

Barrie Barlow, SC

LLB Auckland University

Year Of Call:

1975 (New Zealand)
1978 (Hong Kong AGC)
1984 (England and Wales)
1984 (Hong Kong)
2007 (Hong Kong Inner Bar)

Practice Areas: Arbitration , Mediation, Chancery,
Commercial Law, Company Law and Insolvency, Securities
Law, Tax Law, Banking Law, Constitutional Law



Barrie Barlow, S.C. has been practising as an advocate for over 40 years, accumulating along the way a wide breadth of experience in all the principal areas of litigation. He combines a strong interest in the law with a practical curiosity for the facts and a zeal for the contest. He enjoys trials but his experience includes areas as diverse as company, tax, public law, commercial fraud and other appeals in the Court of Final Appeal; banking, securities, insurance, corporate rescue, commercial fraud, estate and probate appeals in the Court of Appeal; corporate fraud trials for liquidators and others plus a diverse range of civil trials, public law trials, trials of real property proceedings, a wide range of company law and liquidation proceedings, innumerable tax appeals, plus matrimonial property proceedings in the Court of First Instance; and a range of arbitration and tribunal cases - which is reflected in over 180 reported cases. He also sits as an Arbitrator. He has given expert evidence on Hong Kong's banking, company and taxation law in Courts in the U.S.A., U.K. and Australia. He is regularly called upon to speak on company law and taxation law.

Directory Quotes:

Barrie Barlow SC has been ranked **Band 2** for **Commercial Dispute Resolution: The Bar**.

Barrie Barlow SC conducts a wide-ranging practice spanning the commercial and public law fields, providing expertise in taxation and real estate-related cases, and offering further experience covering company and insolvency law disputes.

Source commend "Barrie is certainly an excellent choice for commercial disputes. His legal knowledge is very profound and he is also very dedicated, passionate, and responsive, working to put clients' cases in the best possible light."

Chambers & Partners: Greater China Region 2023

Barrie Barlow SC is recognised as a **Leading Silk** in the fields of **Commercial Disputes**.

Legal 500 Asia Pacific: HK Bar (2023)

Barrie is described as “the best tax lawyer in the jurisdiction,” and “a very smart guy and very tough in court.” He conducts a wide-ranging practice spanning the commercial and public law fields, providing expertise in taxation and real estate-related cases, and covers company and insolvency law disputes.

Chambers and Partners Greater China Region (2022)

'A *resolute silk*.' Barrie Barlow SC is recognised as a Leading Silk for Commercial Disputes.

Legal 500 Asia Pacific: HK Bar (2022)

Barrie Barlow SC has earned himself a “*deservedly tough reputation*” at the Hong Kong Bar. With a wide-ranging practice spanning the commercial and public law fields, he provides expertise in taxation and real estate-related cases, and offers further experience covering company and insolvency law disputes.

Chambers & Partners Asia Pacific (2021)

“*He has a deservedly tough reputation.*” Barrie Barlow SC is recognised as a Leading Silk for Commercial Disputes.

Legal 500 Asia Pacific HK Bar (2021)

Barrie Barlow SC of Des Voeux Chambers continues to be singled out by commentators as “*the barrister you definitely want fighting for you if you have a difficult case.*” Interviewees call him “*tenacious, and inventive in his arguments,*” “*a fierce trial lawyer who definitely has the tools for a fact-heavy case*” and “*a formidable opponent who knows his stuff and*

represents a very safe pair of hands.” Active at both first instance and appellate level across an encyclopaedic range of dispute types.

Chambers & Partners Asia Pacific (2020)

Barrie Barlow S.C. of Des Voeux Chambers is identified by interviewees both as “*one of the busiest silks in Hong Kong*” and as “*a fearless advocate*” whose “*willingness to fight his client’s corner*” constitutes his “*greatest strength.*” His careful preparation, determination “*to leave no stone unturned*” and expert trial craft are all also singled out for specific praise. Active across the commercial and public law spectrum, and in taxation and real property cases, he successfully represented a respondent in The Liquidator of Wing Fai Construction v Yip Kwong Robert and Others, a High Court case which helped clarify the law concerning misfeasance claims against former directors of liquidated companies.

