

# JEFF CHAN

## BARRISTER

Call: 2017

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Jeff is developing a broad civil practice with a focus on commercial, property and trusts disputes. He is a Charles Ching Scholar and served pupillage with Mr Ambrose Ho SC, Mr Derek Chan SC, Mr Norman Nip SC, Mr Eugene Yim and Mr Isaac Chan.

In 2015-2016, Jeff worked as a Judicial Assistant in the Court of Final Appeal and assisted judges in substantive appeals, leave applications and other speaking engagements. In 2021-2024, he served as a part-time Judicial Associate in the Court of Appeal.

Jeff has published in law journals. One of his articles on company law has been cited by the High Court of Singapore.

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## RECENT HIGHLIGHTS

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- **Redland Precast Concrete Products (China) Ltd v Permasteelisa Hong Kong Ltd** [2023] HKCA 1278: Acted for a construction company in a dispute concerning the approach to appeals against inferences from primary findings of fact, implication of contract by conduct and quantum meruit (led by Mr Ambrose Ho SC)
- **China Health Group Ltd v Chiu & Partners (A firm)** [2023] HKCFI 2995: Acted for a law firm in striking out a claim brought by a former client for breach of contract, negligence and breach of fiduciary duty (led by Mr Norman Nip SC)
- **李明實 & Ors v Ace Lead Profits Ltd & Anor** [2023] HKCFI 3038; [2024] HKCFI 206; [2024] HKCA 523: Resisted an injunction application and subsequent leave to appeal applications concerning restraint of voting in respect of shares in a company listed in Nasdaq (led by Ambrose Ho SC)
- **Chow Sang Sang Securities Ltd v Shen Shuai** [2023] HKCFI 453: Acted for the defendant in a HK\$470 million claim involving setting aside a guarantee for breach of fiduciary duty (led by Mr Victor Dawes SC and with Mr Isaac Chan)
- **SFC v Andrew Liu & Ors** (HCMP 2653/2016): Represented the SFC in a trial against 10 directors for disqualification and compensation orders (led by Mr Ambrose Ho SC and Mr Norman Nip SC, with Ms Bonnie YK Cheng and Mr Jonathan Fung)
- Appeared in a 5-day arbitration under HKIAC rules concerning a private equity dispute (led by Mr Matthew Gearing KC)

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## OTHER NOTABLE CASES

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### Commercial

- **China Agri-Products Exchange Ltd v Wang Xiu Qun** [2021] HKCFI 137; [2022] HKCFI 1533: Represented a listed company in a 23-day trial involving a RMB 510 million claim for breach of warranty and dishonest assistance (led by Mr Ambrose Ho SC and with Ms Bonnie YK Cheng)
- **Mututal Brilliant Ltd v Shin Ho Cable (Holdings) Co Ltd & Anor** [2024] HKCA 519: Appeared in the Court of Appeal in a dispute concerning a commercial property development project in the PRC (led by Mr Ambrose Ho SC)
- **Build Kingdom Ltd & Ors v Tsang Lin Yau Linda** [2022] HKCFI 3247: Acted for the plaintiffs in a HK\$111 million debt claim against the estate of a deceased director (led by Mr Norman Nip SC)
- **Hui (Annie) Guo v Yuedong Xu & Ors** [2022] HKCFI 1629: Resisted a specific discovery application in a commercial dispute involving parallel proceedings in Australia (sole counsel)
- **New Front Developments Ltd v Alpha Giant Ltd** [2021] HKCFI 707; [2021] HKCFI 708: Acted for the plaintiff in applications for an injunction and disclosure orders (led by Mr Ambrose Ho SC and with Mr Isaac Chan)

- **Wah Lun International Development Ltd v Lau Chiu Shing**[2021] HKCFI 407: Appeared in a trial of a dispute involving the acquisition of a majority shareholding in a listed company (with Mr Isaac Chan)
- **Wah Lun International Development Ltd v Lau Chiu Shing**[2020] HKCFI 2572: Resisted an application for evidence to be given via video conferencing facilities (sole counsel)
- **Sintat Taxi Agency Ltd v Poon, Chi Lun Allen**(HCA 653/2020): Acted for the plaintiff in a breach of contract claim concerning cross-border licenses (led by Mr Norman Nip SC)
- **Yang Yueguang v Dragon Hill Development Ltd** (HCA 2120/2019): Appeared in a striking out application on limitation ground in relation to a loan dispute (led by Mr Norman Nip SC)
- **Xue Xiaoyun v Susan Yung & BOCI Securities Ltd**(HCA 2526/2018): Acted for a securities firm in a claim concerning negligence and vicarious liability (led by Mr Ambrose Ho SC)
- Appeared for the plaintiffs in obtaining an anti-suit injunction from the Hong Kong Court in favour of arbitration in Hong Kong (led by Ambrose Ho SC)
- Acted in an arbitration under HKIAC rules concerning a dispute arising from a ship financing transaction (led by Mr Norman Nip SC)
- Appeared in a 5-day arbitration trial involving a secured loan transaction (led by Mr Victor Dawes SC and with Mr James Man)
- Acted in an arbitration involving a dispute over a sale and purchase agreement of company shares and infringement of trademarks (with Mr Roger Phang)

