香港国际仲裁中心仲裁员小组成员，同时被任命为国际商业仲裁的共同仲裁员。曾参与包括 *FG Hemisphere v. Congo*, *Pacific China Holdings v. Grand Pacific Holdings*, *Shangdong Hongri v. Petrochina Int' l*, *S v. B*, *Re Insigma Technology*, *Gongbenhai v. HKIAC* and *TNB v. China National Coal* 等重要案件。黎大律师获得国际公法硕士学位，并曾在海牙国际法学院进修，一直致力钻研和推动国际法的学术研究。他经常受邀出席和仲裁相关的讲座，曾在国际法论坛发表以「管辖豁免与中国国有企业」为题的演说。



# Speaker of Plenary Session (2)

## **Ms Ada Chen**

Commissioner of the Joint Dispute Resolution Strategy Office, Department of Justice,  
The Government of the Hong Kong Special Administrative Region, Solicitor

Ms Chen was admitted as a solicitor in Hong Kong. After practising as a solicitor in one of the largest law firms in Hong Kong, she joined the Department of Justice of Hong Kong. She previously worked in the Commercial Unit of the Department of Justice and had advised on a broad range of major commercial initiatives of the Government.

In September 2016, the Department of Justice established a Joint Dispute Resolution Strategy Office (JDRSO) to enhance the overall coordination of arbitration and mediation work of the Department. Ms Chen was appointed the first Commissioner of the JDRSO to act as the single point of contact on all matters related to the promotion of dispute resolution of Hong Kong. Ms Chen was also appointed the Senior Assistant Law Officer (Civil Law) of the Mediation Team. The Mediation Team supports the Steering Committee on Mediation chaired by the Secretary for Justice to implement the long term policy of the Department of Justice to promote and develop mediation in Hong Kong. Ms Chen assisted in the enactment of the Apology Ordinance and the Arbitration and Mediation Legislation (Third Party Funding) (Amendment) Ordinance 2017 respectively in June and July 2017.

In June 2017, the Mainland and Hong Kong signed an Investment Agreement to enhance the Mainland and Hong Kong Closer Economic Partnership Arrangement. A Mediation Mechanism was subsequently established by both sides under the Investment Agreement for settlement of investment disputes. Apart from participating in the establishment of the Mediation Mechanism, Ms Chen manages the investment law and investment mediation training course being organized by the Department of Justice together with other institutions.

### 陈洁仪律师

香港特别行政区政府律政司  
争议解决政策统筹办公室主任



陈洁仪律师在香港取得律师资格。她在香港其中一所最大的律师事务所执业后，加入香港律政司，并在商业组工作，为政府多方面的重要商业事务，提供法律意见。

2016年9月，律政司设立争议解决政策统筹办公室(统筹办公室)，以更佳地全盘统筹司内的仲裁及调解工作。陈律师获委任为首任统筹办公室主任，就所有与在香港推动争议解决相关的事项提供单一联络点。她也担任本司调解小组的高级助理民事法律专员。该小组为调解督导委员会(主席为律政司司长)提供支援，协助落实本司在香港提倡和发展调解的长远政策。刚在2017年6月和7月，陈律师先后协助制定了《道歉条例》及《仲裁及调解法例(第三者资助)(修订)条例》。

2017年6月，香港特别行政区政府与国家商务部在《内地与香港关于建立更紧密经贸关系的安排》的框架下签署《投资协议》。内地和香港在《投资协议》下设立调解机制，处理投资争端。陈律师除参与相关工作外，亦负责筹备由律政司与其他机构合办的国际投资法及国际投资争端调解技巧培训课程。

# Welcome Remarks of Luncheon

## **Ms Margaret Fong**

Executive Director, Hong Kong Trade Development Council

Ms Margaret Fong is the Executive Director of the Hong Kong Trade Development Council (HKTDC) since 1 October 2014. With a global network of over 40 offices, Ms Fong heads this international team whose mission is to create and facilitate opportunities in global trade for Hong Kong-based companies. She joined the HKTDC in 2010 as Deputy Executive Director, responsible for the international promotion of Hong Kong's product and service industries and the Council's office network worldwide.

Ms Fong has worked in a variety of public service posts, beginning her career as an Administrative Officer with the Hong Kong Government. From 1997 to 1999, she served as Deputy Director-General in the Washington Economic and Trade Office of the Hong Kong SAR Government.

She was Deputy Secretary for Transport from 1999 to 2004, Director-General of the Washington Economic and Trade Office from 2004 to 2006, and Commissioner for Economic and Trade Affairs, USA, from 2006 to 2008, representing the Hong Kong SAR Government in the United States. Before joining the HKTDC, Ms Fong was the Commissioner for Tourism from November 2008 to the end of 2009. She is a graduate of the University of Hong Kong.

Ms Fong is a member of the Aviation Development and Three-runway System Advisory Committee, the Hong Kong Maritime Industry Council, the Hong Kong Maritime and Port Board, the Hong Kong Logistics Development Council, the Hong Kong Tourism Board, and the Financial Services Development Council.

# 专题午餐会致欢迎辞嘉宾

## 方舜文女士

香港贸易发展局总裁



方舜文于2014年10月1日起出任香港贸易发展局总裁，领导香港贸发局通过其全球网络，为以香港为基地的企业创造商机，促进香港对外贸易。她于2010年加入贸发局，主责向外推广香港的制造及服务业，并管理该局全球40多个办事处。

方舜文于香港大学毕业后，加入政府任政务官，曾于多个部门服务。1997至1999年，她获特区政府派驻华盛顿，出任香港驻华盛顿经济贸易办事处副处长。1999至2004年，方舜文返回香港担任副运输局局长。2004至2006年，她再度获派驻华盛顿，出任香港驻华盛顿经济贸易办事处处长；2006至2008年，她升任为香港驻美国总经济贸易专员，担任香港特区政府代表的角色。在加入香港贸发局之前，她由2008年11月至2009年底，任职旅游事务专员。

方舜文现为航空发展与机场三跑道系统咨询委员会、香港航运发展局、香港海运港口局、香港物流发展局、香港旅游发展局，以及金融发展局的成员。

# Narrator of Mock Arbitration, Breakout Session (1) and Speaker of Breakout Session (1)

## **Mr Brad Wang**

Managing Counsel, China International Economic and Trade Arbitration Commission  
Hong Kong Arbitration Center / China Maritime Arbitration Commission Hong Kong  
Arbitration Center

Mr Wang holds position of Managing Counsel that leads the case management team of the China International Economic and Trade Arbitration Commission Hong Kong Arbitration Center (CIETAC Hong Kong Arbitration Center) which is the first and only overseas branch of the largest and oldest permanent arbitral institution in China. His job responsibilities include supervising case management team over administered arbitration cases and answer queries from parties and their counsels before, during and after arbitration that are CIETAC related.

He is also Managing Counsel of the China Maritime Arbitration Commission Hong Kong Arbitration Center which is the first and only overseas branch of the sole maritime arbitration commission in China.

Besides, Mr Wang carries a research and development role in CIETAC Hong Kong Arbitration Center, which can be reflected by the Emergency Arbitrators Procedures in the latest Arbitration Rules of CIETAC and CIETAC Hong Kong Arbitration Center's Guidelines to Third Party Funding in Arbitration.

Before joining CIETAC and CMAC Hong Kong, Mr Wang worked as litigation lawyer primarily before courts in Shanghai and Jiangsu in China and also advocated in arbitration for three years, where he specialized in cross-border maritime and construction-related arbitration seated in the Mainland and Hong Kong. Mr Wang holds law degrees from the Chinese Mainland, Hong Kong and the U.K.

## 王皓成先生

中国国际经济贸易仲裁委员会香港仲裁中心/  
中国海事仲裁委员会香港仲裁中心总法律顾问



王皓成先生现任中国国际经济贸易仲裁委员会（贸仲）香港仲裁中心和中国海事仲裁委员会（海仲）香港仲裁中心总法律顾问。贸仲是中国最大、历史最悠久的常设仲裁机构。海仲是中国唯一一家专门管理海事仲裁案件的仲裁机构。贸仲香港仲裁中心和海仲香港仲裁中心分别为两家仲裁机构在中国内地以外设立的第一家分支机构。

王皓成先生负责管理案件经办团队工作，包括案件管理工作以及回答当事人咨询等。此外，他还发起并参与了多项贸仲香港仲裁中心的研究项目。研究成果包括紧急仲裁员程序规则，该规则已被纳入最新修订的《中国国际经济贸易仲裁委员会仲裁规则》，以及第一个也是目前唯一一个由仲裁机构编写的有关第三方资助仲裁的指引性文件——《第三方资助仲裁指引》等。

王皓成先生拥有中华人民共和国律师资格，和中国内地法律、香港法律、英国法律教育背景。加入贸仲香港仲裁中心和海仲香港仲裁中心之前，他曾在分别上海和江苏的律师事务所工作，主要执业领域包括海事争议和建筑工程争议等，办理了大量诉讼和仲裁案件，有著丰富的实务经验。

# Co-Arbitrator of Mock Arbitration, Breakout Session (1)

## **Mr Hugo Leung**

Member, The Law Society of Hong Kong

Mr. Hugo Leung is qualified to practise as a solicitor in Hong Kong. He is also an accredited mediator. His main areas of practice are civil litigation and criminal litigation. He is a Consultant of Wan Yeung Hau & Co., Solicitors.

Mr Leung is a holder of Juris Doctor and MBA degrees. He has years of law enforcement experience. Before being qualified as a solicitor, Mr. Leung had almost 10 years of management experience in a multinational corporation.

# 专题分组论坛(一)

## 模拟仲裁庭仲裁员

### 梁汉威律师

香港律师会会员



梁汉威律师获准在香港执业，亦为认可调解员。梁律师主要从事民事及刑事诉讼等方面法律工作，现为温杨候律师事务所顾问律师。

梁律师持有法学博士及工商管理硕士学位，并拥有多年执法经验。梁律师在成为执业律师前，于跨国企业从事管理工作近十年。



# Legal Representative of Applicant of Mock Arbitration, Breakout Session (1)

## **Ms Adela Mao**

Member, Standing Committee on China Practice Development,  
Hong Kong Bar Association

Adela Mao is a practising barrister in Hong Kong. She's been member on the Committees of Arbitration, Construction Law and China Practice Development of the Hong Kong Bar Association. Adela has been appointed as the Editorial Expert Consultant of bilingual documents to the China International Commercial Court and as a Hong Kong mediator to the Shenzhen Qianhai People's Court. Adela has been invited as a speaker/guest to Peking University *International Commercial Arbitration* course, Jiangsu Province Commerce Bureau's "*Going-out Enterprises*" Training, ICC, CIETAC(HK) etcetera. She has an upcoming publication of *Global Arbitration Review's Guide to Construction Arbitration*, 2nd Ed., Regional Chapter of China and Hong Kong Construction Arbitration in the 3rd quarter of 2018.

Adela's main practice area includes international commercial arbitration, construction dispute, contract and corporate governance, and she has appeared in courts as sole or led advocate. Before graduating from the University of Hong Kong with a dual-degree in B.ENG (Civil Engineering) and LL.B ranking first in the class, Adela studied civil engineering at Tsinghua University. She won more than 10 scholarships and prizes.

# 专题分组论坛（一） 模拟仲裁庭申请人法律代表

## 毛茅大律师

香港大律师公会中国业务发展常委会委员



毛茅现为香港执业大律师。香港大律师公会仲裁、建筑法、中国业务发展常委会等委员。她获委任为中国国际商事法庭中英文审校专家顾问、深圳前海人民法院港籍仲裁员，近期作为北京大学《国际商事仲裁》课程、江苏省商务厅《企业「走出去」培训》、国际商会国际仲裁院、中国国际经济贸易仲裁委员会（香港）等受邀讲者或嘉宾。2018年第3季度合作出版《*环球仲裁评论：建筑工程仲裁指引（第二版）*》中国及香港工程仲裁章节。

执业方向为民商事，对国际商事仲裁、建筑工程、合约、公司管理等多有经验，在多级法院作为唯一或共同出庭律师处理案件。毕业于香港大学工程（土木工程）及法学学士双学位（专业排名第一），曾就读清华大学土木工程学院，获得超过10项奖学金及荣誉。

# Legal Representative of Respondent of Mock Arbitration, Breakout Session (1)

## **Ms Jennifer Tsui**

Member, The Law Society of Hong Kong

Ms Jennifer Tsui graduated from City University of Hong Kong with a Bachelor of Laws with first class honours and obtained Postgraduate Certificate in Laws in 2014. Ms Tsui then joined Messrs. Fairbairn Catley Low & Kong as trainee solicitor in the same year and worked as associate solicitor in Civil Litigation and Matrimonial Department after obtaining the qualification of Hong Kong practising solicitor in 2016. Ms Tsui mainly advises in respect of all matters relating to matrimonial law, including divorce litigation; prenuptial agreements; particular disputes as to custody, care and control and access of children; and division of cross-border marital assets. In addition, she also advises non-governmental organizations in wardship proceedings. Ms Tsui has considerable experience in attending without prejudice settlement negotiation meetings and mediation sessions as well as representing clients in FDRs and CDRs.

# 专题分组论坛（一）

## 模拟仲裁庭被申请人法律代表

### 徐倩姿律师

香港律师会会员



徐倩姿律师于2013年以一级荣誉毕业于香港城市大学法律学荣誉学士课程，并于2014年完成法学专业证书课程。同年，徐律师加入范纪罗江律师楼作见习律师，并于2016年取得香港执业律师资格后，加入民事诉讼及家事诉讼部门作律师。徐律师主要为客户就家事法提供法律意见，包括处理离婚诉讼、婚前协议、家庭子女的监护权以及跨境家庭资产分配的争议等，亦会代表其他社会服务机构在有关未成年儿童的监护权诉讼中提供法律意见。徐律师多次代表客户进行无损权益的谈判、参与调解、出席解决财务纠纷程序及排解子女纠纷聆讯。

# Expert Witness of Applicant of Mock Arbitration, Breakout Session (1)

## **Ms Stephanie Hung**

Member, Standing Committee on China Practice Development,  
Hong Kong Bar Association

Stephanie Hung began practising as a barrister in Hong Kong upon being called to the Hong Kong Bar in 2016. In July 2018, she was appointed to serve as a member of the Hong Kong Bar Association's Standing Committee of China Practice Development.