Chambers & Partners Asia Pacific (2019)

Barrie Barlow S.C. of Des Voeux Chambers is characterised by more than one source as a “*very tenacious*” and “*very forceful advocate*” who “*will fight to the utmost for his client,*” and is admired for his ability to “*take on difficult cases and turn them into winners.*” His impressively broad practice embraces expertise in commercial, public and taxation law and experience accumulated in many jurisdictions over more than 40 years, and he has lately been particularly active in insolvency and company receivership cases.

Chambers & Partners Asia Pacific (2018)

Barrie Barlow S.C. of Des Voeux Chambers is “*always well liked by clients, who enjoy his tenacious approach to matters.*” He is frequently instructed to act on matters of public and constitutional law and offers valuable qualifications to practise in England and Wales and New Zealand.

Chambers & Partners Asia Pacific (2016)

Expertise:

Selected Cases

Company and Securities Law:

- **Liquidator of Wing Fai Construction Co Ltd (In Liq.) v. Yip Kwong Robert and Others** [2018] 1 HKC 472.
- **Lam Hong Keung Keith v. Dainy Estates Ltd and Others** [2018] 1 HKLRD 409.
- **Active Base Ltd v. Liquidators of Moulin Global Eyecare Ltd** (2009) 12 HKCFAR 621.
- **Re Legend International Resorts Ltd** [2006] 3 HKC 565.
- **Credit Lyonnais v. S.K. Global HK Ltd** [2003] 4 HKC 104.
- **SFC v. Mandarin Resources Corp Ltd and Chim Pui Chang** [1997] 1 HKC 214.
- **COSCO v. Mitrans Shipping Co Ltd** [1995] 3 HKC 123.
- **Cheng v. Panel on Takeovers and Mergers** [1994] 1 HKC 413.

Commercial Fraud:

- **China Shanshui Cement Group Ltd v. Zhang Caikui and Others** [2017] 2 HKLRD 719.
- **Libertarian Investments Ltd v. Thomas Alexej Hall** (2013) 16 HKCFAR 681.
- **Re Gabriel Ricardo Diaz-Azedo** [2010] 5 HKLRD 474.
- **Wah Nam Holdings Ltd v. Excel Noble Ltd** [2000] 3 HKC 118.
- **Bicoastal Corp v. Shinwa Co Ltd** [1994] 1 HKLR 65.
- **Nissei Sangyo America Ltd v. Choy** [1991] 2 HKC 173.
- **Mandarin Resources Corp Ltd v. Cheng Heng Soon David and others** [1988] 1 HKLR 108.

Taxation Law:

- **Yue Yuen Marketing Co Ltd. v. CIR** [2012] 4 HKLRD 761.
- **Shui On Credit Co Ltd v. CIR** (2009) 12 HKCFAR 392.
- **Ngai Lik Electronics Co Ltd v. CIR** (2009) 12 HKCFAR 296.
- **ING Baring Securities (HK) Ltd v. CIR** (2007) 10 HKCFAR 417.
- **Emerson Radio Corporation v. CIR** (1999) 2 HKCFAR 501
- **Orion Caribbean Ltd v. CIR** [1996] 1 HKC 505.
- **CIR v. Swire Pacific Ltd** [1979] HKLR 612.

Banking and Insurance Law:

- **Zanda Investment Ltd v. Bank of America** [1994] 2 HKC 409.
- **Murjani v. Bank of India** [1990] 1 HKLR 586.
- **Grand Union Insurance Co v. Pennsylvania Insurance Co** [1989] 2 HKLR 574.
- **HSBC v. Attorney General** [1982] HKLR 211.

Public and Constitutional Law:

- ***TNB Fuel Services Sdn Bhd v. China National Coal Group Corporation*** [2017] 3 HKC 588.
- ***The Democratic Republic of the Congo v. FG Hemisphere Associates LLC*** (2011) 14 HKCFAR 95.
- ***Attorney General of Hong Kong v. Ng Yuen-Shui*** [1983] 2 AC 629.
- ***Hang Wah Chong Co Ltd v. Attorney General of Hong Kong*** [1981] 1 WLR 1141.
- ***In re Golden Wall Shirts Factory Ltd and the Director of Trade Industry and Customs*** [1981] HKLR 144.