

Kaiser Leung

Bachelor of Laws (University of Durham) (First Class Honours)
Master of Laws (University of Cambridge) (First Class Honours)

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Year Of Call:

2015(Hong Kong)

Practice Areas: Arbitration, Mediation, Chancery, Commercial Law, Company Law and Insolvency, Construction Law, Family Law, Securities Law, Land Law



Kaiser has a broad civil and commercial practice, with a particular emphasis on construction, company, insolvency, and securities law. He appears regularly at various levels of courts, including the Court of First Instance and the Court of Appeal. He has also advised on various commercial matters and has been involved in international arbitrations conducted in Hong Kong.

Kaiser's recent notable cases include acting for the MTR Corporation Limited (led by Mr. Philip Boulding QC and Mr. Jat Sew-Tong SC) in **The Commission of Inquiry into the Construction Works at and near the Hung Hom Station Extension under the Shatin to Central Link Project**, the final report of which is expected to have a long-term impact on the construction industry.

In addition to his civil and commercial practice, Kaiser also has experience in matters concerning international law. He acted for the Asia Pacific Institute of International Law (led by Mr. Daniel Fung SC) in the submission of an *amicus curiae* brief on questions of jurisdiction and justiciability of issues in **The Republic of the Philippines v the People's Republic of China** (the South China Sea Arbitration). Prior to joining the Bar, he worked at the Office of The Prosecutor of the International Criminal Tribunal for the Former Yugoslavia in The Hague, where he was involved in the prosecution of war crimes.

Kaiser is a recipient of the Bar Scholarship (2014), the Charles Ching Memorial Scholarship (2015), and the Society of Construction Law Hong Kong Scholarship (2015). He was called to the Bar and joined Des Voeux Chambers in 2015 after obtaining First Class Honours in both Bachelor of Laws and Master of Laws at the University of Durham and the University of Cambridge respectively. He is a contributing editor to **Hong Kong Civil Procedure**.

Expertise:

Selected Cases

- **Lau Reimer Mary Jean v Ting Wai Monastery Ltd** [2018] 1 HKLRD 346 - acted for the interested parties in a petition for the winding-up of a company formed for charitable purposes, based on an unsatisfied statutory demand, and the appointment of provisional liquidators.
- **Re Rad Source Technologies Asia Ltd** HCCW253/2017 - acted for the petitioner in a winding-up petition based on an unsatisfied statutory demand.
- **Bruno Arboit as Sole Liquidator of Highfit Development Company Limited (in Liquidation) v Koo Siu Ying and Ling Meng Chu, Pearl** [2016] 3 HKLRD 154 - (with Mr. Yang-wahn Hew) - acted for Liquidator in committal proceedings.
- **Re Topwin & Companies Limited (In Liquidation)** HCCW 213/2015 - acted for the Joint and Several Liquidators in an application for oral examinations of directors.
- **Re Shun Yue Enterprises (Hong Kong) Limited (In Compulsory Liquidation)** HCCW 57/2016 - acted for the Joint and Several Liquidators in an application for the production of documents.
- **Ageas Insurance Company (Asia) Limited v Ng Fo Heung** CACV 164/2015- (led by Dr. William Wong SC, JP) acted for the appellant in an appeal against the dismissal of a bankruptcy petition.
- **Re Kwai Hing & Sheung Wan Hsin Kuang Restaurant Limited** HCMP 2747 & 2751/2017 - acted for the companies in extension of time applications for general meetings and laying of financial statements under sections 429 and 610 of the Companies Ordinance.
- **Pan Shi Liang v Harsen Industries Ltd** HCMP 1917/2017 & HCA 193/2018 - acted for the applicant in an application for leave to commence a statutory derivative action and for the plaintiff in a statutory derivative action.
- **Ng Im Fong Loretta (executrix of the estate of Lui Kwan Cheung, the Deceased) v Charm Investments Ltd** HCMP 86/2019 - acted for the plaintiff in an application for the inspection of the company's register of members.
- **Li Liping v API Premier Limited** HCA 2167/2015 & 2168/2015 - acted for the plaintiffs in applications for proprietary and Mareva injunctions.
- **Punjab National Bank v Nirav Deepak Modi & Ors** HCA 872/2018- (with Mr. Lawrence K F Ng) acted for the plaintiff in an application for Mareva injunction.
- **Oriental Press Group v Google Inc** HCA 2474/2015, 2476/2015 & 2477/2015 - (with Mr. Lawrence K F Ng) - acted for the plaintiffs in resisting applications to set aside leave for service out of jurisdiction in relation to a defamation action.
- **Big Island v Wu Yi** HCA 1957/2005, 714/2007 & 886 2007- (with Mr. Lawrence K F Ng) acted for the applicants in applications for non-party costs orders.
- **Lo Yuk Sui v Fubon Bank (Hong Kong) Limited** [2017] 2 HKLRD 477 - (led by Mr. Anson Wong SC) - acted for the plaintiff in an application for enhanced costs and interest.
- **W v L** FCMC 14114/2015 - acted for the proposed intervener in an application for leave to be joined and named as intervener in the proceedings.