Prior to her practice at the Hong Kong Bar, Stephanie studied law at the London School of Economics and Political Science, where she graduated with First Class Honours, and thereafter obtained a Postgraduate Certificate in Laws from the University of Hong Kong. She was awarded with the Hong Kong Law Reform Commission's 2015 Law Reform Essay Competition and the Middle Temple Advocacy Scholarship in 2016.

Stephanie is developing a predominantly civil practice with an emphasis on civil and commercial disputes. She is dedicated to community service and participates in the Free Legal Advice Scheme, providing a helping hand to those in need.

# 专题分组论坛（一） 模拟仲裁庭申请人专家证人

## 洪羽縵大律师

香港大律师公会中国业务发展常委会委员



洪羽縵2016年获香港高等法院委任为大律师，并开始私人执业。她在2018年7月出任为香港大律师公会中国业务发展常委会委员。

在成为执业大律师之前，洪羽縵在2013年毕业于伦敦政治经济学院，获颁一级荣誉法学学士学位，其后于香港大学获颁授法律专业证书(PCLL)。她是香港法律改革委员会的2015年法律改革征文比赛的获奖者之一，获得机会在香港律政司实习。她于2016年获得中殿律师学院讼辩训练奖学金(Middle Temple Scholarship for Advocacy Training)。

洪羽縵的执业主要范畴为民事及商业纠纷案。洪羽縵热心服务社会，经常参加香港政府提供的免费法律咨询计划，为帮助弱势人群尽一分力。

# Factual Witness of Respondent of Mock Arbitration, Breakout Session (1)

## **Ms Clara Chan**

Member, The Law Society of Hong Kong

Ms Clara Chan obtained her Bachelor of Laws with First Class of Honours in 2015 and completed the Postgraduate Certificate in Laws in 2016 from the City University of Hong Kong. She then started her training at Lam, Lee & Lai and Herbert Tsoi & Partners for the last two years as Trainee Solicitor. Throughout the training, she assisted corporate clients for handling local and cross-broader commercial litigation relating to contractual dispute, employment law and shareholder dispute etc.. Moreover, she also has experience in assisting high net worth clients in dealing with estate and trust planning, probate, divorce and family law and other general litigation matters.

# 专题分组论坛（一）

## 模拟仲裁庭被申请人事实证人

### 陈嘉华律师

香港律师会会员



陈嘉华律师在2015年以一级荣誉毕业于香港城市大学法律学荣誉学士课程，并于2016年完成法学专业证书课程。在过去两年，陈小姐分别先后于林李黎律师事务所及蔡克刚律师事务所担任见习律师。在实习期间，她不但协助企业客户处理本地及跨境法律的商业诉讼事宜，包括合约纠纷、雇佣法和股东纠纷等，亦有协助高净值客户处理一系列广泛的法律事务，包括遗产及信托规划、遗嘱认证、离婚及家事法事宜和其他一般诉讼事宜。



# Co-Moderator of Breakout Session (1)

## **Ms Catherine Mun**

Member, Greater China Legal Affairs Committee, The Law Society of Hong Kong

Ms Catherine Mun specialises in disputes resolution, particularly international arbitration and litigation involving a cross-border and China element. Cases handled include disputes arising from joint venture contracts, sale and purchase of shares, investment agreements, financing transactions, construction contracts, international trade and distributorship. Arbitration cases involved include CIETAC, HKIAC, ICC, ICSID and SCIA arbitration cases, with parties coming from Mainland China, the US, Europe and Asia Pacific, etc. As arbitrator, Ms Mun has arbitrated CIETAC, HKIAC, ICC and SCIA cases, and as expert, has submitted opinion on Hong Kong law for tribunals and courts in Mainland China and overseas. Ms Mun is a China-Appointed Attesting Officer appointed by the Ministry of Justice of the PRC.

### **Education:**

LLB, University of Hong Kong (1st Class Hons); BCL, University of Oxford; Second LLB (on PRC law), Tsinghua University; Postgraduate Diploma in International Commercial Arbitration, Queen Mary, University of London.

### **Professional Qualifications & Work Experience:**

Admitted as a Solicitor of Hong Kong High Court (1998), a Solicitor of England and Wales High Court (2000).

Li & Partners, Partner (2015.9 to date), Bird & Bird, Partner (2012.2 - 2015.9), Baker & McKenzie, Solicitor / Special Counsel (2002.7 - 2012.2), Johnson Stokes & Master, Trainee / Solicitor (1996 - 2002.6).

# 专题分组论坛(一)主持人



## 文理明律师

香港律师会大中华法律事务委员会委员

文理明律师专注争议解决业务，尤以跨境及含有中国元素的国际仲裁和诉讼业务为主。文律师办理了各类涉及中外合资、股份买卖、投资协议、银行贷款担保、建筑工程、国际贸易及经销权等案件。仲裁案件的仲裁方来自中国内地、美国、欧洲及亚太等地区，所涉仲裁案件包括 CIETAC、HKIAC、ICC、ICSID 及 SCIA 等仲裁案件。文律师作为仲裁员，审理了 CIETAC、HKIAC、ICC 及 SCIA 等仲裁案件，以专家证人身份为国内外案件提供香港法律意见。她也是中国司法部委托公证人。

### 学历：

香港大学法学士(一级荣誉毕业)、牛津大学民法学士、清华大学(第二学位)法学士、伦敦大学玛丽女王学院国际商业仲裁研究生文凭

### 专业资格、经历：

香港律师(1998)、英格兰及威尔士律师(2000)

李伟斌律师行合伙人(2015.9至今)、Bird & Bird 合伙人(2012.2 - 2015.9)、贝克·麦坚时律师事务所律师、特别顾问(2002.7 - 2012.2)、孖士打律师行见习律师、律师(1996 - 2002.6)

# Speaker of Breakout Session (1)

## **Dr Ling Yang**

Deputy Secretary-General, Hong Kong International Arbitration Centre and  
Chief Representative of the Shanghai Office

Dr Ling Yang is Deputy Secretary-General of HKIAC and Chief Representative of the Shanghai Office. Prior to joining HKIAC, Ling was an Associate Professor at the East China University of Political Science and Law where she taught international arbitration for more than eight years. During 2017, Ling was a visiting scholar at Boston University School of Law. Ling has published widely on issues of international dispute resolution and arbitration in China, and currently serves as Executive Editor-in-Chief for the Shanghai International Arbitration Review. Ling has also been appointed as arbitrator. She obtained a PhD in 2009 and an LLM in International Law in 2006 from Wuhan University. In 2008, she was visiting scholar at the University of Aix-en-Provence Marseille III.

### 杨玲博士

香港国际仲裁中心副秘书长兼上海代表处首席代表



杨玲，香港国际仲裁中心(HKCIAC)副秘书长兼上海代表处首席代表。杨玲毕业于武汉大学国际法研究所并获得法学博士和法学硕士学位。加入 HKIAC 之前，杨玲作为华东政法大学国际法学院副教授从事国际仲裁的教学、实践和研究超过八年。在商事仲裁和投资仲裁领域，杨玲已出版专著两本及发表论文 30 余篇。杨玲曾在法国马赛第三大学(2007-2008)和美国波士顿大学(2016-2017)从事访问学者研究。杨玲也是《上海国际仲裁评论》的执行主编。另外，杨玲具有中国律师资格且担任多家仲裁机构的仲裁员，近期也在中国仲裁机构的数起案件中被委任为仲裁员。

# Speaker and Co-Moderator of Breakout Session (1)

## **Mr Thomas So**

Immediate Past President, The Law Society of Hong Kong

Mr Thomas S. T. So has been a member of Council of the Law Society since 2005. Mr So was Vice-President of the Law Society since May 2013, and was elected as President of the Law Society from June 2016 to May 2018. Mr So has also acted as the Chairman of the Standing Committee on Compliance, Standing Committee on Practitioners Affairs, Greater China Legal Affairs Committee and Constitutional Affairs and Human Rights Committee.

Mr So is a partner at Mayer Brown JSM advising on property-related, libel and media-related litigation work, as well as cross border litigation and arbitration in the PRC. Mr So is also a solicitor advocate having rights to appear in the higher courts in HK. He obtained his LL.B degree from University of Hull (1985), LL.M degree in International Commercial Law from University of Hong Kong (1993), LL.B degree at China University of Political Science & Law, Beijing (1997), and Doctor of Laws from Tsinghua University, Beijing (2005).

He is admitted to practise in Hong Kong (1988), England & Wales (1991), Australia - ACT (1991), Australia - High Court (1991), Singapore (1993) and the People's Republic of China (2009), and is also a China-Appointed Attesting Officer (2003).

# 专题分组论坛(一)讲者及主持人

## 苏绍聪律师

香港律师会前会长



苏绍聪律师自 2005 年起出任律师会理事。他于 2013 年 5 月起获选为律师会副会长，并于 2016 年 6 月至 2018 年 5 月期间担任会长。他亦曾担任不同委员会的主席，包括审查及纪律常务委员会、执业者事务常务委员会、大中华法律事务委员会及宪法及人权事务委员会。

苏律师现为孖士打律师行合伙人，主理有关商业及与物业、诽谤和媒体相关的诉讼工作、内地的诉讼、两地跨境诉讼仲裁等。他亦是香港讼辩律师，拥有高等法院出庭发言权。苏律师拥有赫尔大学法律学士(1985)、香港大学国际商法硕士(1993)、北京中国政法大学法律学士(1997)及清华大学法学博士(2005)学位。

苏律师获得香港(1988)、英格兰威尔斯(1991)、澳洲 - ACT (1991)、澳洲高等法院(1991)、新加坡(1993)及中国内地(2009)律师执业资格，亦是中国委托公证人(2003)。

# Co-Moderator of Breakout Session (1)

## **Mr Robert Pang, SC**

Vice-Chairman, Hong Kong Bar Association

Robert is the Vice-Chairman of the Hong Kong Bar Association. He was called to the Hong Kong Bar in 1988, and was appointed Senior Counsel in 2012.

Robert has an extensive practice ranging from criminal to civil and matrimonial matters, appearing in all level of courts from magistracies to the Court of Final Appeal. Robert also practices ADR, he is a Fellow of the Chartered Institute of Arbitrators, a Fellow of the Hong Kong Institute of Arbitrators and also a CEDR accredited mediator. He speaks fluent English and Putonghua.

He has been serving the Bar Association in various roles for over ten years. He was the Chairman of the Special Committee on Discipline from 2014 to 2016.

Robert has served in a judicial capacity as Deputy High Court Judge. He is currently a Deputy Chairman of the Administrative Appeals Board.

Robert has a long and distinguished record of public service. He serves the community as a member of the Law Reform Commission, the Duty Lawyer Service Council, and Chairman of the Insurance Agents Registration Board and is a member of the Election Committee representing the Legal Subsector.

# 专题分组论坛(一)主持人

## 彭耀鸿资深大律师

香港大律师公会副主席



彭耀鸿为香港大律师公会副主席，1988年获香港大律师执业资格，2012年获任命为资深大律师。

彭耀鸿的执业范围十分广泛，处理的案件从裁判法院至终审法院、从刑事到民事和婚姻事宜，均有经验。除处理诉讼外，彭既是特许仲裁员协会和香港仲裁协会的资深会员，亦是 CEDR 认证调解员。彭耀鸿操流利英语及普通话。

彭耀鸿热心参与公会事务，在过去十多年曾担任公会辖下多个委员会的义务工作，其中包括2014至2016出任纪律委员会主席。

在维护司法公义方面，彭耀鸿曾多次获香港特区司法机构委任为高等法院暂委法官。

彭耀鸿以专业知识贡献社会，历年担任过不少公职，现担任香港保险业代理证记委员会主席、香港特别行政区政府政务司司长办公室辖下行政署行政上诉委员会副主席、当席律师服务委员会委员、香港法律改革委员会委员、及现届香港特别行政区政府选举委员会法律界别成员。



# Speaker of Breakout Session (1)

## **Mr Neville Cheng**

Vice-Chairman, Greater China Legal Affairs Committee, The Law Society of Hong Kong

Mr Neville Cheng is a practising solicitor in Hong Kong, and is qualified to practise in England and Wales. He is also a professional accountant in Hong Kong and a fellow member of the Chartered Association of Certified Accountants.

Mr Cheng is currently a partner of Ford, Kwan & Company and the Principal Representative of the PRC Representative Office of the law firm, Vice-Chairman of the Greater China Legal Affairs Committee of The Law Society of Hong Kong, Invited Committee Member of Zhejiang Lawyers Association, arbitrator of Ningbo Arbitration Commission and a China Appointed Attesting Officer. His main practice areas include company business, civil and commercial cases in mainland related to foreign affairs.

## 郑宗汉律师

香港律师会大中华法律事务委员会副主席



郑宗汉律师是香港执业律师，拥有香港及英国律师资格，并为香港专业会计师及英国资深特许公认会计师。

郑宗汉律师现为香港梁锦涛关学林律师行合伙人及其浙江代表处首席代表、香港律师会大中华法律事务委员会副主席、浙江省律师协会特邀委员、宁波仲裁委员会仲裁员及中国司法部委托公证人。郑宗汉律师主要执业范围包括企业商事、内地民商涉外事务。

# Speaker of Breakout Session (1)

## **Mr Ambrose Lam**

Member, Greater China Legal Affairs Committee and Past President,  
The Law Society of Hong Kong

Mr Ambrose Lam (Justices of the Peace, HKSAR) is a founding partner of Lam, Lee & Lai Solicitors & Notaries and Ambrose Lam & Co., and the managing partner of China Commercial Lam Lee Lai (Qianhai) Law Firm.