## Property and Trusts

- **LCK v DLKY & Ors** [2022] 4 HKC 1, [2022] HKCFI 496: Represented the plaintiff in an 8-day hearing involving an application for making a statutory will for a mentally incapacitated person and the setting up of a discretionary trust (with Mr Michael Yin)
- **Osman Mohammed Arab & Wong Kwok Keung v Ng Shui Ching, Irene**(2021) 24 HKCFAR 153, [2021] HKCFA 23; [2021] HKCA 220: Appeared in the Court of Final Appeal for the trustees-in-bankruptcy in an unfair preference claim involving a declaration of trust (led by Ms Audrey Eu SC and with Ms Prisca Cheung)
- **Anthony Francis Li and Clarence A Li, Managers of Li To Wan Tso v Kwok Wui Knitters Ltd**[2021] HKCFI 407: Appeared for the purchaser in a dispute involving disposal of Tso land in the New Territories (with Mr Roger Phang)
- **Kushaev v Greenly Holdings Ltd**[2019] HKCFI 2745: Appeared for the defendants in a dispute involving a declaration of trust and discharge of injunction (with Mr Roger Phang)
- **Chan Pui Sze and Mak Hau Yin v Wang Jue** (HCMP 1655/2017): Represented the trustees-in-bankruptcy in a trial concerning the beneficial ownership of properties in the US (with Mr Roger Phang)
- Advised a landowner on the construction of a restrictive covenant in a Government lease (led by Ms Audrey Eu SC)

## Regulatory

- **Chairman and Deputy Chairman of the Preliminary Investigation Committee of the Medical Council of Hong Kong v Hospital Authority** [2022] 1 HKLRD 16, [2021] HKCA 1793: Instructed by the Department of Justice in an appeal concerning the power of a statutory body to seek disclosure in disciplinary proceedings (led by Mr Ambrose Ho SC)
- **SFC v Li Han Chun** [2019] HKCFI 1966: Appeared in an application for variation of injunction pending a Market Misconduct Tribunal inquiry (with Mr Norman Nip)
- **SFC v Andrew Liu** [2018] HKCFI 1105: Appeared for the SFC in proceedings for disqualification of directors (led by Mr Ambrose Ho SC)
- Advised a statutory body on intended disciplinary proceedings (led by Ambrose Ho SC)

## Civil Fraud

- **Kot See For v Lam Man Cheung** [2021] HKCFA 31; [2021] 2 HKLRD 263, [2021] HKCA 348: Appeared in the Court of Appeal and the Court of Final Appeal in an appeal concerning the privilege against self-incrimination in civil proceedings (led by Mr Ambrose Ho SC)
- **Kot See For v Tang Kwok Pang** [2019] HKCFI 3001: Acted for the respondent in contempt of court proceedings (led by Mr Ambrose Ho SC)
- **Natures Mark HK Ltd v Hongkong Honxintai Trading Co Ltd** [2022] HKCFI 1382: Acted for the plaintiff in an email fraud case (sole counsel)
- **Masterwork Group Co., Ltd v Rieckermann International Ltd & Ors** [2023] HKCFI 3266: Acted for a listed company in the PRC in a cross-border fraud claim against a former employee and related companies (sole counsel)

## Employment

- **Owyang Loong Shui Ivan v Winco Paper Products Co Ltd** [2018] 6 HKC 359, [2018] HKCFI 1228: Acted for an employer in an appeal from the Labour Tribunal on mistaken payments and set-off (led by Mr Ambrose Ho SC)
- Appeared in a 5-day arbitration under HKIAC rules in relation to a claim concerning restraint of trade clauses, breach of confidence and negotiating damages (led by Mr Matthew Gearing KC)

## APPOINTMENTS

- Judicial Associate (Part-time), Court of Appeal (2021-2024)
- Judicial Assistant, Court of Final Appeal (2015-2016)

## PUBLICATIONS

- 'Should "reverse piercing" of the corporate veil be introduced into English law?' (2014) 35 Company Lawyer 163 (cited by the High Court of Singapore in **Koh Kim Teck v Credit Suisse AG, Singapore Branch** [2015] SGHC 52 and **Jhaveri Darsan Jitendra v Salgaocar Anil Vassudeva** [2018] 5 SLR 689, [2018] SGHC 24)
- '**C v Director of Immigration**: A Step forward in Hong Kong's refugee screening process' (2014-15) 5 CityU LR 115
- Co-author, **The Annotated Ordinances of Hong Kong, Cap. 584** (Lexis Nexis 2019)
- Contributing editor, **Tort Law and Practice in Hong Kong** (3rd Ed, Sweet & Maxwell 2014)
- Editor, UCL Journal of Law and Jurisprudence (2014-2015)
- Senior Editor, Hong Kong Journal of Legal Studies (2013-2014)

## EDUCATION

- LLM (Distinction), University College London (2015)
- PCLL, The University of Hong Kong (2014)
- LLB, The University of Hong Kong (2013)

## **SCHOLARSHIPS AND PRIZES**

- Charles Ching Memorial Scholarship (2017)
- Peter Vine Postgraduate Law Scholarship (2014)
- Deacons Cup (Best Mooter) and Hong Kong Bar Association Cup (Champion Team), HKU Faculty of Law Compulsory Moot (2013)
- Best Mooter and Champion Team, HKU Basic Law Moot (2013)
- Runner-up, HKU Haldanes Criminal Law Moot (2013)
- HKSAR Government Scholarship (2013)
- HKU Undergraduate Worldwide Exchange Scholarship (2012)
- Runner-up, ALSA International Arbitration Moot (2011)
- Dean's Honours List (2010)
- HKU Foundation Entrance Scholarship for Outstanding Students (2009)