

Christopher Chain

LLB (HKU)
BCL (Oxon)

Year Of Call:
2008 (Hong Kong)

Practice Areas: Administrative and Public Law, Arbitration, Construction Law, Chancery, Commercial Law, Company Law and Insolvency, Competition Law, Employment and Anti-Discrimination, Family Law, Intellectual Property, Securities Law, International Trade, Land & Planning Law, Tax Law, Mediation,



Christopher Chain was awarded the Bar Scholarship and called to the Hong Kong Bar in 2008. He graduated from the University of Hong Kong at the age of 19 and went on to complete postgraduate studies at the University of Oxford.

Christopher has extensive experience as a trial and appellate advocate, notably conducting a substantive appeal as sole advocate before the Court of Final Appeal within his first year of practice.

He has been recognized by Chambers and Partners as a "very busy junior with a high-powered practice", receiving praise for his "very quick mind", "impressive advocacy skills", and "very creative readiness to argue things from a different angle."

Christopher's practice spans across an exceptionally wide scope. He is often specifically instructed for cases with complex and unusual elements covering the entire spectrum of civil work, ranging from general commercial and companies cases, to more specialist practice areas such as aviation, insurance, medical negligence, securities, and others.

Christopher has sat as a Deputy District Judge, currently sits on 5 government appeal boards, and has acted as amicus curiae on appointment by the High Court.

Directory Quotes:

Christopher Chain wins plaudits as an "extremely bright and capable" counsel who is "excellent at thinking on his feet" and "comes up with practical solutions and possesses a unique and effective way of explaining complex strategies to clients. Chris is one of the brightest, most diligent junior counsels in Hong Kong. He is very well regarded by judges and his submissions always carry great weight."

Chambers & Partners Asia Pacific (2021)

' Chris comes up with practical solutions to clients and possesses a unique and effective way of explaining complex strategies to clients who come pre-disposed to certain ideas. Extremely bright and capable, he is excellent at thinking on his feet. Christopher Chain is active in maritime work including vessel collisions and litigation around the enforcement of arbitral awards. Christopher Chain is recognised as a Leading Junior for Commercial Disputes and Shipping.

Legal 500 Asia Pacific HK Bar (2021)

Christopher Chain of Des Voeux Chambers attracts increasing attention as a "very busy junior with a high-powered practice" whom interviewees also single out for his "very quick mind," "impressive advocacy skills" and "very creative readiness to argue things from a different angle." Within a broad practice which embraces, among others, general commercial, company, financial services and insolvency-related issues, he has built up a particularly noteworthy body of experience of cases arising in the shipping and aviation spheres.

Chambers & Partners Asia Pacific (2020)

Christopher Chain is recognised in the latest Doyles Guide (2020) as a Leading Junior for Maritime, Shipping & Transport Law.

Doyles Guide (2020)

Expertise:

Memberships and Appointments

- Appointed as Deputy District Judge (June 2018)
- Appointed as Member of Appeal Board (Hotel and Guesthouse Accommodation) (from 21st April 2016)
- Appointed as Member of Appeal Board (Clubs (Safety of Premises)) (from 21st April 2016)
- Appointed as Member of Appeal Board (Bedspace Apartments) (from 21st April 2016)
- Appointed to Panel of Chairmen of Appeal Tribunal (Buildings) (from 1st December 2015)
- Appointed as Member of the Inland Revenue Board of Review (from 1st January 2019)
- Appointed as *amicus curiae* by the High Court in judicial review proceedings ***Director of***

Agriculture, Fisheries, and Conservation v Administrative Appeals Board (reported at [2017] 2 HKLRD 349)

Selected Cases

COMMERCIAL

Ageas Insurance Co (Asia) Ltd v Lam Hau Wah Inneo (HCA 1840/2009) - Dispute between insurance company and management level insurance agent concerning loans, insurance commission, and remuneration of agents (led by Clifford Smith SC)

ALC B738 37760, LLC v Siam Air Transport Company Ltd (HCA 1007/2016) - Successfully obtained a proprietary injunction restraining a passenger airliner from leaving Hong Kong

Art Master Investment Ltd v Ng Wing Ka (HCA 646/2011) - Claim brought by company (managed by court-appointed receivers) against directors for breach of fiduciary duty concerning leasing of company's hotel property

