

Justin Lam

BA (Oxon), First Class
BCL (Oxon), Distinction

Email Address:

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Year Of Call:

2013 (Hong Kong)

Practice Areas: Chancery, Commercial Law, Company Law and Insolvency, International Trade, Land & Planning Law, Securities Law, Tax Law, Banking, Conveyancing & Property, Regulatory, Trusts & Probate



Justin is developing a broad practice in civil and commercial law. He has been involved in a wide range of civil cases, with an emphasis on company, probate, trusts and land matters.

He appears regularly in the High Court, including the Court of Appeal, as an advocate in his own right and as junior counsel.

Prior to joining Chambers as a tenant in 2013, Justin completed his degree in Jurisprudence from the University of Oxford in 2010 with First Class Honours, graduating second in his class. In 2011, he obtained his BCL degree from the University of Oxford with distinctions in all subjects. He was awarded the Bar Scholarship in 2012.

Justin is also a fluent Mandarin speaker.

Directory Quotes:

Justin Lam is a “really strong name” at the junior Bar and “one of the standout juniors at DVC who is making an impression.” He is endorsed for his wide-ranging civil, company law and insurance practice, and also handles contentious private client matters and disputes in the financial services sphere. Described as an “attentive and thoughtful” counsel, he is further praised for his “excellent research skills.”

Chambers & Partners Asia Pacific (2021)

Justin Lam of Des Voeux Chambers is rated “a very strong junior” by sources, an assessment borne out by his very active caseload and the frequency with which he is

selected to support distinguished senior counsel on significant cases. Experienced in litigation to High Court level, he is regularly seen on company, financial services, land and trust-related cases.

Chambers & Partners Asia Pacific (2020)

Justin Lam of Des Voeux Chambers focuses on company, probate, trust and land issues, interviewees emphasising his prominence in the last of these areas particularly strongly. He is widely viewed as "one of the up-and-coming barristers at the junior end of the Bar," more than one source stressing that he is "very good in research and very quick in terms of turnover," while an instructing solicitor reports that he "works his socks off and provides enormous assistance to other members of the counsel team."

Chambers & Partners Asia Pacific (2019)

Expertise:

Scholarships and Awards

- Bar Scholarship (2012)
- Charles Ching Memorial Scholarship (2012)
- Proxime Accessit, Martin Wronker Prize for Best Performance in Law Finals (2010)
- Gibbs Book Prize for Best Performance in Contract, Tort, Land and Trusts (2010)
- Quadrant Chambers Prize for Best Performance in International Trade (2010)
- Demyship for Performance in Law Moderations (2008-2010)

Selected Cases

Company

- **Chinese Strategic Holdings Ltd v James Wardell** [2019] HKCFI 1236 (application for removal of liquidators - led by Dr. William Wong SC)
- **Waddington Ltd v Chan Chun Hoo Thomas & Ors**, HCA 3291/2003, [2014] 4 HKC 356, [2015] 3 HKLRD 474, CACV 142/2015, CACV 10/2014, FAMV 49/2016, [2019] HKCA 604 (trial and appeal involving a multiple derivative action and BVI law - led by Benjamin Yu SC; application for interim payment of costs - led by Benjamin Yu SC, appeal - led by Charles Hollander QC; appeal on basis of taxation for indemnity - led by Benjamin Yu SC)
- **Liao Chen Toh v Loyal International Enterprises Co. Ltd. & Ors**, HCA 2302/2014 (applications against ex-director for delivery up of corporate documents and removal as bank signatory, proprietary injunction for misappropriated funds of approximately US\$100 million and

Bankers Trust orders - led by Dr. William Wong SC)

- **SFC v Yin Yingneng Richard & Ors**, HCMP 2502/2012, [2015] 5 HKLRD 530 (trial involving an unfair prejudice petition issued by the SFC against directors of a listed company - with Mr. Jose-Antonio Maurellet)
- **Anthony A Sperandeo v George Lencsak & Anor**, HCMP 1022/2013 (trial involving an unfair prejudice petition over complaints of exclusion from management and dilution of shareholding)
- **Lee Chi Yuen Arctic v Lau Siu Ming & Anor**, HCMP 778/2016 (application for interim injunction to restrain shareholder and director from acting on an invalid shareholders' resolution)
- **Hansen Int'l Ltd v High Fashion Apparel Ltd & Ors**, HCA 1724/2014 (application to discharge ex parte injunction in an ex parte hearing with notice - with Mr. Jose-Antonio Maurellet; at the inter partes hearing - led by Mr. Russell Coleman SC)
- **Re Days International Ltd**, HCCW 229/2011 (acting for the company in resisting an application for security for costs under section 905 of the Companies Ordinance, Cap. 622)
- **Wu Yang v Dayuan International Development Ltd**, HCCW 103/2015 (acting for the respondents in resisting applications to strike-out and seeking a stay of unfair prejudice proceedings - led by Mr. Victor Joffe QC and Mr. Jose-Antonio Maurellet SC)
- **Re China Solar Energy Holdings Ltd** [2017] 2 HKLRD 1074 (acting for the investors in an application by provisional liquidators for approval to enter into various restructuring agreements - led by Dr. William Wong SC)
- **Chien Tsai Wan Judy v Chiu Tai Loy & Ors**, HCA 1561/2016 (resisting application for interlocutory injunction to restrain directors from dealing with the company's assets - led by Dr. William Wong SC)