- **Sun Cheong Construction Co Ltd v The Incorporated Owners of King Fu, Ho Fu, Ki Fu & Ka Fu Buildings** HCCT 27/2010 & CACV 67/2019 - (with Mr. Gary Lam) - acted for the incorporated owners in a dispute concerning defective works provided by the contractor in a renovation project of residential buildings.
- **Choi Kee Engineering (HK) Co Ltd v Leighton-Able Joint Venture & Ors** DCCJ 1100/2019- acted for the subcontractor in a dispute concerning metal works and outstanding payments.
- **Markway (International) Ltd v W. Hing Construction Co Ltd** DCCJ 1037/2017- acted for the supplier in a dispute concerning the supply of defective construction materials.
- **Coxgomyl Hong Kong Limited v Unistress Building Construction Limited** DCCJ 552/2016 - acted for the main contractor in a dispute concerning defective work provided by the sub-contractor in a construction project of a commercial building.
- **Li Kuen Kwai Jay v Lok Chun Cheong** DCCJ 1922/2016- acted for the defendant in a case concerning water leakage at residential premises.
- **Manulife (International) Ltd v Choi Wai Ling** DCCJ 4042/2016 & CAMP 68/2017 - acted for the defendant in a dispute between insurance company and its agent.
- **Re Estate of Lo Wai Yin** HCCA 1984/2016 - acted for the person warning in an application to vacate the caveator's caveat and appearance.
- **Asiamax Events Limits v Inspira Events Limited** DCCJ 4766/2015- acted for the plaintiff in a contractual dispute action.
- **Yip Yam Cheung v Fong Hoi Kwan** DCCJ 3572/2013- acted for the defendants in an action in relation to water leakage.
- **蔣鵬飛及林信義** DCCJ 4894/2014- acted for the plaintiff in a defamation action.
- **Gaza Limited v Ho Tack Fai** DCCJ 493/2016- acted for the plaintiff in a shareholders' dispute.
- **Re Tientsin Fashion Limited** HCCW 66/2015 & 132/2015- (led by Dr. William Wong SC, JP) acted for the petitioner in a winding up petition.
- **Re: Guo Yao Ming** HCB 6796/2015- acted for the debtor in a bankruptcy petition.
- **The Republic of the Philippines v the People's Republic of China** PCA Case No. 2013-19- (led by Mr. Daniel Fung SC) - *amicus curiae* brief on the questions of jurisdiction and justiciability of issues.

Publications, Lectures, Talks

- CPD Seminar: "An Encounter between Trust and Family Law: Discussion on recent landmark decisions"(with Mr. Jonathan Chan) (14 October 2016)
- CPD Seminar: "Practical Tips: Drafting Orders and Enforcing Them in Contempt Proceedings" (with Mr. Yang-wahn Hew) (19 January 2017)
- "International Infrastructure and Construction Disputes- Is China ready for it?" (with Mr. Ian Pennicott QC SC and Mr. Calvin Cheuk) at a conference held at and hosted by the Shanghai International Arbitration Center. (17 February 2017)

Scholarships and Awards

- Bar Scholarship [2014]
- Charles Ching Memorial Scholarship [2015]
- Society of Construction Law Hong Kong Scholarship [2015]
- Hardwicke Scholarship [2012]
- Robinson College, Cambridge Scholarship [2012]

Memberships and Appointments

- Member, Committee on Construction Law, Hong Kong Bar Association
- Member, Committee on International Law, Hong Kong Bar Association