Big Island Construction (HK) Ltd v Wu Yi Development Company Ltd (HCA 1957/2005, 714/2007, 886/2007, 1364/2008; CACV 189, 190, 191/2012; FACV 1/2015) - HK\$106 million loan agreement and unjust enrichment dispute between PRC state-owned enterprise and former business partner (reported at (2015) 18 HKCFAR 364; [2014] 2 HKLRD 1054) (led by Denis Chang SC, Ambrose Ho SC)

CEP Solar v Wuxi Jiacheng Solar Energy Technology Co Ltd (HCCL 12/2012; CACV 97/2014, CACV165/2014) - Breach of contract on sale of photovoltaic solar cells Involving interpretation of letter of credit terms and economic duress (reported at [2016] 1 HKLRD 960)

China Cinda (HK) Asset Management Co Ltd v Peacever Ltd (HCCT 59/2015) - Successfully obtained a HK\$2.9 billion worldwide Mareva injunction in aid of CIETAC arbitration proceedings

Cheer Signal Development Ltd v Wong Siu Fan (HCA 646/2015) - Mareva injunction based on HK\$127 million commercial fraud claim brought by PRC state-owned enterprise

Dextra China Ltd v Lam Wing Kit (HCA 38, 967/2010) - Dispute between company selling construction products and former director-level employee concerning breach of confidence, misappropriation of trade secrets, and restraint of trade

Excel Courage Holdings Ltd v Wong Sin Lai (HCCL 34/2013; CACV 28/2014) - Mareva and proprietary injunctions based on fraud claim brought by beneficiary against bare trustee holding HK\$149 million investment assets on trust (reported at [2014] 3 HKLRD 642) (led by Charles Sussex SC)

MG Charter Ltd v Beijing Caissa International Travel Service Ltd (HCA 1635/2012; HCCL

7/2014) - Ongoing RMB 200 million dispute over wholesale block sale of airline seats on Beijing-Maldives route involving complex expert issues of an airline's capacity and ability to fly; obtained seminal judgment on permissible circumstances in which a qualified factual witness can give opinion evidence

Sea Powerful II Special Maritime Enterprises (ENE) v Bank of China Ltd (HCMP 2399/2015, CACV 36/2016) - Application for anti-suit injunction based on contractual arbitration clause (reported at [2016] 1 HKLRD 1032; [2016] 3 HKLRD 352 (led by Charles Sussex SC))

COMPANY & INSOLVENCY

Hansen International Ltd v High Fashion Apparel Ltd (HCA 1724, 1953/2014) - Dispute between shareholders of corporate group engaged in garment sales and distribution business involving breach of shareholders' agreement (led by Johnny Mok SC)

Lasmos Ltd v Southwest Pacific Bauxite (HK) Ltd (HCCW 277/2017) - Represented offshore precious metals mining company and successfully obtained dismissal of winding-up petition, where the Companies Court adopted an entirely new practice regarding arbitration clauses in the context of winding up petitions (reported at [2018] 2 HKLRD 449)

Liu Liguang v Decade Technology Ltd (HCCW 463/2010) - Winding up petition presented against off-shore company on just and equitable grounds, in the context of a dispute between private equity fund investor and PRC joint venture partner (led by Jeremy Bartlett SC)

Re Days International Ltd (HCCW 299/2011) - Application against Liquidators to direct meeting to be held for reconstituting committee of inspection (reported at [2014] 1 HKLRD 20)

Re Gabriel Ricardo Dias-Azedo (HCB 2212/2010) - Bankruptcy petition brought against former managing partner of international accounting firm who had absconded with client monies (reported at [2010] 5 HKLRD 474) (with Richard Zimmern)

Re Guinness HK Ltd (HCMP 339, 374/2015) - Dispute between shareholders of joint venture company engaged in telecommunications business involving breach of fiduciary duty and breach of shareholders' agreement

Re Joy Rich Development Ltd (HCCW 146/2013) - Successful application to reconstitute committee of inspection (reported at [2016] 2 HKLRD 1058) (led by William Wong SC)

Re Kong Sun Holdings Ltd (HCMP 1683/2016) - Successful application for extension of time for directors of listed company to lay financial accounts before AGM, following unexpected resignation of auditors

Re Paladin Ltd (HCMP 1453/2014) - Urgent application to injunct Hong Kong listed-company from holding improperly constituted board meeting for removal of directors