Trusts and Probate

- **Lee Goo Lynette Siu Yin v Cheung Wai Ming Daisy** [2019] HKCFI 1086 (application for removal of personal representative of HK\$500+ million estate - led by Mr. Anson Wong SC)
- **Mo Ying v Brillex Development Ltd & Anor** [2014] 3 HKLRD 224, [2015] 2 HKLRD 985, [2015] 3 HKC 104 (trial and appeal involving common intention constructive trust and its effect on a third party purchaser - led by Dr. William Wong SC)
- **He Jiping v Wang Zhenping & Anor**, HCA 200/2005 (trial involving dispute as to whether shares are held on express trust - with Mr. Jenkin Suen)
- **Dr. Wong Wen-Young v Hua Yang Investment (H.K.) Ltd & Ors**, HCA 1017/2013 (acting for the administrator of the estate of Wang Yung-Ching in the recovery of substantial assets in Hong Kong in excess of HK\$30 billion)
- **Kwok Shuk Kuen Maria & Anor v Li Wun & Anor**, CACV 151/2014, 72/2015 (appeal involving dispute over validity of a will and the test for testamentary intention - with Mr. Alfred Liang)

Banking and Commercial

- **Au Kai To Karel v End User Technology** [2019] HKCA 72 (appeal against judgment on contractual claim against listed company and subsidiary)
- **Company A v Company D** [2018] HKCFI 2240 (application for appointment of receivers in aid of arbitration)
- **Lo Yuk Sui v Fubon Bank (Hong Kong) Ltd**, HCA 409/2005, [2017] 2 HKLRD 477 (trial involving the interpretation of a side letter in the context of a corporate debt restructuring exercise, implied terms and damages - led by Mr. Clifford Smith SC)
- **Indian Overseas Bank v Vee Pee Global Ltd & Ors**, HCMP 2114/2011 (trial involving the defence of undue influence and non est factum against a mortgage enforcement claim)
- **First Asia Finance Ltd v Tsoi Tin Kwan Fanny**, HCA 1070/2011, HCA 1589/2011, HCA 1774/2011 (trial involving claims for money had and received and breach of share purchase agreements - with Mr. Patrick Chong)
- **Tech Garden Asia Ltd v Yuneec International Co Ltd**, HCMP 2421/2015 (application for interim injunction in aid of arbitration in relation to an exclusive distributorship contract)
- **Arbitration** (damages claim for approximately US\$1.5 million for failure to open letter of credit in breach of contract for the sale of commodities - with Mr. Jose-Antonio Maurellet)

Land

- **Fantastic State v Tien's Organic Farm** [2018] HKCFI 2473, [2019] HKCA 687 (application to set aside ex parte injunction on right of way and appeal - led by Mr. Benjamin Yu SC)
- **Uni-Creation Investments Ltd v Secretary for Justice** [2017] 2 HKLRD 139, [2017] 4 HKC 125, [2018] 2 HKC 531 (application for declaration of compliance with offensive trade clause in government lease regarding construction of columbarium and appeal - led by Mr. Benjamin Yu SC)
- **United Bright Ltd v Secretary for Justice** [2015] 2 HKLRD 633, [2015] 4 HKC 12 (appeal in relation to the proper interpretation of the terms of a government lease - led by Mr. Benjamin Yu SC)
- **Sky Ace Enterprises Ltd v Appeal Tribunal (Buildings) & Anor**, HCAL 157/2014 (judicial review against decision of the Buildings Appeal Tribunal concerning (a) characterisation of land as a "street" and (b) refusal to grant exemption or modification for building plans - with Mr. Anthony Ismail)
- **Kowloon-Canton Railway Corporation v Ha Chiu Yeung & Anor**, HCAL 385/2013 (applications on behalf of KCRC for order to conduct ground investigation works on unauthorised structures and disclosure order)

Others

- **Commissioner of Inland Revenue v Perfekta Enterprises Ltd** HCIA 1/2016, [2018] HKCA 373, FACV 11/2018 (case stated from decision of Board of Review on imposition of profits tax and appeal - led by Mr. Clifford Smith SC)
- **Re David Perry QC** [2016] 2 HKLRD 647 (acting for the Bar Association in resisting application for overseas admission and making first-ever costs application - led by Mr. Graham

Harris SC)

- **Darryl Penrice v Chan Kwok Ji, Eric, IDSM, Director of Immigration & Ors**, DCCJ 2983/2014 (acting for the Ombudsman in an application to strike-out a statement of claim)
- **Waddington Ltd v Chan Chun Hoo Thomas & Ors**, CACV 136/2013 (appeal involving third-party discovery and subpoenas duces tecum)
- **West Coast Int'l Trading Ltd v Chelesa Art Co Ltd**, HCA 1636/2010, HCMP 1228/2014 (appeal from master involving amendment of pleadings, expert directions and interrogatories)
- **Champion Concord Ltd v Kao Lee & Yip (a firm) & Ors**, HCA 85/2012 (application for leave to issue a writ of subpoena ad testificandum to compel the attendance of a witness at trial)
- **Wallbanck Brothers Securities (Hong Kong) Ltd v Emily Tse & Ors**, HCMP 1464/2015, CACV 222/2015 (application for leave to appeal against order to strike-out statement of claim and appeal on costs)

Publications, Lectures and Talks

- Contributing editor of Hong Kong Civil Procedure (“White Book”)