

LEON GUO

BARRISTER

Mainland PRC: 2013 (non-practicing)

Hong Kong Call: 2019

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Leon has dual legal education and professional qualification background in both Mainland China and Hong Kong.

Before becoming a practicing barrister in Hong Kong, Leon worked as an in-house counsel in the Legal & Internal Control Department of a state-owned enterprise in Beijing. He is therefore able to fully understand Mainland Chinese clients, communicate with them effectively, and provide practical legal opinion and dispute resolution options from the perspective of both jurisdictions.

Leon specializes in handling cross-border civil and commercial litigation cases as well as international arbitration cases. He handles all areas of practice of our Chambers, with particular focus on corporate/commercial disputes, land/trust/probate disputes, securities regulations and white-collar crime.

RECENT HIGHLIGHTS

- **International Arbitration.** Acted for a Mainland China client in an international arbitration administered by HKIAC under the HKIAC 2018 Administered Arbitration Rules. The dispute concerns a loan agreement entered into between the client and a security firm. Hong Kong law applies for the main dispute and the language of the proceedings are in Chinese. The arbitration proceedings are ongoing and various procedural issues including “single arbitration under multiple contracts” signifies the case as one of the iconic ones concerning the application of Article 29 of the HKIAC 2018 Administered Arbitration Rules.
- **Cross-border Enforcement** Acted for a Mainland China client in resisting the enforcement of a PRC judgment in Hong Kong. PRC civil procedural law and the “finality” and “conclusiveness” of the PRC judgment are examined in details with the assistance of PRC law experts.
- **Corporate/Commercial.** Acted for a Mainland China corporate client for its loan dispute with a Hong Kong listed company in High Court proceedings. Hong Kong law applies for the main dispute. BVI legal proceedings including restoration and winding up of BVI registered companies, as well as the tortious liabilities of senior management of the Hong Kong listed company are also involved.
- **Land.** Acted for a Hong Kong real estate developer in a dispute involving development of a piece of New Territory land and the sale and purchase of real properties erected thereon. Hong Kong law applies for the dispute. Real estate valuation and administrative issues for Hong Kong real estate development are also involved.

OTHER NOTABLE CASES

Commercial Litigation & International Arbitration

- Acted for a client in Hong Kong High Court proceedings concerning the validity and enforceability of a loan agreement signed in a casino in Macau SAR. Macau law applies as the governing law of the main contract and Macau law expert evidence was adduced in support of the client’s defence case. Matters regarding the jurisdiction of Hong Kong court including the application of the doctrine of *forum non conveniens* are also in issue.
- Acted for a client in Hong Kong High Court winding-up proceedings against a listed company for the recovery of certain company bonds held by the client.
- Provided Hong Kong legal opinion for a Mainland China corporate client for its supply chain finance business and the potential risks thereof under the Money Lenders Ordinance (Cap.163) in Hong Kong. With support of the legal opinion, the client re-assessed and perfected its investment scheme in a larger scale.

- Provided Hong Kong legal opinion to a Mainland China corporate client for potential litigation proceedings in the High Court involving client's offshore investment schemes and possible trust claims arising from debentures issued out of Hong Kong.
- Provided Hong Kong legal opinion for a corporate client in Hong Kong regarding its potential dispute with outside investors and senior managements thereof. With the support of the legal team, the potential dispute was settled in the interest of the client at an early stage.
- Provided Hong Kong legal opinion to a Mainland corporate client in relation to the client's potential claim against a hi-tech joint venture partner in Hong Kong. The dispute concerns client's investment in a hi-tech medical service mobile app. operated in Hong Kong. Hong Kong law applies for the main dispute.
- Acted for a client in High Court proceedings in relation to client's application for the restoration of a Hong Kong company pursuant to s.767 of the Companies Ordinance (Cap. 622)
- HKIAC: Involved in an international arbitration administered by HKIAC under the UNCITRAL Rules and provided legal opinion to the client in relation to a share sale and purchase agreement. Allegations of conspiracy to defraud and other fraudulent conducts are involved.
- HKIAC: Involved in an international arbitration administered by HKIAC under the HKIAC 2018 Administered Arbitration Rules. The dispute concerns a foreign investment project in Mainland China and PRC law applies for the main dispute.
- HKIAC: Involved in an international arbitration administered by HKIAC under the HKIAC 2018 Administered Arbitration Rules. The dispute concerns a contract for sale and purchase of goods. Hong Kong law applies for the main dispute.
- HKIAC: Involved in an international arbitration administered by HKIAC under the HKIAC 2018 Administered Arbitration Rules. The dispute concerns the sale and purchase of certain company shares in Hong Kong. Hong Kong law applies for the main dispute.
- HKIAC: Involved in an international arbitration administered by HKIAC under the HKIAC 2018 Administered Arbitration Rules. The dispute concerns a convertible bond issued by a Mainland China corporate client. Hong Kong law applies for the main dispute.
- HKIAC: Provided Hong Kong legal opinion for client's intended application to set aside an arbitral award rendered in an arbitration administered by HKIAC under the HKIAC 2018 Administered Arbitration Rules. The case concerns the client's charter business with various parties and grounds of fraud, procedural fairness and validity of the arbitration agreement are assessed.
- HKIAC: Involved in an international arbitration administered by HKIAC under the HKIAC 2018 Administered Arbitration Rules. The dispute concerns a project agreement signed in Hong Kong. Hong Kong law applies for the main dispute.
- SIAC: Involved in an international arbitration administered by the Singapore International Arbitration Centre (SIAC). The dispute concerns several sale and purchase agreements between a Mainland China corporate client and an offshore oil dealer. Singapore law applies for the main dispute and the proceedings are administered under the applicable UNCITRAL Rules.