Mr Lam has acquired legal qualifications in Hong Kong, England & Wales and Singapore. Since 2003, he has been appointed as China-Appointed Attesting Officer by the Ministry of Justice of the People's Republic of China.

Mr Lam has rich experience in handling legal matters relating to commercial law, corporate and commercial transactions, foreign investments, and real properties.

Over the years, Mr Lam's enthusiasm for legal matters and his insightful views have been affirmed widely by the public and as a result he has been appointed many public duties and has been invited to act as legal advisors for a plenty of enterprises and organisations. Mr Lam frequently travels within China and overseas to attend large scale international legal forums and conferences. He is also often invited to give speeches and views on a wide variety of legal issues.

Mr Lam was elected to be the President of The Law Society of Hong Kong (2013-2014) and appointed to be the Member of the Policy Committee of International Bar Association's Bar Issues Commission (2013-2015). He is now the President of the Global Chinese-speaking Lawyers Association, the First President of the Qianhai-Hong Kong Chamber of Commerce, Member of Chinese Association of Hong Kong and Macao Studies, Council Member of the China Judicial Studies Association, legal advisor of different Comprehensive Experimental Areas, and arbitrator of various Arbitration Commissions in the Mainland.

## 林新强律师

香港律师会大中华法律事务委员会委员及香港律师会前会长



林新强律师太平绅士是林李黎律师事务所及林新强律师事务所的创始及主管合伙人，中国第一家香港和内地的合伙联营律师事务所「华商林李黎(前海)联营律师事务所」的管理合伙人。

林律师在香港执业接近三十年，多年来对法律事务的热忱及对复杂法律问题的精辟见解得到各方肯定，因此获委任多项公职及获邀担任多个团体的法律顾问。

林律师曾任香港律师会会长(2013-2014)、全球最具规模的律师组织国际律师协会政策委员会委员、多间香港院校的法学院院务委员会委员(2013-2016)。现任全球华语律师联盟会长、深圳市前海香港商会首席会长、全国港澳研究会会员、中华司法研究会理事、多个中国自贸区或实验区法律咨询委员会委员和多个仲裁委员会委员。

# Speaker of Breakout Session (1)

## **Mr Andrew Mak, JP**

Chairman, Standing Committee on Greater China Affairs, Hong Kong Bar Association

Mr Mak is a practising barrister in Hong Kong. After obtaining his BSc, LL.B. and MBA he pursued an LL.M. from the London School of Economics. In his early years of practice he was instructed to appear in the Privy Council to which he formed an interest in civil and commercial law. He was called to the Bar of England and Wales, Hong Kong Bar, High Court of Australia and Singapore. He is on the panel of arbitrators in various arbitration commissions including England, Hong Kong, Shanghai, Shenzhen, Tianjin, Jinan, and Malaysia. He is also an accredited mediator by CEDR. He has been active in public service in sitting in a number of Appeal Boards including the Disciplinary Appeal Board of the Confederation of Insurance Brokers. He is a Justice of the Peace and was awarded BBS.

Mr Mak was the honorary secretary of the Bar Council of the Hong Kong Bar Association in 2002 and in the same year has been appointed a Deputy Registrar of the Court of First Instance, High Court of the HKSAR. He is now the Chairman of the Standing Committee on Greater China Affairs of the Hong Kong Bar Association. He teaches at the Peking University, the Eastern China University of Politics and Law, and the Shanghai Economics and Finance University.

His recent publications include Disciplinary and Regulatory Proceedings in Hong Kong 2nd Ed (2015), Conveyancing Litigation in Hong Kong (2017), Law of Injunction in Hong Kong 2nd Ed (2018), 香港大律师谈民商法 2015 (主编) .

### 麦业成大律师, JP

香港大律师公会大中华事务常委会主席



麦业成成为香港执业大律师。他获取理学士，法学士和工商管理硕士后，毕业于伦敦政治和经济法律学院 法律硕士，之后从事民事诉讼和国际仲裁，他获英格兰及韦尔斯、香港、澳大利亚最高法院、新加坡大律师执业资格。他是多个地方仲裁委仲裁员：英国、香港、上海、深圳、天津、济南和马来西亚。他是 CEDR 认可调解员。他积极参与公共服务，在多个上诉委员会，包括香港保险顾问联会纪律上诉委员会。他是太平绅士，亦获铜紫荆星章。

麦业成在 2002 年获委任为香港特区区域法院特委法官，同年获选为香港大律师公会荣誉秘书和财务秘书。他现在为香港大律师公会大中华事务常委会主席。他现于北京大学法学院，华东政法大学研究院，上海财经大学讲课。

麦业成的最新著作有《香港纪律及监管法律》(英文，第二版)(Disciplinary and Regulatory Proceedings in Hong Kong 2nd Ed(2015))，香港禁制令法律(英文，第二版)(Law of Injunction in Hong Kong(2018))，Conveyancing Litigation in Hong Kong(2017)，香港大律师谈民商法 2015(中文)(主编)。

# Speaker of Breakout Session (1)

## **Ms Carol Wong**

Honorary Secretary, Standing Committee on Greater China Affairs

Member, Standing Committee on Young Barristers, Hong Kong Bar Association

Carol Wong is a practising barrister in Hong Kong. After graduating from the University of Hong Kong, she obtained the Master of Law at the University of Cambridge as a British Chevening Scholar. She was later awarded the titles of Bar Scholar and Charles Ching Scholar by the Hong Kong Bar Association. She has a general civil practice, handling various cases including land, commercial, contract, company, tort, matrimonial and cross-border disputes.

Carol has been appointed by the Chief Executive of HKSAR as a member of the Basic Law Promotion Steering Committee which is chaired by the Chief Secretary for Administration in Hong Kong to advise on the promotion of the Basic Law.

Carol is actively involved in Mainland China affairs. She has been a member (and currently the Honorary Secretary) of the Hong Kong Bar Association's Standing Committee of the Greater China Affairs since 2013 and was the Vice-Chairman of the Standing Committee of the Young Barristers in 2015-2017. She was the first batch of Hong Kong barristers being appointed as a China Legal Consultant in the Shanghai Lujiazui Legal Forum 2015. She is also a PRC Chinese Commercial Mediator and has participated in various mock arbitration demonstrations in Qingdao, Shanghai, Nanjing and Nansha to promote Hong Kong arbitration.

Carol is devoted to education and professional training. She was appointed as a part-time lecturer at the University of Hong Kong in 2015-2016. She has lectured at Peking University since 2014 and was appointed as a course lecturer for the "Common Law Course – Public Law" since 2017. She has coordinated and lectured the "Common Law Course – Private Law" at the East China University of Political Science and Law in Shanghai since 2015. She has also given seminars and trainings to various legal and non-legal professionals on over 10 different legal topics.

Carol is a contributing editor or author of "Hong Kong Civil Procedure", "Law of Injunctions in Hong Kong", "Conveyancing Litigation in Hong Kong" and various chapters of the "Annotated Ordinance of Hong Kong".

## 王洛媛大律师

香港大律师公会大中华事务常委会名誉秘书  
新晋大律师常委会委员



王洛媛为香港执业大律师。王大律师于香港大学毕业后，获英国志奋领奖学金于剑桥大学修毕法律硕士。她随后获香港大律师公会授予大律师奖学金及沈澄纪念奖学金。王大律师的执业范畴包括各类民事案件，例如土地、商事、合同、公司、侵权、家事及跨境法律纠纷等。

王大律师受香港行政长官委任为基本法推广督导委员会委员。该委员会由香港政务司司长担任主席，负责指引、协调及监察基本法的推广工作。

王大律师积极参与中国内地事务。自2013年，王大律师为香港大律师公会大中华事务常委会会员，现为荣誉秘书，并在2015至2017年担任新晋大律师常委会副主席。在2015年，她是首批于上海陆家嘴法律论坛受委任为中国法律顾问的香港大律师。她亦是中国商事调解员，并曾参与青岛、上海、南京、南沙等地举行的模拟仲裁演示，以推广香港仲裁。

王大律师十分热衷于教育及专业培训。她于2015至2016年度受聘于香港大学为兼职讲师。此外，自2014起，她参与在北京大学的讲课，并于2017年起获委任为《普通法精要课程：公法》的课程导师。而自2015年起，她亦于上海华东政法大学参与统筹及教授《普通法精要课程：私法》。同时，她曾为不同的法律界及非法律界的专业人士提供讲座及培训，当中涉及超过十个以上的法律题目。

王大律师为《香港民事程序》、《香港禁制令》、《香港土地买卖诉讼》及多部《香港条例注释》的参与作者或编辑。



# Speaker of Breakout Session (1)

## **Mr Lawson Chen**

Vice-President, Guangdong Lawyers Association

Mr Lawson Chen, is currently appointed as the vice president of Guangdong Lawyers Association, leads the development of foreign-related legal services of Guangdong Province. He facilitated the establishment of the "Global Chinese Lawyers Union" and "the Belt and Road International Lawyers Union". He makes significant contributions to relevant regulations and service guidelines on foreign-related legal services in Guangdong Province.

Mr Chen has a close connection with the legal professionals in Hong Kong, Singapore, Kazakhstan, the United Kingdom and other regions and countries. He has been invited to participate in various large international legal forums and seminars.

Mr Chen is now the director of Sincere Qianhai Law Office. He is specialized in litigation, arbitration and mediation of real estate development and construction related projects, commercial contracts, company law as well as foreign direct investment.

# 专题分组论坛(一)讲者

## 陈方律师

广东省律师协会副会长



陈方律师，目前担任广东省律师协会副会长，领导广东省涉外法律服务发展，他推动成立了「全球华语律师联盟」和「一带一路国际律师联盟」，积极推进制定广东省涉外法律服务有关规定和服务指南。

陈方律师与香港、新加坡、哈萨克斯坦、英国等地区和国家积极联系，曾多次受邀参加各种大型国际法律论坛及研讨会。

陈方律师目前作为广东星辰(前海)律师事务所主任，执业领域涵盖了建设工程和房地产、商事合同、公司法、外商直接投资等相关的诉讼、仲裁及调解。

# Speaker of Breakout Session (1)

## **Mr Norman Hau**

Registered Foreign Lawyer (Bermuda), The Law Society of Hong Kong

Mr Norman Hau is a Partner in the Hong Kong office of Conyers Dill & Pearman. Norman joined Conyers in 2012 from the dispute resolution team of a magic circle firm.

Norman is a seasoned commercial litigator with extensive experience in restructuring and insolvency matters and shareholders disputes in Hong Kong, Bermuda, the British Virgin Islands and Cayman Islands. Norman is a fluent English, Cantonese and Putonghua speaker.

Norman has acted for listed companies, liquidators, private equity houses, fund managers, and high net worth individuals in their contentious matters involving offshore laws. Norman is highly regarded by his clients and peers for his legal skills, commerciality and strategic mindset demonstrated in complex commercial disputes, insolvency and restructuring cases and asset tracing matters, having been recognised in the 2018 Edition of Legal 500 for his “great client management and general litigation strategy” and his ability to provide “sensible and commercial advice”.

### 侯洛文律师

香港律师会注册外地律师（百慕达）



侯洛文律师是康德明律师事务所香港办事处的合伙人。他于 2012 年加入康德明之前，任职于伦敦五大律师事务所之一的纠纷调解团队。

侯律师是一位资深的商业诉讼律师，在香港、百慕达、英属维尔京群岛及开曼群岛的重组及破产清盘事宜以及股东纠纷方面具有丰富经验。侯律师通晓英语、粤语及普通话。

侯律师曾担任上市公司、清盘人、私募机构、基金管理人和高净值人士的法律顾问，就彼等涉及离岸法律的争议性事宜提供法律服务。凭借其在复杂商业纠纷、破产及重组案件以及资产追踪事宜中所展现出的法律技能、商业头脑和战略性思维，侯律师备受客户及同行的高度赞赏，亦因其「出色的客户管理与一般诉讼策略」以及提供「明智且符合商业利益的法律意见」的能力在 2018 版《法律 500 强》榜单中获得推许。

# Moderator of Breakout Session (2)

## **Mr Douglas Clark**

Vice-Chairman, Standing Committee on International Practice,  
Hong Kong Bar Association

Douglas Clark is a barrister practicing in Hong Kong. He previously was Managing Partner of the law firm Hong Lovells Shanghai Office, and from 2000 to 2011 was based in Shanghai. He has handled numerous cross border intellectual property cases for clients and sat as an arbitrator in a number of intellectual property arbitrations.

Mr Clark is the author of Patent Litigation in China (OUP) and general editor and co-author of Intellectual Property in Hong Kong (Lexis Nexis). He has also published a book on British and American extraterritoriality in China and Japan, Gunboat Justice.

## 专题分组论坛(二) 主持人

### 马锦德大律师

香港大律师公会国际业务常委会副主席



马锦德是香港大律师，专门从事知识产权诉讼。之前，他是霍金路伟律师行上海办事处的管理合伙人，2000至2011年一直以律师身份长驻上海。他曾在多宗跨境诉讼案件中向客户提供意见，也曾在一些与知识产权相关的案件中担当仲裁员。

马锦德是香港大学法律系客座教授，在法律硕士课程中讲授香港知识产权法。

马锦德是 *Patent Litigation in China* (中国专利诉讼) (牛津大学出版社) 一书的作者，也是 *Hong Kong Intellectual Property* (香港知识产权法) (律商联讯出版) 一书的总编辑兼联名作者。他也写过 *Gunboat Justice* (炮舰正义)，讲述英美两国在中国和日本的治外法权历史。

# Speaker of Breakout Session (2)

## **Mr Lawrence Yeung**

Member, Greater China Legal Affairs Committee, The Law Society of Hong Kong

Mr Lawrence Yeung is a practising solicitor in Hong Kong with an LLM and a PhD in Laws. He has over 15 years of experience in handling commercial and intellectual property (IP) disputes and non-contentious matters. He is also an appointed civil celebrant of marriages in Hong Kong. With his legal background from Hong Kong, Mainland China and Taiwan, Lawrence has a profound understanding of the legal systems of the three places.