Re Sinom Investments Ltd v CCMD Overseas Ltd (HCCT 43/2015) - Dispute between shareholders of joint venture company engaged in iron ore mining business in Western Australia, concerning breach of best endeavours funding clause within shareholders' agreement (led by Charles Sussex SC)

Re The Grande Holdings Ltd (HCCW 177/2011) - Recognition of solicitor's bills as valid proofs of debt for voting purposes in winding-up proceedings (reported at [2015] 1 HKLRD 743)

Re Yu On Securities Ltd (HCMP 1296/2013) - Application for payment of trust assets into court by securities brokerage company undergoing voluntary liquidation and wind down of business

Song Lianzhong v China NTG Investment Ltd (HCMP 1823/2011) - Application by majority shareholder for company meeting to be held to remove directors (reported at [2012] 2 HKLRD 296)

BANKING & FINANCE

Antwerp Diamond Bank v Rolling Stone (HCA 2499/2009) - US\$1.8 million claim brought by bank against diamond wholesaler under dishonored bills of exchange (reported at [2010] 5 HKLRD 509)

Bank of Baroda v Vee Pee Global Ltd (HCA 342/2011) - Setting aside of regularly obtained default judgment based on bank guarantee

Bank of China (Hong Kong) Ltd v Charter Point Enterprises Ltd (HCA 401/2011) - Enforcement of bank guarantee against directors of private company

China Baoli Technologies Holdings Ltd v Orient Equal International Group Ltd (HCA 1399/2016) - Application by third-party financial institutions inadvertently caught by injunction between parties in a financial mis-selling dispute, concerning issue of whether a cutting edge financial product created a security interest or involved an outright transfer of ownership

Christine Ruth Ong v Lam Kin Chung (HCA 1793/2012) - Investment fraud case involving fraudulent scheme to induce pre-IPO investment in company

Indian Overseas Bank v Vee Pee Global Ltd (HCMP 2114/2011) - Enforcement of bank guarantee and mortgage with defences of misrepresentation and undue influence raised

Jeremy Paul Egerton Hobbins v Royal Skandia Life Assurance Ltd (HCCL 15/2010) - Financial mis-selling case brought against independent financial advisor for sale of investment-linked insurance products (reported at [2012] 1 HKLRD 977) (led by Charles Sussex SC)

PROPERTY & TRUSTS

Ho Kwok Cheong v Yim Yee Mui (HCA 1605/2012) - Constructive trust claim over industrial and residential properties arising from cohabitation relationship

Hollywood Palace Co Ltd v Trans-global Hong Kong Investment Ltd (HCMP 151/2010) - Commercial tenancy dispute over substantial commercial premises in Tsimshatsui with monthly rental value of HK\$500,000 (reported at [2011] 1 HKLRD 833)

Kingcity Investment Ltd v Spring Victory Ltd (DCCJ 561/2009) - Dispute over ownership of car park space in residential estate between joint developers of the estate

Mak Ho Fung v Mak Kai (DCCJ 2027/2008; CACV 246/2011) - Proprietary estoppel claim over residential property

Pang Ketian Sally v Tam Yuk Hung Annie (HCA 298/2012; CACV 147/2013) - Constructive trust claim arising from tripartite agreement to invest in residential property

Secretary for Justice v Lau Hon Mo (HCA 2136/2014) - Adverse possession case concerning government land in Shek O (led by Chua Guan-Hock SC)

Tong Kwok Cheong v Tong Wai Lin (HCA 1939/2007; CACV 268/2012) - Specific enforcement of contract for sale of commercial shop premises with defence of unconscionable bargain raised (reported at [2014] 1 HKLRD 339)

William Thomson v Roland John Jeans & Anor (DCCJ 3388/2005, HCMP 333/2015) - Constructive trust claim concerning monies paid by third party into solicitor's client account

INTELLECTUAL PROPERTY & CONFIDENTIALITY, & DEFAMATION

Chor Ki Kwong David v Lorea Solabarrieta Cheung (HCA 1870/2012) - Breach of confidence claim over misuse of private and personal information imparted under circumstances of confidence (reported at [2013] 2 HKLRD 95) (led by Winnie Tam SC)

Go Wireless Ltd v Simeray Jannick Jaques (HCA 1480/2010) - Dispute involving breach and further threatened breaches of licensing agreement and economic tort of unlawful interference