- ICC: Involved in an international arbitration administered by the International Chamber of Commerce (ICC) under the 2017 ICC Arbitration Rules. The dispute concerns a foreign investment project in Mainland China and Hong Kong law applies for the main dispute.

Land, Trust and Probate

- Acted for a land owner in the new territories in Hong Kong High Court proceedings for the redemption of an old mortgage.
- Provided Hong Kong legal opinion for potential litigation proceedings in the High Court regarding the sale and purchase of several properties in Hong Kong. Transfer of properties under joint tenancy and various other conveyancing issues are involved in the matter.
- Provided Hong Kong legal opinion for matters in relation to the client's will. Succession of client's property situated in both Hong Kong and Mainland China is involved and therefore co-operation with Mainland China legal practitioners is also conducted for the client's best interest.

Securities Regulations and Anti-Money Laundering

- Acted for one of the specified persons for hearings before the Hong Kong Market Misconduct Tribunal in which a Mainland China client was claimed by the Securities and Futures Commission to have engaged in insider dealing contrary to section 270 of the Securities and Futures Ordinance (Cap. 571). The case highlights the importance of "knowledge" of a specified person insofar as allegations of insider dealings are concerned
- Provided Hong Kong legal opinion for a Mainland China client regarding certain cross border tax enforcement issues. The matter involves tax law enforcement by Canadian tax authorities and the Hong Kong cross-border tax law enforcement regime as well as the anti-money laundering legal regime in Hong Kong.
- Provided Hong Kong legal opinion for a Mainland China corporate client which was involved in anti-money laundering investigations by the relevant Hong Kong law enforcement departments. The case concerns Mainland China client's nominal shareholding arrangements in the course of its business for cross-border sale and purchase of goods and oversea investments.

Personal Injury cases

- Provided personal injury advice on both liability and quantum for a construction site worker who sustained personal injuries as a result of an accident happened in the course of his employment with the sub-contractor of the site.
- Provided advice on liability, quantum, and evidence to an insurance company for a personal injuries case involving an accident happened to a construction site worker employed by the insured sub-contractor.

- Provided advice on quantum to an employee of a listed company for potential personal injuries claims as a result of an accident happened at work.
- Provided Hong Kong tort law opinion for a matter involving a personal injury claim in High Court proceedings regarding occupier's liability and the special duty of care of professional firemen.

Employment, Family, Injunction & others

- Acted for a Hong Kong solicitor firm in defending an interlocutory injunction application involving conflict of interest of legal professionals in Hong Kong High Court proceedings.
- Provided Hong Kong employment law opinion for a Mainland China security firm in respect of the client's potential employment dispute with a female job candidate who allegedly was discriminated due to her state of pregnancy.
- Provided Hong Kong employment law opinion for a client's dispute with his former employer in relation to the termination of the client's employment and the client's entitlement of annual bonus.
- Provided Hong Kong family law opinion in relation to the client's intended cross-boarder divorce proceedings. Co-operation with Mainland China legal practitioners is also conducted for the client's best interest.
- Provided Hong Kong family law opinion regarding the client's divorce proceedings with marital assets situate in both Mainland China and Hong Kong.
- Provided Hong Kong procedural law opinion to a Mainland People's Court for various issues in relation to the civil procedure law of Hong Kong.

PUBLICATIONS

- [New Practice Rules: Conditions, practical methods and special considerations for the enforcement of Mainland PRC civil and commercial judgments in Hong Kong](#)
- [UK Supreme Court: Company directors owe duty to the company's creditors under special circumstances](#)
- [Hong Kong Court rejects the enforcement of a Mainland Arbitral Award and found abuse of arbitral proceedings due to elements of fraud](#)
- [Hong Kong Court reiterates its long-standing policy of pro-arbitration in a recent judgment for enforcement of a Mainland Arbitral Award](#)
- [Hong Kong Court rules in a recent case that whether a pre-arbitration procedural requirement is fulfilled is a question of admissibility rather than jurisdiction](#)
- [Hong Kong Court rules a Mainland Arbitral Award manifestly invalid for contrary to public policy](#)
- [Hong Kong Court supports the enforcement of two Mainland Arbitral Awards and states that ground of public policy is not to be widely construed](#)
- [Hong Kong Court supports the enforcement of a Mainland Arbitral Award and reiterates the doctrine of severability of an arbitral award](#)
- [Injunctions in Hong Kong and its unique role in arbitral proceedings in Mainland China](#)
- [Injunctions in Hong Kong Court: Proprietary Injunctions](#)

- [Injunctions in Hong Kong Court: Mareva Injunctions](#)
- [Jurisdiction of Hong Kong Court: Jurisdictional challenge, forum non conveniens and its application](#)

LANGUAGE & OTHERS

Leon is a native Mandarin speaker and is fluent in speaking English and Cantonese.

He is currently a member of the Standing Committee of Mainland Affairs as well as a member of the Committee on Arbitration of the Hong Kong Bar Association.

EDUCATION

- PCLL & Juris Doctor, The University of Hong Kong
- Juris Master, Peking University, PRC
- Bachelor of Economics, Sun Yat-sen University, PRC