Lawrence's professional IP practice covers overseas regions such as Europe, the United States and Asia. His expertise includes reviewing IP portfolio for enterprises to identify any structural defects and giving advice thereon; assisting enterprises in setting up IP projects/asset management and global brand protection strategies; protection of IPR in investment agreements; trademark clearance, maintenance and applications; copyright protection; PCT filing; design applications and protection; IPR capitalization; licensing agreements; analysis and search; dispute resolution; IPR protection, due diligence, transactions and licensing negotiations, etc. Lawrence often speaks on behalf of the Law Society of Hong Kong and his law firm at various conferences on the latest IP cases and the importance of proper IPR management for enterprises and key points to note.

Lawrence had worked as a management lawyer in a well-known international law firm. Besides, he is also appointed as expert in the Center for Enterprise Legal Rights Protection and Resolution of Complex Cases of Liaoning Province and as part-time tutor of a master's degree course in Intellectual Property offered by the Open University of Hong Kong. He has more than 10 years of teaching experience and also published a number of essays on both the practical and academic aspects of various legal areas.

### 杨先恒律师

香港律师会大中华法律事务委员会委员



杨先恒律师是香港执业律师，拥有法学博士、法学硕士学位，在商业以及知识产权争议以及非争议案件拥有超过15年的经验。他也是认可的婚姻监礼人。杨先恒律师拥有两岸三地的法律背景，对三地的法制有深入的理解。

杨律师的知识产权专业领域涵盖欧美亚等海外地区，当中包括协助企业检视知识产权内容结构缺失并提供改善意见、协助企业制定知识产权项目 / 资产管理以及全球品牌保护策略，投资协议知识产权权利保护、商标清查、维护、申请、著作权保护、专利 PCT 申请、外观设计申请及保护、知识产权资产化、授权合同、分析以及检索、争议解决、知识产权权利维护、尽职调查、交易以及许可谈判等。杨律师也多次代表香港律师会、任职律所在不同会议分享知识产权的最新案例，以及企业妥善管理知识产权的重要性和要点。

杨律师曾在知名的国际法律事务所任职管理律师。另外，杨律师亦获聘为辽宁省企业法律维权服务疑难案件论证中心专家、于香港公开大学硕士知识产权课程担任兼任导师，已累积10多年的教学经验，在实务经验与其学术方面发表多篇论文著作。



# Speaker of Breakout Session (2)

## **Mr Philip Kwok**

Member, InnoTech Committee, The Law Society of Hong Kong

Mr Philip Kwok is a Member of the InnoTech Committee of the Law Society of Hong Kong, Senior Associate of Dechert, and Non-Clinical Lecturer of the Faculty of Law, the University of Hong Kong.

Mr Kwok has practiced law in Beijing and Hong Kong offices of international law firms for 10 years. His practise focuses on complex commercial disputes resolution, regulatory investigations, cybersecurity and data protection, financial technology compliance, electronic data preservation and retention, as well as disputes and regulatory matters for internet and e-commerce businesses. Mr Kwok frequently writes, speaks and advises clients on issues relating to blockchain, cybersecurity, privacy and data protection, digital signatures, virtual identity verification, anti-money laundering issues, and other legal issues in relation to the latest technology. While he was in Beijing, Mr Kwok participated in various research projects on e-commerce regulatory matters commissioned by the PRC Ministry of Commerce and the National People's Congress Finance and Economic Committee.

As a non-clinical lecturer of the University of Hong Kong, he is responsible for the course PRC Information Technology Law for Master of Laws and Juris Doctor students. Mr Kwok also assisted, as a member of the InnoTech Committee, in analyzing legal issues relating to distributed ledger technology, the Electronic Transactions Ordinance, assisting the Access to Justice InnoTech Law Hackathon as well as other research projects.

### 郭思锋律师

香港律师会创新科技委员会委员



郭思锋律师是香港律师会创新科技委员会委员，德杰律师事务所资深律师，及香港大学法律学院非常任讲师。

郭律师于国际律所的北京及香港办事处已执业达十年。他的执业范围涵盖复杂商业诉讼、监管调查、网络安全及数据保护、金融科技合规、电子数据保护及留存、及其他网络和电商业务争议及监管事宜。郭律师经常就区块链、网络安全、个人隐私及数据保护、数字签名、虚拟身份认证、反洗钱及其他新科技法律问题发表文章、演说及向客户提供法律意见。郭律师在北京时，曾参与数项由国家商务部及全国人民代表大会财政经济委员会主导的电子商贸监管研究项目。

作为香港大学的非常任讲师，郭律师负责向法学硕士及法律博士学生讲授中国信息科技法。作为香港律师会创新科技委员会委员，郭律师曾协助分析分布式账本技术、电子交易条例等的法律问题，协助筹备「寻求司法公正创科法律黑客松」，以及其他研究项目。

# Speaker of Breakout Session (2)

## Ms Susan Xu

Secretary, Board of Directors and General Counsel, BGI Genomics Co. Ltd.

### Education

JSD City University of Hong Kong

LL.M. City University of Hong Kong

LL.M. Vienna University

LL.B. China University of Political Science and Law

### Honor

2015 Council Member of City University of Hong Kong

2016 Thomson Reuters, Asian Legal Business, TOP 15 General Counsel of China

2017 Thomson Reuters, Asian Legal Business, TOP 15 General Counsel of China

2017 Legal 500, GC Power List of China and Hong Kong: Most Influential and Innovative In-house Counsel

2017 Chinese Academy of Chief Legal Officer, Chief Legal Officer, Top 10 Chief Officer of China

2017 Chinese Securities Journal, Goldern Board Secretary

2018 Sina Finance, Goldern Board Secretary

### Work Experience

Dr Xu, General Counsel and Secretary of Board of Directors of BGI Genomics, is in charge of global legal affair and executive work of the board, supervising the team to provide legal support for BGI's business development and strategic decisions. Being proficient in financing, listing, overseas M&A, securites investment and medical compliance, she has successfully led and drove many significant projects, such as IPO of BGI Genomics, international aquisition and litigations. She has made great contribution to BGI Genomics's landing in the capital market and cracking through the entire industry chain of gene sequencing. In addition, she is enthusiastic about community and charity activities.

Before, Susan had accumulated rich experiences by working in law firms of Mainland China, Hong Kong and London for more than 6 years. During her life as a lawyer, she had served for many well-known enterprises and handled more than 200 cases. In 2015, she was chosen for the Bar Council China Training Scheme by UK Bar Council as one of ten outstanding young lawyers.

# 专题分组论坛(二)讲者



## 徐茜女士

深圳华大基因股份有限公司董事会秘书及总法律顾问

### 教育背景

法学博士 香港城市大学

法学硕士 香港城市大学

法学硕士 维也纳大学

法学本科 中国政法大学

### 个人荣誉

2015 香港城市大学 校董

2016 《亚洲法律杂志》中国最佳总法律顾问

2017 《亚洲法律杂志》中国最佳总法律顾问

2017 《法律500强》中国及香港地区最具影响力总法律顾问

2017 《首席法务官》全国十佳首席法务官

2017 《大众证券报》金牌董秘

2018 《新浪财经》金牌董秘

### 工作经历

徐茜博士，深圳华大基因股份有限公司总法律顾问、董事会秘书，负责公司全球法律事务及董事会工作，带领团队为公司业务发展和战略决策提供法律支持，在融资上市、海外并购、证券投资、医药合规等领域具有丰富经验，成功主导了华大基因 A 股上市、境外收购等重大项目，在公司与资本市场对接中，发挥了关键性作用，并为公司打通生物基因全产业链提供全面的法务合规支持。此外，徐茜热心慈善事业，推动公司发起公益活动及筹备成立慈善基金会。

此前，徐茜先后在大陆、香港、英国等知名律所实习及工作超过6年，负责超过两百起案件/项目，并担任多家中资及外资企业法律顾问，积累了丰富的法律工作经验。2015年，通过层层选拔，徐茜入选英国大律师公会的「中国律师培训项目」，成为10名赴伦敦培训及实习的优秀中国青年律师之一。

# Speaker of Breakout Session (2)

## **Mr Alan Chiu**

Member, InnoTech Committee, The Law Society of Hong Kong

Mr Alan Chiu is a Hong Kong solicitor, currently the Managing Partner of Messrs. Ella Cheong & Alan Chiu, Solicitors & Notaries. Alan is renowned for his sophisticated strategies in handling cross-border IP litigation and enforcement work. He is familiar with e-commerce laws and has a computer forensics background. Alan has handled over 200 IP infringement litigation, including a number of mediation and arbitration cases. His areas of expertise also cover advertising law and consumer protection, privacy, cybersecurity, entertainment law, mediation and arbitration etc.

Alan was recognized by the Asian Legal Business as one of the top lawyers under the age of 40 in Asia and was ranked by Managing IP as an IP Star in patent and trademark 5 years in a row. In 2018, Alan was also awarded “Recommend Lawyer (Gold Tier) – Hong Kong – Individuals: Enforcement and Litigation” by WTR 100.

Alan is an accredited mediator, a China-Appointed Attesting Officer and an Adjunct Professor of Law at the Hong Kong Shue Yan University. He is also a member of the InnoTech Committee of The Law Society of Hong Kong. He has given over 100 seminars on intellectual property and information technology laws.

## 专题分组论坛(二)讲者

### 赵之威律师

香港律师会创新科技委员会委员



赵之威律师是一名香港律师，现任张淑姬赵之威律师行的管理合伙人。他精于处理中港两地的知识产权侵权诉讼及维权工作，熟悉电子商务法律和具有计算机法证背景。他处理过超过 200 起知识产权侵权诉讼，当中包括不少调解及仲裁个案。其擅长的法律领域还包括广告法和消费者保护、隐私权、讯息安全法、娱乐法、调解及仲裁等。

赵律师曾获《亚洲法律企业》杂志评选为亚洲 40 岁以下的顶尖律师之一，连续 5 年获《Managing IP》法律杂志评选为专利及商标星级律师，2018 年亦跻身《世界商标评论 1000 强》全球名录中「维权与诉讼」的香港金牌律师榜单。

赵律师同时是认可调解员、中国委托公证人及香港树仁大学的客席法律教授，亦是香港律师会创新科技委员会的委员，曾主讲超过 100 个有关知识产权及讯息科技法律方面的讲座。

## Co-Moderator of Breakout Session (2)

### **Ms Melissa Pang, MH, JP**

President, The Law Society of Hong Kong

Ms Melissa K. Pang has been serving as a Law Society Council member since 2005. Ms Pang was elected as Vice-President of the Law Society on 2 September 2014 and re-elected in 2015, 2016 and 2017. Ms Pang currently serves as the Chairperson of Consents Committee and Pro Bono and Community Work Recognition Committee. She is also a member of several other committees overseeing compliance, policy and resources, external affairs, constitutional affairs and human rights, international legal affairs and Greater China legal affairs.

Ms Pang is qualified to practise as a solicitor in Australia, England and Wales, and Hong Kong. She is also a Notary Public, Civil Celebrant, accredited mediator, associate member of the Hong Kong Institute of Arbitrators, and China Appointed Attesting Officer. Her main areas of practice are commercial law, property law and litigation. She is a Partner of Pang & Associates.

Ms Pang is at present Vice-President of LAWASIA and represents the Law Society in Hong Kong Legal Aid Services Council. With her devotion to public service Ms Pang was awarded the Medal of Honor in 2006 and Justice of the Peace in Hong Kong in 2010.

## 专题分组论坛(二) 主持人

### 彭韵僖律师, MH, JP

香港律师会会长



彭韵僖律师自2005年起加入律师会理事会。彭律师于2014年9月2日获选为香港律师会副会长，并于2015年至2017年连任。现为审批委员会及公益服务和社区工作嘉许委员会主席。彭律师亦参与律师会多个委员会职务，包括：审查及纪律常务委员会、政策及资源常务委员会、对外事务常务委员会、宪制事务及人权委员会、国际法律事务委员会、大中华法律事务委员会等工作。

彭律师获准在澳洲、英格兰威尔斯及香港执业；亦为国际公证人、婚姻监礼人、认可调解员、香港仲裁司学会会员及中国委托公证人。彭律师擅长民事诉讼、商业法及物业管理等方面法律业务。现为彭耀樟律师事务所合伙人。

另外，彭律师现为亚太法律协会(LAWASIA)副会长及香港法律援助服务局的成员。由于彭律师积极参与社会服务，于2006年获香港特区政府颁授荣誉勋章及于2010年获委任为太平绅士。



# Co-Moderator of Breakout Session (2)

## **Mr Paul Lam, SC**

Immediate Past Chairman, Hong Kong Bar Association

Mr Paul Lam, SC obtained his Bachelors of Law Degree in the University of Hong Kong, and his Masters of Law Degree in International Law in the University of Nottingham, UK.

He was admitted to the Hong Kong Bar in 1992 and has been practicing at Parkside Chambers ever since. He was appointed as Senior Counsel in 2013. He practices in general civil litigation.

He has a long and distinguished record of public services. He is now the Chairman of the Administrative Appeal Board, the Chairman of the Amusement Game Centres Appeal Board and the Deputy Chairman of the Town Planning Appeal Board. He served as Vice-Chairman of the Hong Kong Bar Association from 2014 to 2016 and was elected as Chairman in 2017. He also sat as a Deputy Judge of the High Court of Hong Kong for different periods in 2015 to 2018.

