

# WILLIAM K W LEUNG & CO

## 梁 景 威 律 師 事 務 所

### LEUNG King Wai William (梁景威) Solicitor Advocate

LL.M (Lond), MBA (HKU), LL.M (Peking U)

FHKSI; FCI Arb.; FHKIoD; FHKSI



Principal of **William KW Leung & Co., Solicitors of Hong Kong SAR, China** whose experience includes being the followings:-

- (i) an arbitrator dealing with arbitration Rules of various arbitral institutions including HKIAC, LMAA, ICC, SIAC, CIETAC, CMAC, KCAB, KLRCA, WIPO and UNCITRAL; and
- (ii) a solicitor advocate dealing with the aforesaid arbitration Rules.

#### **Area of Expertise**

English common laws and Hong Kong laws, in particular the following areas of laws:

- (1) international litigation;
- (2) international (commercial) arbitration;
- (3) maritime and admiralty (including ship sale/purchase, collision, charter party, pollution, casualty, arrest and transport);
- (4) international trade and investment;
- (5) mergers and acquisition and due diligence;
- (6) capital market;
- (7) corporate (-related) disputes (including shareholders' and directorship disputes);
- (8) corporate insolvency & restructuring;
- (9) constructions and project development;
- (10) intellectual property.

#### **Legal Qualification**

	<b><u>Year</u></b>
(1) Solicitor of <u>England &amp; Wales, United Kingdom</u>	1988
(2) Solicitor of <u>Hong Kong SAR, China</u>	1988
(3) Solicitor of <u>Australian Capital Territory, Australia</u>	1990
(4) Barrister of High Court of <u>Australia</u>	1990
(5) Solicitor of <u>New South Wales, Australia</u>	1996
(6) Solicitor of <u>British Virgin Islands, Caribbean (Central America)</u>	2014
(7) <b>Solicitor Advocate</b> of <u>Hong Kong SAR, China</u>	2016

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### Education Qualifications

<u>Qualification</u>	<u>Institution</u>	<u>Year</u>
(1) Bachelor in English Law	Cardiff University, United Kingdom	1985
(2) Solicitors Final Examination	College of Law, Guildford, England, United Kingdom	1986
(3) Master in Law	University of London, United Kingdom	1988
(4) MBA	University of Hong Kong, Hong Kong	1992
(5) Diploma in Advanced Security Market Analysis	Hong Kong Stock Exchange and Chinese University of Hong Kong	1996
(6) Bachelor in Chinese Law	China University of Politics and Law, People's Republic of China	1997
(7) Master in Chinese Economic Law	Peking University, People's Republic of China	2001

### Past Employment

	<u>Year</u>
(1) Articleship with <b>Isadore Goldman</b> , a top City of London firm specializing in insolvency (corporate); recovery; commercial and international litigation.	1986 – 1988
(2) Assistant Solicitor with <b>Wilkinson &amp; Grist</b> , a reputable local solicitor firm	1990
(3) Corporate Finance Associate with <b>CEF Capital Limited</b> , a local finance house	1991
(4) Setting up of William KW Leung & Co., Solicitors of Hong Kong SAR, China	1992 – now
(5) Appointed by the Hong Kong Insolvency Office as Provisional Liquidators and Official Liquidators of more than 100 companies in Hong Kong	2003 – now

### Professional Qualification

<u>Course</u>	<u>Award Obtained</u>	<u>Date Obtained</u>
(1) “Maritime Arbitration in New York” by Society of Maritime Arbitrators Inc., New York, USA	Certificate	February 2006
(2) Fellowship examination by Hong Kong Institute of Arbitrators, Hong Kong	FHKI Arb.	December 2006
(3) Fellowship examination by Singapore Institute of Arbitrators, Singapore	FSI Arb.	August 2007
(4) Fellowship examination by Chartered Institute of Arbitrators, U.K.	FCI Arb.	July 2009