Lewis Road Creamery Ltd v Keen Top International Ltd (HCA 1529/2015) - Jurisdictional forum non conveniens challenge premised on underlying dispute being concerned with PRC trademarks

Menfond Electronic Art & Computer Design Co Ltd v Wong Wang Tat (HCA 293/2011; CACV 18/2013) - Passing off by use of website and incorporation of company with similar name

Sky King Machinery Engineering Ltd v Chun Wo Construction & Engineering Co Ltd (HCA 1918/2013) - Copyright dispute over construction plans of construction waste sorting facility (led by Winnie Tam SC)

Zhang Xuecheng v Egon Zehnder (HCA 2956/2015, 2957/2015) - Dispute between global headhunting firm and former employee concerning issues of defamation and breach of contractual

confidentiality and non-derogatory clauses (led by Jason Pow SC)

SHIPPING

Calm Ocean Shipping SA v Win Goal Trading Ltd (HCAJ 118/2015) - Successfully resisted application by vessel owner seeking to exercise self-help rights for shipper to hand over original bills of lading (reported at [2016] 1 HKLRD 149)

Intraline Resources Sdn Bhd v The Owners of the Ship or Vessel "Hua Tian Long" (HCAJ 59/2008) - US\$100 million claim concerning issues of breach of charterparty, fraudulent misrepresentation, and groundbreaking issue of entitlement to crown immunity of PRC state-owned enterprise (reported at [2010] 3 HKLRD 611) (led by Charles Sussex SC)

Meiko Trans Co Ltd v Chan Kwan Yiu (HCA 1024/2011) - Recovery of misdelivered EUR€1 million luxury sports car by holder of original bill of lading (led by Charles Sussex SC)

Parakou Shipping Pte Ltd v Jinhui Shipping And Transportation Ltd (HCAJ 184/2009) - US\$44 million claim for breach of charterparty against disponent owner which mirrored London arbitration proceedings (reported at [2011] 2 HKLRD 1) (led by Charles Sussex SC)

Re the "TS Singapore", the "MCC Jakarta", and the "Xin Nan Tai 77" (HCAJ 48/2011, 148/2012, 49/2013) - Obtained successful result in trial and appeal of a collision dispute involving 3 vessels in crossing situation near East Lamma Traffic Separation Scheme (reported at [2018] 4 HKLRD 1; [2016] 1 HKLRD 149)

OTHER SELECTED CASES

CLP Power Hong Kong Ltd v Kong Chung Sang (DCCJ 2775/2010) - Claim by electric company against customer who tampered with electricity meter

Pong Seong Teresa v Chan Norman, Tam Seen Mann Estefania v Chan Norman (HCA 627/2010, 726/2011; CACV 186, 167/2014) - Dispute between neighbours in luxury residential estate concerning nuisance, harassment, assault, and consequential injunctive relief (reported at [2014] 5 HKLRD 60)

Richful Engineering Ltd v Pine Year Development Ltd (HCA 2906/2004) - Construction dispute over whether sub-contracted maintenance and waterproofing works over railway station were properly performed (with José-Antonio Maurellet SC)

Securities and Futures Commission v Chan Pak Hoe Pablo (ESS 28970/2009; HCMA 754/2010) - One of the first substantively argued insider dealing cases prosecuted as a criminal offence under the Securities and Futures Ordinance (Cap. 571) (led by Gerard McCoy SC and William Wong)

Wong Hon Sun v HKSAR (HCMA 608/2007; FACC 1/2000) - Case concerning civil forfeiture of

goods seized during commission of crime, involving human rights issues of applicable standard of proof and presumption of innocence (reported at (2009) 12 HKCFAR 877)

Yung Tai Yin v Chan Yuen Tung & China Zenith Chemical Group Ltd (HCPI 1225/2014) - striking-out of frivolous HK\$34 million claim brought against listed company

Scholarships and Awards

- Bar Scholarship (2007)
- Middle Temple Advocacy Scholarship (2007)
- Awarded 12 scholarships and prizes during LLB

Publications, Lectures, Talks

- Chairman of the 2012 Publications Sub-Committee of the Hong Kong Bar Association
- Contributing Author, "Commercial Litigation in Hong Kong: A Practical Guide" (Sweet & Maxwell, 2012)
- Associate Editor, Oxford University Commonwealth Law Journal (2006-2007)

Contact Numbers

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