### 林定国资深大律师

香港大律师公会前主席



林定国于香港大学取得法学学士学位及英国诺丁汉大学取得国际法硕士学位。

1992年，林定国在香港获委任为执业大律师，在 Parkside Chambers 大律师事务所执业至今。2013年，他获委任为资深大律师。主要执业范围是一般民事诉讼。

林定国在香港担任多项公职，现为行政上诉委员会主席、游戏机中心委员会主席和城市规划上诉委员会副主席。他于2014至2016年，担任香港大律师公会副主席及于2017年获选为香港大律师公会主席。他也曾在2015年及2018年间出任香港高等法院暂委法官。

# Speaker of Breakout Session (2)

## **Mr Richard Khaw, SC**

Vice-Chairman, Standing Committee on China Practice Development

Vice-Chairman, Committee on Competition Law, Hong Kong Bar Association

Richard Khaw SC is currently the Vice-Chairman of the Hong Kong Bar Association's Standing Committee on China Practice Development and Committee on Competition Law.

Richard was called to the Hong Kong Bar in 1993 and was appointed as Senior Counsel in 2016.

Richard completed LLB and PCLL at City University of Hong Kong in 1992 and 1993 respectively. Thereafter, he studied the LLM course at the University of Cambridge, UK (on Sir Edward Youde Memorial Fellowship on Overseas Studies) and graduated in 1994.

Richard's practice at the Bar is primarily civil and commercial litigation. His work relates to commercial agreements (both international and domestic), shareholders' disputes, and joint venture agreements. Apart from court proceedings, Richard appears in both international (including LCIA arbitration proceedings in London) and domestic arbitrations. The cases he has handled also involve disputes on conflict of laws and also enforcement of judgments and arbitral awards.

He is a fellow of the Hong Kong Institute of Arbitrators and a CEDR accredited mediator.

Richard was appointed as Deputy High Court Judge in April 2018. He is currently a member of the PCLL Academic Board of the University of Hong Kong and City University of Hong Kong; Sub-Committee on Archive Law of the Law Reform Commission of Hong Kong; and the Appeal Board of the Hong Kong Federation of Insurers.

### 许伟强资深大律师

香港大律师公会中国业务发展常委会副主席及  
竞争法委员会副主席



许伟强现任香港大律师公会辖下中国业务发展常委会、竞争法委员会之副主席。

1993年获香港大律师资格，2016年获委任为资深大律师。1992年于香港城市大学取得法律学位，翌年完成法律专业证书，并获颁尤德爵士海外研究生奖学金赴英英国，1994年获剑桥大学颁授法学硕士(LLM)学位。

主要执业范围为商业及民事诉讼，包括有关商业合同、公司股东之间的纠纷、合资协议等。除处理诉讼外，许伟强亦曾代表客户出席在伦敦展开的 LCIA 仲裁。处理的个案包括涉及法律冲突的争议，以及法庭判决和仲裁判决的执行。他既是香港仲裁员学会院士，亦是英国 CEDR 认可调解员。

2018年4月获委任高等法院暂委法官。许伟强现任香港大学和城市大学法律专业证书课程学术委员会委员、法律改革委员会档案法小组委员会委员及香港保险业联会上诉委员会委员。

## Speaker of Breakout Session (2)

### **Mr Henry Wai**

Vice-Chairman, Greater China Legal Affairs Committee, The Law Society of Hong Kong

Mr Henry Wai is the Senior Partner of Henry Wai & Co., Solicitors. He obtained his LL.B. degree at the London School of Economics and Political Science, University of London in 1984, passed Law Society Final Examination in 1985, and was admitted as a Solicitor of Hong Kong in 1988 (and subsequently in England). In 2003, Mr Wai obtained his Post Graduate Diploma on Construction Claims and Arbitration (with Distinction).

As Vice-Chairman of the Greater China Legal Affairs Committee of the Law Society of Hong Kong, Mr Wai actively promotes the exchange of legal affairs between Hong Kong, Mainland China, Taiwan and Macao.

Henry Wai & Co. is a firm specializing in handling cross-border matters in the Greater China Region and offshore jurisdictions. Its main areas of practice include commercial litigation/arbitration, corporate transactions, intellectual property protection and family succession planning. Mr Wai is experienced in handling cross-border commercial and corporate litigation and arbitration, including shareholders' disputes such as derivative actions, unfairly prejudicial conduct and breach of fiduciary duties, and has attended trials at the Caribbean together with clients from Mainland China.

### 韦业显律师

香港律师会大中华法律事务委员会副主席



韦业显律师为韦业显律师行资深合伙人，于1984年在英国伦敦政经学院获法律学士学位及于1985年通过英国律师专业考试，并于1988年取得香港律师资格，其后亦取得英国律师资格，在2003年获得香港大学专业进修学院建筑法及仲裁深造文凭(甲等成绩)。韦律师现为香港律师会大中华法律事务委员会副主席，积极推进香港与中国内地、台湾与澳门法律事务交流。

韦业显律师行是一家专门处理大中华地区及离岸地区跨境事务的律师行，主要业务范围包括商业诉讼/仲裁、企业交易、知识产权保障及家族传承规划等。韦律师处理商业及企业跨境诉讼和仲裁(包括股东纠纷，如衍生诉讼、不公平损害、违反受信责任等)具备丰富经验，多次与内地客户到加勒比海地区出席跨境案件审讯。

# Speaker of Breakout Session (2)

## **Mr CK Kwong, JP**

Representative Council Member, Hong Kong Institute of Arbitrators, Solicitor

CK Kwong JP (Justice of the Peace) is a Senior Partner of Sit, Fung, Kwong & Shum. He is a Past President of the Asian Patent Attorneys Association (APAA). His practice covers intellectual property (registration, licensing and enforcement of patent, design, copyright and trademark) and injunction proceedings, arbitration, mediation, public and private corporate transactions, China projects and complex commercial litigation.

Mr Kwong is a Chartered Arbitrator and Fellow of the Chartered Institute of Arbitrators (CIArb London), a WIPO appointed Neutral and Domain Name Panelist and Panelist for the Legal Rights Objections under ICANN's New gTLD Program, Centre for Efficient Dispute Resolution (CEDR) Accredited Mediator, a Notary Public and a solicitor of Hong Kong, Australia (Victoria), England and Singapore. He is on the Panel of Arbitrators for Intellectual Property and Adjudicators, and Listed Arbitrator of the Hong Kong International Arbitration Centre (HKIAC).

He was a member of the Hong Kong Government Advisory Committee on Patent System Reform and Convenor of its Working Group on Interim Measures, member of the Working Group on Intellectual Property Trading and Convenor of its sub-group on IP Arbitration and Mediation. He is also Vice-Chairperson of the Special Committee on Evaluative Mediation set up by the Department of Justice. He is a director of Hong Kong Applied Science and Technology Research Institute (ASTRI). He proposed the idea of legislative guidance on arbitrability of IP rights which is accepted by the Government and now provided for in the Arbitration (Amendment) Ordinance 2017.

Mr Kwong was Deputy Chairman of the Copyright Tribunal of the HKSAR, member of the Administrative Appeals Board, Member of the Panel of the Inland Revenue Board of Review, Member of Steering Committee on Review of IP Issues in the Innovation & Technologies Sector. Mr Kwong has been named a Leading Lawyer in Intellectual Property by Asia Law.

## 专题分组论坛(二)讲者



### 邝志强律师, JP

香港仲裁司学会代表理事

邝志强律师太平绅士是薛冯邝岑律师行的高级合伙人和亚洲专利代理人协会(APAA)的前会长。他主要工作范围包括知识产权(专利权、外观设计、版权与商标之注册、特许及执行)、禁制令诉讼、仲裁、调解、上市及私人公司交易、中国事务及复杂商业诉讼。

邝律师是英国伦敦特许仲裁学会(CI Arb)特许仲裁员和资深会员、获世界知识产权组织(WIPO)委任为(1)仲裁与调解中立人及域名专家及(2)新通用顶级域名(gTLD)的法律权利异议专家、有效解决争议中心(CEDR)认可调解员、国际公证人、分别在香港、英国、澳洲维多利亚省、新加坡取得执业律师资格、被表列为香港国际仲裁中心知识产权仲裁员、仲裁员及审裁员。

他是香港特别行政区专利制度改革咨询委员会成员、知识产权贸易工作组成员及其辖下仲裁与调解分组的召集人、律政司所成立的评估式调解特别委员会副主席,也是香港应用科技研究院董事。他向政府提出了知识产权可仲裁性的明文法律指引的建议,该建议被政府接纳并成为香港《2017年仲裁(修订)条例》。

因其知识产权方面的突出贡献,邝律师被香港政府委任为太平绅士。他是前任香港版权审裁处副主席、行政上诉委员会小组成员、税务上诉委员会小组成员、创新科技界知识产权检讨督导委员会成员。

邝律师也荣获《亚洲法律》(Asia Law)杂志评选为知识产权杰出律师。



## Speaker of Breakout Session (2)

### **Mr Leung Wai-keung, Richard, JP**

Immediate Past Chair, Chartered Institute of Arbitrators (East Asia Branch),  
Barrister-at-Law

Mr Richard Leung is a practising barrister with Des Voeux Chambers specialized in company law, commercial law, construction and arbitration litigations and other civil matters. He is also a qualified accountant and chartered secretary. He has over 30 years of working experience first in the accounting field and then in the legal profession. He had occupied senior positions with various professional and/or commercial entities. Since 1996 onwards he has been working in the legal profession practising as a barrister.

He has experience in sitting as a member in various statutory tribunals in Hong Kong including the Board of Review, the Registration of Persons Tribunal, the Guardianship Board, the Obscene Articles Tribunal. From April 2013 to April 2018, he was the Chairman of the Appeal Board for the Hotel and Guesthouse Accommodation, Bedspace Apartments and the Clubs (Safety of Premises). On 1 July 2018, he was appointed as Justice of the Peace by the Government of the HKSAR.

He has been involved in many arbitration cases covering shareholders' disputes, commercial disputes, shipping disputes and construction disputes in Hong Kong as well as in the PRC. He was the Chairman of the Chartered Institute of Arbitrators (East Asia Branch) during 2015/16 and 2016/17 sessions.

## 专题分组论坛(二)讲者

### 梁伟强大律师, JP

特许仲裁学会(东亚分会)前主席



梁伟强先生是德辅大律师事务所的执业大律师，专门从事公司法，商法，建筑和仲裁诉讼以及其他民事诉讼。他也拥有会计师和特许秘书的专业资格。他在会计领域和法律专业领域拥有超过30年的工作经验。他曾在各种专业和/或商业机构担任高级职位。自1996年起，他一直从事法律专业的大律师工作。

他具有担任香港多个法定审裁署成员的经验，包括税务上诉委员会，人事登记审裁处，监护委员会，淫褻物品审裁处。2013年4月至2018年4月，他担任旅馆业上诉委员，会社(房产安全)上诉委员，及床位寓所上诉委员的主席。2018年7月1日，他被香港特别行政区政府任命为太平绅士。

他曾参与多宗涉及香港及中国股东纠纷，商业纠纷，航运纠纷及建筑纠纷的仲裁案件。他在2015/16和2016/17年度期间担任特许仲裁学会(东亚分会)主席。



## Department of Justice, The Government of the Hong Kong Special Administrative Region

The Department of Justice is headed by the Secretary for Justice. She is the principal legal adviser to the government and represents it in all civil actions. Under the Basic Law, the Department of Justice controls criminal prosecutions free from interference.

The Department of Justice has five legal divisions, each headed by a Law Officer.

The Civil Division provides advice to all government bureaux and departments on a wide range of legal issues on civil matters. The division also represents the government in the conduct of all civil claims and disputes involving the government.

The International Law Division provides legal advice on public international law to the government; negotiates international agreements; and handles requests for legal co-operation between the HKSAR and other jurisdictions.

The Law Drafting Division is responsible for drafting all legislation, both Ordinances and subsidiary legislation, proposed by the government. It also vets all non-government Bills and all subsidiary legislation put forward by non-government bodies.

The Legal Policy Division advises on whether proposed legislation, or a particular policy, is consistent with the Basic Law, international human rights standards, and established principles underlying the legal system. It also has a specialist unit that provides advice on the law of the Mainland as well as promotes legal cooperation between Hong Kong and the Mainland. In addition, the division plays an active part in law reform through its responsibility for any new legislation promoted by the Secretary for Justice. The division, jointly with the Civil Division, promotes Hong Kong as a leading centre for international legal and dispute resolution services in the Asia-Pacific region.

The role of the Prosecutions Division includes prosecuting trials and appeals on behalf of the HKSAR and providing legal advice to law enforcement agencies upon their investigations.



律政司  
香港特别行政区政府  
Department of Justice  
The Government of the Hong Kong  
Special Administrative Region

## 香港特别行政区政府律政司

律政司由律政司司长掌管。她是特区政府的首要法律顾问，并代表特区政府参与所有涉及政府的民事诉讼。根据《基本法》，律政司主管刑事检察工作，不受任何干涉。

律政司辖下设有五个律政科别，各由一名律政专员掌管。

民事法律科向政府各决策局和部门就广泛的民事法律事宜提供意见。该科也在所有涉及政府的民事申索和纠纷中代表政府。

国际法律科向政府提供有关国际公法的法律意见，负责国际协议的谈判工作，以及处理香港特区与其他司法管辖区之间的司法合作请求。

法律草拟科草拟所有由政府提出的条例和附属法例，并审阅所有由非政府团体提交的非政府条例草案和附属法例。

法律政策科就立法建议或某项政策是否符合《基本法》、国际人权标准及法律制度的既定原则，提供意见。该科亦提供有关内地法律的意见和促进香港与内地的法律合作。此外，法律政策科积极参与法律改革工作，凡涉及律政司司长提议新法例的工作，均由该科负责。该科并与民事法律科一起致力推广香港为亚太区主要的国际法律及争议解决服务中心。

刑事检控科的职责包括负责在审讯中代表香港特区进行检控和处理上诉，并向执法机关提供有关调查工作的法律指引。



## Hong Kong Trade Development Council

Established in 1966, the Hong Kong Trade Development Council (HKTDC) is a statutory body dedicated to creating opportunities for Hong Kong's businesses. With 50 offices globally, including 13 on the Chinese mainland, the HKTDC promotes Hong Kong as a platform for doing business with China, Asia and the world. With more than 50 years of experience, the HKTDC organises international exhibitions, conferences and business missions to provide companies, particularly SMEs, with business opportunities on the mainland and in international markets, while providing business insights and information via trade publications, research reports and digital channels including the media room.