### Panel of Arbitrators of and Membership of Arbitral Institution(s)

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<u>Organization</u>	<u>Panel/ List</u>	<u>Date</u>
(1) Hong Kong International Arbitration Centre (“ <b>HKIAC</b> ”)	Panel of Arbitrators	2015 to present
(2) Singapore Institute of Arbitrators (“ <b>SIArb.</b> ”)	Secondary Panel of Arbitrators	2008 to present
(3) China Maritime Arbitration Commission (“ <b>CMAC</b> ”)	Panel Arbitrator	2008 to present
(4) China Academy of Arbitration Law	Standing Committee	2009 to present
(5) London Maritime Arbitrators Association (“ <b>LMAA</b> ”)	Supporting Member	2010 to present
(6) Hong Kong Shipowners Association	Hong Kong Maritime Arbitration Group Member	2010 to present
(7) Liaocheng City Arbitration Commission, Shandong Province, China (山東省聊城市 仲裁委員會),	Panel Arbitrator	2010 to present
(8) International Chamber of Commerce, Paris, France (“ <b>ICC</b> ”)	Member of ICC Commission on Arbitration; Institute Members	2011 to present 2013
(9) Chartered Institute of Arbitrators East Asia Branch (“ <b>CIArb, East Asia</b> ”)	Editorial Board Member on “ <i>Asian Dispute Review</i> ”	2011 to present
(10) China International Economic and Trade Arbitration Commission (“ <b>CIETAC</b> ”)	Panel Arbitrator	2011 to present
(11) Huizhou City Arbitration Commission, Guangdong Province, China (廣東省惠州市 仲裁委員會)	Panel Arbitrator	2011 to present
(12) Kuala Lumpur Regional Centre for Arbitration (“ <b>KLRCA</b> ”)	Panel of Maritime Arbitrator	2011 to present
(13) Asian Domain Name Dispute Resolution Centre (“ <b>ADNDRC</b> ”)	Panel Arbitrator	2012 to present
(14) Singapore International Arbitration Centre (“ <b>SIAC</b> ”)	Panel Arbitrator	2013 to present
(15) Korean Commercial Arbitration Board	Panel Arbitrator	2013 to present

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(“KCAB”)

(16)	Qingdao Arbitration Commission (“QAC”)	Panel Arbitrator	2014 to present
(17)	Wuhan Arbitration Commission (“WAC”)	Panel Arbitrator	2014 to present
(18)	China Academy of Arbitration Law	Executive Committee	2010 to present
(19)	WIPO	Panel Arbitrator	2015 to present
(20)	Langfang Arbitration Commission, China (廊坊仲裁委員會)	Panel Arbitrator	2015 to present
(21)	Singapore Maritime	Panel Arbitrator	2018 to present

### **Membership of other Professional Institution(s)**

<u>Organization</u>	<u>Membership</u>	<u>Date</u>
(1) International Chamber of Commerce, Paris, France	Member of Task Force on “ <i>Revisions of ICC Rules of Arbitration</i> ” and “ <i>Arbitration involving states or state entities</i> ”	2009 to present
(2) Hong Kong Securities and Investment Institute (HKSI)	Fellow, HKSI (FHKSI)	December, 2014
(3) Hong Kong Institute of Directors	Fellow (FHKIOD)	April 2015

### **Reported Decisions**

#### **Shipping Transport and International Trade**

- (1) *Center Optical (Hong Kong) Limited v Jardine Transport Services (China) Limited and Pronto Cargo Corporation (Third Party)* Lloyd’s Law Report [2001] Volume 2 678-690, 750-752
- (2) *Vastfame Camera Limited v Birkart Globistics Limited; and Birkart East-West Freight Limited* HKLRD [2005] 4 117
- (3) *Vastfame Camera Limited v Birkart Globistics Limited; and Birkart East-West Freight Limited* 2005 AMC No.10 2705-3000
- (4) *NEC v Industrial and Commercial Bank of China* [2006] 2 HKLRD 645-673

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### Employment

(5) *Tadjudin v Bank of America National Association* [2010] 3 HKLRD page 417-430

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### Language

Fluent in Cantonese, Mandarin and English

### Publications

	<u>Name of the Journal / Books</u>	<u>Publishing Date</u>	<u>Title of Articles</u>
(1)	(U.S.A.) <b>The Arbitrator – Society Of Maritime Arbitrations, Inc.</b> Volume 34 Number 1 Page 6 to Page 9	October 2002	“ <b>Misdelivery In The Absence Of Original Bills And Exemption Clauses</b> ”
(2)	(U.K.) <b>P&amp;I International</b> Volume 16 Issue 12 Page 5 (ISBN 0950 4044)	December 2002	“ <b>Investigating Misdelivery</b> ”
(3)	<b>China Maritime Law Association Newsletter (中國海商法協會通訊)</b> (2003/1) Page 18 to Page 24	March 2003	「 <b>論偽造提單交貨，無單交貨及其免責</b> 」 (“ <b>Misdelivery In The Absence Of Original Bills And Exemption Clauses</b> ”)
(4)	(Italian) <b>Il Diritto Marittimo</b> Page 918 to Page 920 (ISBN 0012-348x)	2006	“ <b>Dual Role Of Freight Forwarder In Misdelivery Of Cargo: Contracting In The Capacity As Both Agent And Principal?</b> ”
(5)	(U.S.A.) <b>Journal of Maritime Law and Commerce</b> Volume 38 No. 1 Page 97 to Page 109 (ISBN 0022-2410)	January 2007	“ <b>The Dual Role Of The Freight Forwarder: Vastfame Camera Ltd. v. Birkart Globistics Ltd., 2005 High Court of Hong Kong 117, Stone J, 5 October 2005; 2005AMC 2864 (High Court of Hong Kong, 2005)</b> ”