For more information, please visit: [www.hktdc.com/aboutus](http://www.hktdc.com/aboutus).

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## 香港贸易发展局

香港贸易发展局(香港贸发局)成立于1966年，是致力为香港商界创造机遇的法定机构，在世界各地设有50个办事处，其中13个在中国内地，推广香港作为通往中国内地、亚洲，以至世界各地的营商平台。香港贸发局与商界同行50载，通过举办国际展览会和会议，以及商贸考察团，协助企业尤其是中小企业拓展内地及环球市场。此外，香港贸发局透过产品杂志、研究报告，以及包括新闻中心在内的数码平台，发布最新的市场和产品资讯。

有关香港贸发局的其他资讯，请浏览 [www.hktdc.com/aboutus/sc](http://www.hktdc.com/aboutus/sc)

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## Hong Kong Bar Association

Founded in 1949, the Hong Kong Bar Association is the professional organization of barristers in Hong Kong designated by law. In Hong Kong, there are two branches of lawyers: barristers and solicitors. The key characteristics of barristers are:

- it is a profession of specialized advocates and legal advisors: all barristers have unrestricted right to appear before all courts in Hong Kong of both civil and criminal jurisdiction.
- it is a referral profession: access to barristers by the general public is normally through solicitors in litigation;
- it is an independent profession: barristers must work as sole practitioners, they are neither allowed to enter into partnership; nor to share their profit and
- it is a profession that adheres to the "cab-rank rule".

As of September 2018, the Hong Kong Bar Association has about 1,500 practicing members, around 100 of whom are Senior Counsel (previously called "Queen's Counsel" before 1997). "Senior Counsel" is a lifetime appointment by the Chief Justice of the Court of Final Appeal for the recognition of their ability in advocacy and standing in the Bar profession.

### Missions and Visions of Hong Kong Bar Association

The objects of the Hong Kong Bar Association, as set out in its Rules and Regulations are generally to consider and to take proper action on all matters affecting the legal profession and the administration of justice. These include among other things:

- the promotion of the Rule of Law;
- the improvement of the administration of justice in Hong Kong;
- the maintenance of the honour and independence of the barristers in Hong Kong;
- the prescribing of rules of professional conduct, discipline and etiquette of its members; and
- the furtherance of good relations and understanding within the legal profession.

### Instructing Hong Kong Barristers

According to the Code of Conduct of the Hong Kong Bar Association, other than Hong Kong litigation, mainland / overseas practicing lawyers and clients can directly instruct practicing barristers for any international arbitration, mediation, adjudication and/or other legal services in Hong Kong in the absence of solicitors. By virtue of their expertise and impartiality, barristers are often instructed to represent clients at arbitrations, or act as arbitrators.

### Contact

Hong Kong Bar Association  
LG2, High Court, 38 Queensway, Hong Kong  
Website: [www.hkba.org](http://www.hkba.org)  
Tel: (852) 28690210 Email: [mac@hkba.org](mailto:mac@hkba.org)



## 香港大律师公会

于1949年成立，是规管香港大律师的法定专业组织。「大律师」有别于「事务律师」，他们拥有下列的特质：

- 讼辩专才：大律师在香港各级法院都享用不受限制的出庭发言权；
- 委任大律师代表处理香港法庭诉讼，必须经事务律师转聘，亦可透过事务律师为当事人提供法律意见；
- 独资执业：每一位大律师与其他律师和同业之间不可分享利润，故不涉利益冲突；和
- 坚守「不可拒聘原则」（Cab-Rank Rule）

截至2018年9月，香港有约1,500名执业大律师，其中包括约100名资深大律师（1997年回归前称为「御用大律师」（Queen's Counsel）。「资深大律师」（Senior Counsel）由终审法院首席法官依法委任，是一项终生荣誉，以表扬他们在大律师专业的成就与贡献。

### 使命和宗旨

大律师公会的使命和宗旨已详列于公会的「规例与规条」内，当中包括：

- 捍卫法治
- 改善香港司法的执行；
- 维持大律师专业的尊严及独立性；
- 订明大律师专业、纪律及操守之守则；及
- 促进法律专业人员的互相了解及良好关系。

### 聘请香港大律师

根据公会的行为守则，只要不涉及已在香港法庭展开的诉讼，内地及/或海外的执业律师可直接聘请香港大律师进行任何国际仲裁、调解、裁决及/或其他法律服务，无须香港事务律师转介。由于大律师专业的独立性，很多当事人首选大律师处理仲裁个案。

### 联络方式

香港大律师公会

香港金钟道三十八号高等法院底层二楼

网址：[www.hkba.org](http://www.hkba.org)

电话：(852) 2869 0210

电邮：[mac@hkba.org](mailto:mac@hkba.org)





## The Law Society of Hong Kong

The Law Society of Hong Kong is a professional association for solicitors in Hong Kong representing around 11,000 solicitors and over 900 law firms in Hong Kong. As a self-regulatory body, The Law Society aims to promote good standards of practice and maintain ethical practice among solicitors; to ensure compliance by solicitors with relevant laws, codes, regulations and practice directions; to develop and maintain the work of solicitors in all areas of the law, legal practice and procedures; to ensure the views of solicitors are accurately and purposefully communicated; and to represent the profession to procure changes of law or practice.

Hong Kong solicitors provide a full range of quality legal advisory services for international and Mainland China clients in areas of company incorporation, capital market, corporate finance, IPO, mergers and acquisitions, syndicated loans, securities, intellectual property, labour law, litigation, conveyancing, dispute resolution (including arbitration and mediation), and other cross jurisdictional transactions. Our members are well-positioned to service Mainland companies aspiring to participating actively in the world markets using Hong Kong as the platform. For more information, please visit our website at [www.hklawsoc.org.hk](http://www.hklawsoc.org.hk) or contact us by email at [adceam@hklawsoc.org.hk](mailto:adceam@hklawsoc.org.hk)



## 香港律师会

香港律师会为监管香港律师之专业团体，代表约 11,000 位律师以及超过 900 间律师事务所。作为一个自我监管机构，香港律师会以确保业界之专业水准及操守、提高法律服务素质、为会员提供执业事务指引、协助会员发展业务、推广法律知识、代表法律专业向政府及有关方面表达意见为宗旨。

香港律师擅于为国际及中国内地客户提供全面高质的法律服务，包括与成立公司、资本市场、公司财务、首次上市集资、并购、银团贷款、证券、知识产权、劳工法、诉讼、房产转让、解决争议(包括仲裁及调解)及其他跨境法律服务。香港律师会的会员律师均具备优秀条件，可为有意利用香港作为平台以进军国际市场的内地企业提供法律服务。查询详情，可浏览本网站 [www.hklawsoc.org.hk](http://www.hklawsoc.org.hk) 或透过电邮 [adceam@hklawsoc.org.hk](mailto:adceam@hklawsoc.org.hk) 与我们联系。



## Hong Kong International Arbitration Centre

The Hong Kong International Arbitration Centre (HKIAC) is one of the world's top four dispute resolution service providers. Specialising in arbitration, mediation, adjudication and domain name dispute resolution, HKIAC maintains one of the largest caseloads in the Asia-Pacific region, having handled over 9,500 cases since its establishment in 1985. The HKIAC Administered Arbitration Rules (Rules) are a set of market-leading rules and can be strategically used to control costs and increase efficiency for complex disputes. The Rules are currently being amended to introduce innovative procedures which seek to set a new standard for global arbitration practice. HKIAC cases are handled by a multi-lingual and multi-cultural Secretariat that provides high-quality case administration services and tribunal secretary services. HKIAC also houses state-of-the-art hearing facilities, and regularly welcomes parties from across the globe to its top-rated premises. HKIAC awards enjoy an excellent track record of enforcement worldwide, particularly in Mainland China.



## 香港国际仲裁中心

香港国际仲裁中心(HKIAC)是全球四大争议解决机构之一，专门从事仲裁，调解，仲裁和域名争议解决。自1985年成立以来，HKIAC处理了超过9,500起案件，是亚太地区受案量最多的仲裁中心之一。HKIAC机构仲裁规则是一套在业界领先的仲裁规则，可有效的用以控制费用成本和提高解决复杂争议的效率。该规则目前正在修订中，将引入创新机制旨在为国际仲裁实践设立新的标准。HKIAC案件由熟操多种语言和拥有多种文化背景的秘书处处理。秘书处可提供高质量的案件管理服务和仲裁庭秘书服务。HKIAC还拥有一套国际一流的庭审设施，欢迎来自世界各地的当事人使用其广获赞誉的设施服务。此外，HKIAC的仲裁裁决在世界范围内，尤其是中国内地，保持著绝佳的执行记录。



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## **International Court of Arbitration of the International Chamber of Commerce (Asia Office)**

The International Chamber of Commerce (ICC) offers a wide array of dispute resolution services specifically intended for international commerce and cross-border transactions. Foremost among these is ICC arbitration, administered by the ICC International Court of Arbitration ("ICC Court") based in Paris, France. Since its creation in 1923, the ICC Court has handled over 20,000 cases located worldwide.

ICC arbitration is a global dispute resolution service that is available to parties wherever they are based. Composed of experts from over 90 countries, the ICC Court is a unique body that brings a truly international perspective to each case it administers.

The ICC Court is ably assisted on a day-to-day basis by its Secretariat comprising over 90 staff members with no less than 30 different nationalities, who are available to provide assistance and information in over 30 different languages.

The Asia Office of the ICC Court Secretariat opened in Hong Kong at 2008. This office alone administered more than 800 arbitral cases for the past 10 years. By opening of a representative office in Shanghai on March 2016, ICC has become the first non-Asian headquartered dispute resolution institution to establish an office in mainland China.



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## 国际商会国际仲裁院(亚洲事务办公室)

国际商会为国际贸易和跨境交易提供广泛的争议解决服务。其中最重要的是国际商会仲裁，由总部设在法国巴黎的国际商会国际仲裁院管理。自1923年创建以来，国际商会国际仲裁院已受理了遍布全球的20,000多起案件。

国际商会仲裁是面向身处世界各地的当事人开放的全球性争议解决服务。国际仲裁院是一个独特的仲裁机构，由来自90多个国家的专家组成，能为它所管理的每起案件带来真正的国际视野。

国际商会国际仲裁院的日常职责由国际商会国际仲裁院秘书处协助。秘书处由90多位来自30多个不同国家的工作人员组成，能以超过30种不同语言提供协助与信息。

2008年秘书处在香港设立了亚洲事务办公室。10年间已为超过800起仲裁案件提供了管理服务。2016年3月，国际商会上海代表处成立，国际商会也成为首家在中国大陆开设办事处但总部不在亚洲的争端解决机构。



## **China International Economic and Trade Arbitration Commission Hong Kong Arbitration Center**

Established in 1956, China International Economic and Trade Arbitration Commission (CIETAC) is China's most experienced arbitration institution, accepting the majority of foreign-related arbitration cases in China. CIETAC is also one of the major permanent international arbitration institutions, independently and impartially resolving economic and trade disputes by means of arbitration.

CIETAC Hong Kong Arbitration Center is CIETAC's first branch outside mainland China. According to the current CIETAC Arbitration Rules, at present, CIETAC Hong Kong Arbitration Center mainly administers the cases of which the arbitration agreement stipulated "arbitration in CIETAC Hong Kong Arbitration Center".

Among cases administered by CIETAC, Hong Kong parties ranked the 2nd in number. Parties prefer arbitration in Hong Kong when it comes to foreign-related disputes. One of the roles of CIETAC Hong Kong Arbitration Center, who enjoys the advantages of Hong Kong legal system, is to promote arbitration services as one of the dispute resolution options for the interested parties. It bears the responsibility as a sub-commission of CIETAC stipulated in CIETAC Arbitration Rules to settle disputes closer to where they took place.



中国国际经济贸易仲裁委员会  
香港仲裁中心  
China International Economic and Trade Arbitration Commission  
Hong Kong Arbitration Center

## 中国国际经济贸易仲裁委员会 香港仲裁中心

中国国际经济贸易仲裁委员会（中国贸仲委）设立于1956年，是历史最悠久的中国仲裁机构，也是世界上主要的常设商事仲裁机构之一。

中国贸仲委香港仲裁中心是中国贸仲委在中国内地以外设立的第一家分支机构，目前其主要依据中国贸仲委现行《仲裁规则》的规定受理当事人约定提交「中国贸仲委香港仲裁中心仲裁」的案件。

中国贸仲委受理的仲裁案件中，涉及香港当事人的案件占据总受案量的第二位，许多涉外合同的当事人选择将其纠纷在香港仲裁。中国贸仲委设立香港仲裁中心，以香港健全的仲裁法制为依托，就近管理案件程序，满足当事人的实际需求，也有助于丰富香港的法律服务内容，为当事人在香港解决争议提供更多项的仲裁服务。





CHINA MARITIME ARBITRATION COMMISSION  
HONG KONG ARBITRATION CENTER  
中國海事仲裁委員會 香港仲裁中心

## China Maritime Arbitration Commission Hong Kong Arbitration Center

The China Maritime Arbitration Commission (“CMAC”) was officially established on 22 January 1959. As the PRC’s first maritime arbitration institution, CMAC led the way for China’s maritime arbitration industry. Over the past 50 years, CMAC has settled nearly 2000 cases independently and impartially, and effectively protected the interests of parties from China and abroad. CMAC has obtained widespread recognition in the shipping, insurance, trade and legal fields.

In the year of 2014, upon the invitation of the Department of Justice of Hong Kong, CMAC opened its first overseas sub-commission in Hong Kong (“CMAC Hong Kong Arbitration Center”). CMAC Hong Kong Arbitration Center promotes institutional arbitration and ad hoc arbitration in Hong Kong, administers arbitral cases upon agreement of parties, and provides arbitration-related services. It aims at facilitating Hong Kong to build itself into a regional arbitration and maritime hub.



CHINA MARITIME ARBITRATION COMMISSION  
HONG KONG ARBITRATION CENTER  
中國海事仲裁委員會 香港仲裁中心

## 中国海事仲裁委员会香港仲裁中心

1959年1月22日，中国海事仲裁委员会（「海仲委」）正式成立。这是中国历史上第一家海事仲裁机构，开创了中国海事仲裁的先河。50多年来，海仲委坚持独立、公正地解决海事争议，审理了近2000件海事、海商案件，有力地维护了中外当事人的正当权益。海仲委的裁决公正性得到了国内外的肯定，在国内外航运、保险、贸易、法律等各界赢得了信誉。

2014年，受香港律政司邀请，海仲委在香港设立第一个海外分支机构海仲委香港仲裁中心。海仲委香港仲裁中心在香港推广海事机构仲裁与临时仲裁、根据当事人的约定管理仲裁案件，为当事人提供仲裁服务，促进香港建成区域仲裁和航运中心。



## **The Asian Academy of International Law Ltd**

The Asian Academy of International Law Ltd (“the Academy”) is an independent and non-profit-making body set up in Hong Kong with a view to further the studies, research and development of international law in Asia. The Academy provides a unique platform for discussions on current international law issues and to research in developing areas of international law. Aiming to provide specialised education and training, the Academy has been organising a good variety of events, and all of them have been very well received by legal and business sectors as well as government and academic bodies in Hong Kong and beyond.



## 亚洲国际法律研究院

亚洲国际法律研究院(「研究院」)是一间在香港成立的独立非牟利机构，旨在推动亚洲国际法的研究和发展。研究院为讨论当前的国际法问题以及研究发展中的国际法领域提供了一个独特的平台。研究院所举办的不同会议，一直得到本地和海外的法律、商业、政府以及学术机构的高度评价。



香港特別行政區政府知識產權署  
The Government of the Hong Kong Special Administrative Region  
Intellectual Property Department

## **Intellectual Property Department, The Government of the Hong Kong Special Administrative Region**

The Intellectual Property Department (IPD) was established in 1990 and is responsible for advising the Secretary for Commerce and Economic Development on policies and legislation to protect intellectual property (IP) in the HKSAR, providing civil legal advice on IP matters to other government bureaux and departments, operating the HKSAR's Trade Marks, Patents, Designs and Copyright Licensing Bodies Registries and promoting awareness and protection of IP through public education.

### **IP Trading**

To facilitate the development of the HKSAR as an IP trading hub in the region, IPD has been working with various stakeholders to implement measures under four strategic areas: (I) enhancing the IP protection regime; (II) supporting IP creation and exploitation; (III) fostering IP intermediary services and manpower capacity; and (IV) pursuing promotion, education and external collaboration efforts.

### **External Relations**

In terms of external co-operation, IPD works closely with its Mainland counterparts at the national, regional and provincial levels to promote the protection, management and trading of IP. At the international level, Hong Kong China is a World Trade Organization member and IPD participates in the Trade-Related Aspects of Intellectual Property Rights Council and Trade Policy Review meetings. The Director of Intellectual Property also joins the delegation of China in attending the annual meetings of the Assemblies of the Member States held by the World Intellectual Property Organization. At the regional level, IPD participates in the Asia-Pacific Economic Cooperation Intellectual Property Rights Experts Group.



香港特別行政區政府知識產權署  
The Government of the Hong Kong Special Administrative Region  
Intellectual Property Department

## 香港特別行政區政府知識產權署

知识产权署于1990年成立，负责向商务及经济发展局局长提供意见，协助制定香港特区的知识产权保护政策及法例，并就知识产权事宜向其他政府决策局和部门提供民事法律意见。同时，又负责管理香港特区的商标、专利、外观设计及版权特许机构注册处，并透过公民教育及举办各种活动，提高公众对保护知识产权的意识。

### 知识产权贸易

为促进香港特区成为区内的知识产权贸易中心，署方一直与不同持份者合作，落实分属四个策略范畴的支持措施：（一）优化知识产权保护制度；（二）支援知识产权的创造和使用；（三）促进知识产权中介服务和提升人力资源；以及（四）推广、教育和对外合作的工作。

### 对外关系

知识产权署在国家、地区和省级层面与内地有关部门紧密合作，推广知识产权保护、管理及贸易。在国际层面，中国香港为世界贸易组织成员，署方会参与与贸易有关的知识产权理事会会议和出席贸易政策检讨会。知识产权署署长亦参加中国代表团，出席世界知识产权组织每年举办的成员国大会会议。在区域层面，署方参与亚洲太平洋经济合作组织知识产权专家小组。



## **Invest Hong Kong, The Government of the Hong Kong Special Administrative Region**

Invest Hong Kong (InvestHK) is the Hong Kong Special Administrative Region (HKSAR) Government Department responsible for attracting Foreign Direct Investment and supporting overseas and Mainland businesses to set up or expand in Hong Kong.

InvestHK has industry specialists in a range of priority sectors including: Business & Professional Services, Consumer Products, Creative Industries, Financial Services, Financial Technology, Innovation & Technology, Startups & Entrepreneurs, Tourism & Hospitality, and Transport & Industrial plus an overseas network of staff and representatives based in 30 key business cities worldwide covering its target markets.

Partners with clients on a long-term basis, InvestHK team is available to help at any stage of their business development in Hong Kong. It provides free advice and customised services to help businesses succeed in Hong Kong's vibrant economy.

[www.investhk.gov.hk](http://www.investhk.gov.hk)



## 香港特别行政区政府 投资推广署

香港投资推广署是香港特别行政区政府属下部门，专责促进外来直接投资，协助企业在香港开业和扩展业务。

投资推广署的办事处遍布世界各地 30 个主要商业城市，并有专属团队为客户提供在各重点行业的支持，这些行业包括：商业及专业服务、消费产品、创意产业、财经及金融服务、金融科技、创新科技、初创企业、旅游及款待，以及运输及工业。

投资推广署与客户建立长远的夥伴关系，在客户来港发展的各个阶段，免费提供量身订造的支持服务，过程一概保密。

[www.investhk.gov.hk](http://www.investhk.gov.hk)





Hong Kong Economic and Trade Office in Guangdong,  
The Government of the Hong Kong Special Administrative Region

## **Hong Kong Economic and Trade Office in Guangdong, The Government of the Hong Kong Special Administrative Region**

Hong Kong Economic and Trade Office in Guangdong (GDETO), established in July 2002, is one of the five offices set up by the Government of the Hong Kong Special Administrative Region (HKSAR) on the Mainland to foster closer links between HKSAR and the Mainland. The service area of GDETO covers Guangdong, Guangxi, Fujian, Hainan and Yunnan. Liaison Units under GDETO have been established in Shenzhen, Fuzhou, and Nanning.

The main functions of GDETO include:

- a. economic and trade liaison - to further develop and promote the economic and trade relations between GDETO's service area and Hong Kong, through enhanced communication and co-operation with the government authorities;
- b. enhancing understanding between the HKSAR government and authorities of GDETO's service area - to facilitate exchange of information on economic and trade developments;
- c. support to Hong Kong enterprises - to strengthen communication with the Hong Kong businesses operating in the five provinces/region, to reflect their views on economic and trade issues to the relevant mainland authorities;
- d. investment promotion - to promote investment from GDETO's service area to Hong Kong;
- e. promoting Hong Kong - to project a positive image of Hong Kong through organizing promotional activities;
- f. assisting Hong Kong residents in distress - to provide practical assistance to Hong Kong residents in distress in GDETO's service area.



香港特别行政区政府  
驻粤经济贸易办事处

## 香港特别行政区政府驻粤经济贸易办事处

香港特别行政区政府驻粤经济贸易办事处(驻粤办)于2002年7月成立,是特区政府在内地成立的五个办事处之一,目的是为进一步加强香港与内地的联系。驻粤办的服务地域包括:广东、广西、福建、海南和云南。驻粤办在深圳、福州和南宁设立了联络处。

驻粤办的主要职能包括:

- (一) 加强经贸联系——透过加强与五省区政府及有关当局的合作,进一步发展及加强经贸关系;
- (二) 增进五省区与香港特区政府的沟通联系——促进香港与五省区的合作;
- (三) 支援香港企业——与在五省区经营业务的港商加强沟通,以及向有关当局反映及跟进港商共同关注的经贸问题;
- (四) 促进投资——提供有关投资香港的资料和服务,协助五省区企业到香港投资;
- (五) 推广香港——透过交流和宣传活动,介绍香港在经济贸易、文化艺术、教育、环境保护等各方面的发展和成就,促进香港与五省区居民的相互认识及理解;以及
- (六) 协助港人——为身处五省区的香港居民提供紧急支援服务。

# Supporting Organisation



## Hong Kong Institute of Arbitrators

Hong Kong Institute of Arbitrators (HKI Arb) is a Hong Kong company limited by guarantee established in September 1996. A group of Hong Kong professional people interested in arbitration, mediation and other kinds of dispute resolution (ADR) got together to form Hong Kong's own arbitration institute. It has charitable status and is non-profit making.

A main objective is to promote ADR in Hong Kong which is a service centre for Asia Pacific Region and gateway to Greater China. HKI Arb is involved in the training of arbitrators and mediators and the setting of appropriate standards of conduct for arbitrators and mediators in Hong Kong. It is involved in law reform relevant both to arbitration and mediation.

HKI Arb is working to develop ties with other ADR organizations and governmental bodies involved in arbitration and ADR in Greater China and the Asia Pacific region. HKI Arb supports the Belt and Road Initiative and the promotion of Hong Kong as the preferred centre for dispute resolutions. HKI Arb is one of ardent supporters of the overseas conferences, workshops and promotional activities related to ADR organized or supported by the Government of Hong Kong and other ADR promoters. HKI Arb has extensive experience in the provision of different training courses in ADR and has been actively organizing or participating in training courses for interested parties in Hong Kong and other jurisdictions. HKI Arb is trying to reach out to other jurisdictions in promoting and organising training courses outside Hong Kong and to seek to extend our membership for associates and fellows to the professional people sharing the same vision in other jurisdictions.

You are welcome to visit our website <http://www.hkiarb.org.hk/> and contact us for further information.



## 香港仲裁司学会

香港仲裁司学会是一家于一九九六年九月成立的有限公司。一群对仲裁、调解以及所有其他各类解决争议方法 (ADR) 感兴趣的香港专业人士，合聚一起，组成了香港自己的仲裁学会。学会拥有香港政府视为福利机构的税务地位，并为非牟利机构。

由于香港是亚太地区专业服务中心及进入大中华地区的门户，故此我们学会主张并致力推动，将香港发展成为本地及国际的仲裁及解决争议的中心。香港仲裁司学会积极培训仲裁员、调解员，为香港的仲裁员、调解员制定适切的行事及业务守则，参与仲裁和调解方面的法律制度改革。

学会还致力发展与其他地区（特别是大中华及亚太地区）内解决争议机构和有关政府机关的联系。学会支持一带一路的构想并争取香港成为针对一带一路中争端解决机制的纽带，最终利用香港在 ADR 的优势和经验，带动及倡议香港成为争端解决机制的基地。学会也积极支持香港政府和其他推动 ADR 组织所举办之各项学术研究活动，推广 ADR 的工作坊及有关一切活动。学会有多年的组织仲裁员和调解员培训活动的经验。也积极在香港以外的地区推行和扩展有关培训活动，并吸纳更多与学会有相同理念的专业人士成为学会的会员。

非常欢迎有兴趣人士联系我们并浏览学会的网页 <http://www.hkiarb.org.hk/>



**CI Arb**

*evolving to resolve*

*East Asia Branch*

## **The Chartered Institute of Arbitrators (East Asia Branch)**

The Chartered Institute of Arbitrators (East Asia Branch) is the largest branch in of the Chartered Institute of Arbitrators with over 2,000 members. Its' geographical area of Mainland China, Hong Kong S.A.R, Macau S.A.R., Taiwan Region, Vietnam, Philippines, Korea, Japan, Mongolia and Indonesia.

The objectives of the Branch are to provide a regional organization for members of the Institute who are resident in East Asia generally. The purpose is to promote, encourage and facilitate the practice of settlement of disputes by arbitration and other means of dispute resolution, and to support and promote the status and interests of the Chartered Institute of Arbitrators.