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	<u>Name of the Journal / Books</u>	<u>Publishing Date</u>	<u>Title of Articles</u>
(6)	(British) <b>Maritime Risk International</b> Volume 21 Issue 2 Page 18 to Page 20 (ISBN 1742-9404)	March 2007	“ <b>Labour Threat In China</b> ”
(7)	(U.S.A.) <b>Journal of Maritime Law and Commerce</b> Volume 39 No. 2 Page 205 to Page 227 (ISBN 0022-2410)	April 2008	“ <b>Misdelivery of Cargo without Production of Original Bill of Lading: Applicability of the Mandatory Legal Regime of Hague-Visby and the One Year Time Bar</b> ” (「 <b>無單放貨：海牙威爾斯比規則和海牙規則的適用及有關的一年效期</b> 」)
(8)	(China) 「 <b>海商法論叢 2008</b> 」 第二屆兩岸三地海商法研討交流會 (中國政法大學海商法研究中心) Page 277 to Page 287 (ISBN 978-7-5103-0022-6)	December 2008	「 <b>貨運代理的雙重角色</b> 」
(9)	(China) <b>Annual of China Maritime Law (中國海商法年刊)</b> Page 145 to Page 160 (ISSN 1003-7659)	January 2009	「 <b>海牙 – 維斯比規則的一年訴訟時效是否適用無單放貨</b> 」 “ <b>One-year time bar in Hague / Hague-Visby Rules: whether applicable to misdelivery of goods without production of original bill of lading?</b> ”

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<u>Name of the Journal / Books</u>	<u>Publishing Date</u>	<u>Title of Articles</u>
(10) (U.K.) CIArb <b>The International Journal of Arbitration, Mediation and Dispute Management</b> Volume 79 No.2 Page 171 to Page 184 (ISSN 00037877)	April 2013	<b>“China’s Arbitration System: Changes in Light of the CIETAC Arbitration Rules 2012 and the Civil Procedure Law 2012”</b>
(11) <b>Dispute Resolution International</b> (International Bar Association’s official publication) Volume 7 No. 1	May 2013	<b>“Enforcement of Arbitral Award Made by China’s Newly Proclaimed Foreign-Related Arbitration Commissions – a Tale of Two Cities”</b>
(12) <b>The Oxford Handbook of ASIAN BUSINESS SYSTEMS</b> Oxford University Press	May 2014	<b>“Hong Kong: Hybrid Capitalism as Catalyst”</b> by Gordon Redding, Gilbert Wong and William Leung

### Honorary Services

(1) Foshan Overseas Friendship Association (佛山海外聯誼會)	Standing Committee	2000 to present
(2) Hong Kong Overseas Chinese General Association (香港華僑華人總會)	Honorary Legal Adviser	2001 to present
(3) Hong Kong Exporters Association (香港出口商會)	Honorary Legal Adviser	2002 to present
(4) San Wui Commercial Association of Hong Kong (僑港新會商會)	Honorary Legal Adviser	2006 to present
(5) Hong Kong Sze Yup Club (香港四邑會所)	Director and Member	2007 to present

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|------|---|------------------------|-----------------|
| (6)  | Shi Chin Natives' Association (新會司前同鄉會)                               | Honorary Legal Adviser | 2007 to present |
| (7)  | San Wui Commercial Society Secondary School                           | Independent Manager    | 2008 to present |
| (8)  | 香港江門 (五邑) 僑聯聯誼會   | Honorary Legal Adviser | 2009 to present |
| (9)  | Ng Yeup Countryman Federation Society (僑港五邑同鄉聯誼會)                     | Honorary Legal Adviser | 2009 to present |
| (10) | Federation of Hong Kong Guangdong Community Organisations (香港廣東社團總會)  | Director (會董)          | 2011 to present |
| (11) | The Hong Kong Chinese Importers' & Exporters' Association (香港中華出入口商會) | Director               | 2013 to present |
| (12) | Hong Kong Federation of Overseas Chinese Associations (香港僑界社團聯會)      | Director               | 2013 to present |
| (13) | Hong Kong Foshan Trader Association Ltd. (香港佛山工商聯會)                   | Director               | 2016 to 2018    |

### **Contact Details**

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Email : [leung@jwlw.com](mailto:leung@jwlw.com)

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