**CI Arb**  
*evolving to resolve*

*East Asia Branch*

## 特许仲裁学会(东亚分会)

特许仲裁学会(东亚分会)是英国特许仲裁学会最大的分支机构，分会会员人数超过2,000名。

它的地域包括中国大陆，中国香港，中国澳门，中国台湾，越南，菲律宾，韩国，日本，蒙古，和印度尼西亚。

分会的目标是为居住在东亚地区的会员提供一个区域性组织平台。分会的目的是促进，鼓励 and 通过实践以仲裁及其他方式解决纠纷和争端，并支持和促进特许仲裁员协会的地位和利益。

# Supporting Organisation



Joint Mediation Helpline Office  
聯合調解專線辦事處

## Joint Mediation Helpline Office

The Joint Mediation Helpline Office ("JMHO") is jointly founded by the Hong Kong Mediation Council, the Hong Kong Bar Association, the Law Society of Hong Kong, the Chartered Institute of Arbitrators (East Asia Branch), the Hong Kong Institute of Arbitrators, the Hong Kong Institute of Architects, the Hong Kong Institute of Surveyors and the Hong Kong Mediation Centre in 2010. It is set up as a non-profit-making organisation with a view to promoting the use of mediation as a means of dispute resolution in Hong Kong. With effect from 14 July 2011, the JMHO has been recognized as a charitable institute and is exempted from tax under Section 88 of the Inland Revenue Ordinance in Hong Kong.

### Objectives:

1. To provide assistance on a non-profit making basis to parties seeking to settle disputes by mediation
2. To promote and advance mediation as a dispute resolution mechanism and provide mediator referral services to parties to a dispute requesting mediation
3. To enhance the knowledge and upgrade skills in dispute resolution in and among professionals, businesses and other users of mediation services, and to promote the effective use of mediation in resolving local and international disputes

### Contact Us

Tel: +852 2901 1224

Fax: +852 2899 2984

Email: [email@jointmediationhelpline.org.hk](mailto:email@jointmediationhelpline.org.hk)

Website: <http://www.jointmediationhelpline.org.hk/>

Facebook: <https://www.facebook.com/JointMediationHelpline/>



Joint Mediation Helpline Office  
聯合調解專線辦事處

## 联合调解专线办事处

联合调解专线办事处(「调解专线」)是由香港调解会、香港大律师公会、香港律师会、特许仲裁学会(东亚分会)、香港仲裁司学会、香港建筑师学会、香港测量师学会和香港和解中心于2010年成立。调解专线是以非牟利担保有限公司模式成立，旨在推动调解成为在香港解决争议的方式之一。于2011年7月14日起，调解专线已获认可为慈善机构，并按香港《税务条例》第88条获豁免缴税。

成立目的：

1. 在非牟利基础上，为有意使用调解服务解决纠纷的当事人提供协助
2. 推广调解作为一种解决争议方法，并向有意使用调解服务的当事人提供转介服务，将个案转交至调解服务机构处理
3. 增加专业人员、企业及其它调解服务使用者对调解的认识，从而提升调解于解决本地及国际纠纷上的地位

联络我们

电话：+852 2901 1224

传真：+852 2899 2984

电邮：email@jointmediationhelpline.org.hk

网页：<http://www.jointmediationhelpline.org.hk/>

Facebook：<https://www.facebook.com/JointMediationHelpline/>





中國委托公証人協會有限公司  
Association of China-Appointed  
Attesting Officers Ltd.

## Association of China-Appointed Attesting Officers Limited

China-Appointed Attesting Officers Limited was founded in 1988 and is registered as a non-profit making professional body.

Currently, there are 408 members who are qualified Hong Kong Lawyers with not less than 10 years' experience and have been appointed by the Ministry of Justice of the PRC. The duties of Attesting Officers include attesting and certifying acts, matters and documents of legal significance occurring in or emanating from Hong Kong and such attested documents are for use in Mainland China.

Documents attested by Attesting Officers can be divided into the following categories: civil affairs (e.g. marriage application, estate succession, children adoption etc.) commercial affairs (e.g. certify company's information and status, certify directors'/shareholders' resolution etc.) and other categories (e.g. attesting documents for use in PRC court and attesting documents for use in Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA) etc.). In attesting documents, Attesting Officers must ensure that the attested documents do not violate Hong Kong and PRC law. In addition, Attesting Officers must personally verify the authenticity and legality of the relevant documents. To be legally valid and protected by the laws of the PRC, attested documents issued by Attesting Officers for use in Mainland China must be sent to the "China Legal Services (H.K.) Limited" for "Sealing and Transfer Delivery".



中國委托公証人協會有限公司  
Association of China-Appointed  
Attesting Officers Ltd.

## 中国委托公证人协会有限公司

「中国委托公证人协会有限公司」(下称「协会」)于1988年成立，是按照香港特别行政区《公司条例》，在港登记注册的非牟利专业团体。

协会现有会员408名，他们均为最少具有十年执业资格的香港律师，并已获中华人民共和国司法部委任为中国委托公证人。委托公证人的职能是证明发生在香港地区的法律行为、有法律意义的事实和文书，证明的使用范围在内地。

委托公证人所办理的公证文书大致可以分为以下几类：民事类(如申请结婚、遗产继承、收养儿童等)、商事类(如公司资料状况证明、公司董事/股东决议证明等)及其他类(如内地法院使用的公证文书、《内地与香港关于建立更紧密经贸关系的安排》(CEPA)使用的证明等)。所办理的公证文书不得违反香港和内地法律，并需委托公证人亲自审查相关档的真实性和合法性。委托公证人出具到内地使用的公证文书必须经过「审核、登记和加章转递」后才具有法律效力，受中国法律保护。未经审核加章转递程序的证明文书，不具有公证文书的证明效力和执行效力。

## Mock Arbitration - Case Synopsis

GermanyBeer is a large brewer in Germany that makes different kinds of beer products for export. It has also set up factories outside Germany in the form of joint ventures with production and sales partners all over the world to produce and sell GermanyBeer Pure Draft locally.

Its production and sales partner in Thailand is ThaiLager. They produce and sell beer products in Thailand under the name of BelThaiBeer Co. Ltd. ("**BelThaiBeer**"), each holding 50% interest in the company.

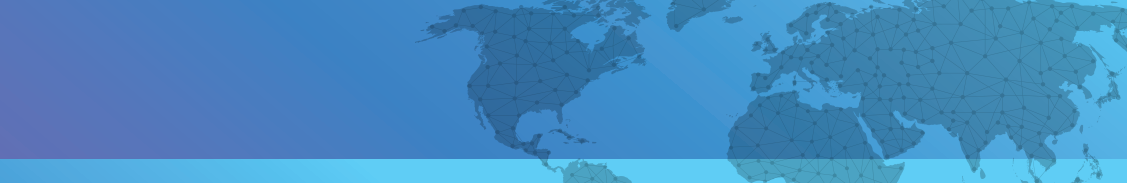
Guangzhou Brewery Group ("**Guangdong Brewery**"), a company set up in Guangzhou of China wanted to introduce famous foreign beer products to the Chinese market and has entered into a National Sales Agreement (the "**Agreement**") with GermanyBeer Hong Kong (GermanyBeer's wholly-owned Hong Kong subsidiary). Under the Agreement, Guangdong Brewery must purchase from BelThaiBeer Company and bear the whole cost of sales in Mainland China.

The Agreement is governed by PRC law. The Agreement provides that all disputes will be resolved through arbitration in Hong Kong.

Although Guangdong Brewery reported a loss in the first year, the sales of GermanyBeer Pure Draft during the year were satisfactory. The sales even recorded a 10% growth and a first ever profit in the second year. However, since the middle of the third year, Guangdong Brewery began to notice some GermanyBeer Pure Draft with Thai labels on the market. The beer imported by Guangdong Brewery from BelThaiBeer does not have Thai labels. The Chinese labels on the beer products are affixed by Guangdong Brewery after their delivery into China. Only GermanyBeer Pure Draft sold in Thailand bears Thai labels. Upon investigation, Guangdong Brewery discovered that the GermanyBeer Pure Draft with Thai labels was imported directly from Thailand by small local dealers in different regions of Mainland China.

After GermanyBeer Pure Draft with Thai labels was found on the market, Guangdong Brewery's sales growth for GermanyBeer Pure Draft dropped to 3% at the end of the third year. The sales even recorded a negative growth of 5% in the fourth year.

Guangdong Brewery attempted negotiation and mediation with GermanyBeer Hong Kong on this issue but to no avail. GermanyBeer Hong Kong insisted that it



had no knowledge of BelThaiBeer's action. Guangdong Brewery then commenced arbitration in Hong Kong pursuant to the arbitration clause in the Agreement, contending that GermanyBeer Hong Kong had breached the Agreement and demanding compensation for loss of profits, arbitration costs and legal costs.

One of the facts in dispute in the arbitration is whether GermanyBeer Hong Kong had knowledge of (or even permitted) the supply of beer by BelThaiBeer to small local dealers in different regions of Mainland China.

Expert evidence is also involved in the arbitration, namely, as concerns how Guangdong Brewery's loss of profits are computed, especially the profits it would have made in the third and fourth years.

**Demonstration 1:**

To demonstrate the giving of evidence by GermanyBeer Hong Kong's factual witness. Both parties have submitted written witness statements to the arbitral tribunal before the hearing. Counsel for Guangdong Brewery will seek to challenge the veracity, credibility and reliability of the testimonies of GermanyBeer Hong Kong's factual witness through cross-examination at the hearing.

(Before the hearing, both parties have requested and disclosed evidence to each other in accordance with the relevant evidential rules.)

**Demonstration 2:**

To demonstrate the expert witness of Guangdong Brewery's examination-in-chief by counsel for Guangdong Brewery, cross-examination by counsel for GermanyBeer Hong Kong and re-examination by counsel for Guangdong Brewery.

Through the hearing, the arbitral tribunal will decide on the acceptability of the evidence of the claimant's expert on the alleged amount of loss suffered by the applicant and the strength of such evidence.

**Demonstration 3:**

To demonstrate the Guangdong Brewery's closing submission on the issue of whether GermanyBeer Hong Kong had knowledge of (or even permitted) the supply of beer by BelThaiBeer to small local dealers in different regions.

To demonstrate GermanyBeer Hong Kong's closing submission on the issue of how to compute compensation for the loss of profits suffered by Guangdong Brewery.

## 模拟仲裁庭 - 案情背景介绍

GermanyBeer (Ger) (下称「德啤」)是一家德国大型啤酒酿造商，在德国酿造和出口各类啤酒产品。同时德啤在德国以外以合资形式与各地生产和销售合作夥伴在当地设厂生产并销售「德啤纯生」啤酒。

德啤在泰国的生产和销售夥伴是 ThaiLager (下称「泰啤」)，双方以 BelThaiBeer 公司(下称「德泰公司」)的名义在泰国生产和销售啤酒产品，双方各持有德泰公司 50% 的股权。

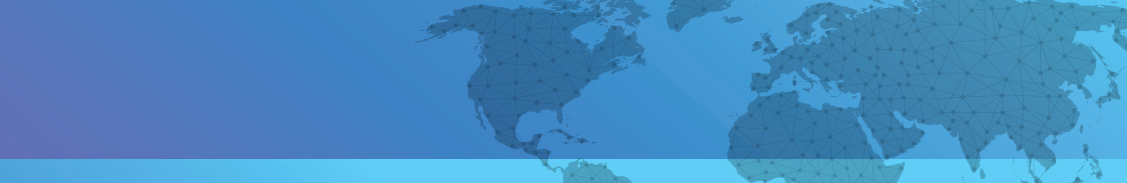
广啤集团是一家设立在中国广州的公司，希望引入国外知名啤酒产品在华销售。为此，广啤集团和香港德啤(德啤的全资香港子公司)签订了一份《全国销售协议》。协议约定广啤集团必须从德泰公司进货并承担在中国内地的全部销售成本。

《全国销售协议》的适用法律是中国(内地)法律。协议条款约定一切争议在香港进行仲裁。

广啤集团虽然全年业绩亏损，但其德国纯生啤酒第一年的销量还算理想。第二年的销量更是有 10% 的增长，并首次盈利。但在第三年中期开始，广啤集团开始留意到市场上出现了贴有泰文标签的德国纯生啤酒。广啤集团从德泰公司进口的啤酒是没有贴上泰文标签的，啤酒系由广啤集团在中国收货以后才会贴上中文标签。只有在泰国当地销售的德国纯生啤酒才贴有泰文标签。经广啤集团调查后发现，这类贴有泰文标签的德国纯生啤酒是由中国(内地)各地区小型经销商直接从泰国进口。

在第三年年底，也就是在市场上出现了这类贴有泰文标签的德国纯生啤酒后，广啤集团的当年德国纯生啤酒销售增长放缓至 3%，在随后的第四年。德国纯生啤酒销量则是 5% 的负增长。

广啤集团曾尝试过与香港德啤就此问题协商及调解，但未果。香港德啤坚持表示其对德泰公司的行为毫不知情。广啤集团于是按《全国销售协议》中的仲裁条款在香港提出仲裁，主张香港德啤违反了《全国销售协议》并要求赔偿利润



损失、仲裁费用以及律师费。

仲裁中的一个事实争议点是香港德啤对德泰公司向中国(内地)各地区小型经销商供货的行为是否知情(甚至允许)。

仲裁中亦涉及专家证据：广啤集团的利润损失应如何计算，尤其是第三年及第四年应有利润的评估。

#### **示范一：**

示范香港德啤的事实证人出庭作证的过程。双方在庭审之前已经向仲裁庭提交书面证人证言。广啤集团代表律师将会在庭审中，通过盘问香港德啤的事实证人而尝试挑战其证言的真实性、可信性及可靠性。

(在庭审前，双方已按相关证据规则向对方要求及披露证据。)

#### **示范二：**

示范广啤集团的专家证人接受广啤集团方律师的主问，香港德啤律师的盘问及广啤集团律师的覆问的庭审过程。

针对申请人方的专家就申请人提出损失金额而提交的专家意见，通过庭审，仲裁庭将决定该专家意见是否可以被接受，以及证明力的大小。

#### **示范三：**

示范针对香港德啤对德泰公司向各地区小型经销商供货的行为是否知情(甚至允许)这一争议点广啤集团的庭审结案陈词。

示范针对广啤集团的利润损失赔偿应如何计算这一争议点香港德啤的庭审结案陈词。

## 备忘录

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