

Kevin Lau

BBA (Law), HKU (First-Class Honours)
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Email Address:

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Year Of Call:

2017

Practice Areas: Administrative and Public Law, Arbitration, Chancery, Commercial Law, Company Law and Insolvency, Mediation,



Kevin is a Bar Scholar. He joined Chambers upon completion of his pupillage with Mr. Jenkin Suen SC, Mr. John Hui, Mr. Christopher Chain and Mr. Jonathan Ah-weng in 2017.

After graduating with first-class LLB and BBA (Law) degrees from the University of Hong Kong, Kevin then obtained his LLM (first-class in all subjects and first-class overall) from the University of Cambridge.

Kevin is developing a broad civil practice and has been involved (both as sole advocate and as led junior) in cases concerning trusts, insolvency, SFC regulation, land, probate, judicial review, and commercial and corporate matters.

Kevin is also part-time tutor and moot coach at the University of Hong Kong, and is the contributing author for various publications. He has also since 2019 served on the Young Barristers Committee of the Hong Kong Bar Association, and is responsible for overseeing its Street Law outreach program.

Expertise:

Memberships & Appointments

- Committee Member, Young Barristers Committee of the Hong Kong Bar Association [2019-present]
- Lecturer (Non-clinical), HKU [2017-2019], teaching the Law of Contract
- Lecturer (Non-clinical), HKU [2020-present], teaching Equity & Trusts
- Lecturer (Non-clinical), HKU [2019-present], Coach for Red Cross International Humanitarian Law Moot

Selected Cases

Injunction / Receivership

- **Relevant employees whose shares in China Shanshui Investment Company Limited were held by Zhang Caikui on trust v Zhang Caikui** - taxation of receivers' bills; interim payment in favour of receivers; specific discovery of documents from receivers in support of taxation [2021] HKCFI 893 (led by Mr. José Maurellet SC and with Mr. Alexander Tang)
- **Leader Screws Manufacturing Company Limited v Huang Shunkui** - post-judgment appointment of receivers by way of equitable execution [2021] HKCFI 2828 (as sole advocate)
- **The Princeton Review Hong Kong Limited v Au-Yeung Yun, Mark** - "imaging" Anton Piller order; obtained order allowing forensic computer experts to make copies / images of contents of electronic devices found on premises and cloud storage accounts of defendants (HCA 1384/2020) (with Mr. John Hui)
- **Chen Hongqing v Liu Yiu Keung Stephen** - "interim interim" injunction to restrain dealing with shares [2019] HKCFI 2720 (led by Mr. Simon Westbrook SC and with Mr. Alexander Tang)
- **Chen Hongqing v The Persons whose Names are set out in the Second Column of the Schedule Hereto** - anti-suit injunction and jurisdiction challenge [2019] HKCFI 2123 (led by Mr. José Maurellet SC and with Mr. Alexander Tang)
- **Zhang Caikui v China Shanshui Investment Co Ltd and Others** - Reconvening of EGM; injunctive relief based on unfair prejudice petition [2018] HKCFI 1184 (led by Mr. Simon Westbrook SC, and with Mr. Alexander Tang and Ms. Sharon Yuen)

Insolvency / bankruptcy

- **Re Bomin Investment Ltd** - conversion to creditors' voluntary winding up [2021] HKCFI 3854 (as sole advocate)
- **Lio Weng Tong v Fundpark Limited** - setting aside statutory demand; trade insurance dispute; recourse receivables and non-recourse receivables [2020] HKCFI 2540 (as sole advocate)
- **Re X Ltd** - duty of provisional liquidators to disclose their interests as "financial advisors" [2020] 1 HKLRD 745 (CFI) (as sole advocate)
- **Re Hua Han Health Industry Holdings Limited** - resisting appointment of provisional liquidators over listed company [2020] 2 HKC 53 (CFI) (led by Dr. William Wong SC, JP); on appeal [2019] 4 HKLRD 286 (CA) (with Mr. Christopher Chain)
- **Re Qin Jun** appeal against bankruptcy order; new points not run at first instance [2018] 4 HKLRD 379 (CA) (led by Mr. Douglas Lam SC and with Mr. Anson Tso)
- **So Sheung Hin Ben v Chubb Life Insurance Co Ltd** - setting aside statutory demand; implied term as to good faith [2018] 5 HKC 47 (CA) (with Mr. John Hui)

General civil commercial

- **Joint and Several Liquidators of Wan Hin and Company Limited v Chung Chun Keung** - setting aside default judgment; locus of liquidators to pursue s.60 CPO claims; limitation period for s.60 CPO claims [2021] HKCFI 369 (led by Mr. José Maurellet SC and with Mr. Alexander Tang)
- **Yeung Chiu Sing Ricky v Tsui Tack Kong** - summary judgment; whether defendant bound by expert determination; deferred tax liability [2020] HKDC 582 (with Mr. Adrian Lai)
- **Hantec Securities Company Limited v Power Rise International Limited** - trial; whether guarantee supported by consideration [2020] HKCFI 2960 (with Mr. Patrick Chong)
- **Chan Yuen Tung v Ko Kin Hang** - trial; existence of oral agreement [2018] HKCFI 2081 (with Mr. Christopher Chain)
- **Advice for e-lending business** - whether automated e-borrowing loan program compliant with Money Lenders Ordinance (Cap.163) and anti-money laundering regulations (led by Mr. Anson Wong SC)

Public Law and Judicial Review

- **Wong Wing Wah v Collector of Stamp Duty** - judicial review; constitutionality of Buyer's Stamp Duty [2021] 1 HKLRD 649 (CFI) (with Mr. Gary Lam)
- **Kwok Wai Fun, Franco v Lau Siu Lai** - election petition; material irregularity in nomination process for LegCo By-election [2020] 2 HLKRD 1395 (CFI) (led by Mr. Johnny Mok SC); on application for leave to appeal to CFA (2020) 23 HKCFAR 338 (led by Mr. Johnny Mok SC)
- **Chow Ting v Teng Yu Yan Anne** - election petition; material irregularity in nomination process for LegCo By election [2019] 4 HKLRD 459 (CFI) (led by Mr. Johnny Mok SC and with Mr. Adrian Lai)

Land

- **IO of Gough Plaza v Wong Ching Kong** - trial; breach of DMC; account of profits and gain-based remedies [2020] HKDC 799 (as sole advocate)
- **Mohinisons Co Ltd v. Koonex Technology Ltd** - trial; seeking possession of land; damages

for failure to keep premises in good and tenable repair and condition [2019] HKLdT 57 (as sole advocate)

• ***Goldcrest Management Holdings Ltd v Great Wish Corporation Ltd*** - resisting third party intervention in distraint for rent [2018] HKDC 416 (as sole advocate)

Arbitration

• ***T v W*** - stay of proceedings in favour of arbitration; whether negotiable instrument (cheque) issued pursuant to contract caught within arbitration clause in contract [2021] 2 HKC 519 (CFI, with Mr. Adrian Lai); on appeal [2022] HKCA 95 (with Mr. Adrian Lai)

• ***Arbitration under HKIAC administered arbitration rules*** - breach of contract; interpretation of contractual clauses referring to Mainland regulatory authorities; trial of PRC law expert evidence on status and powers of Mainland regulatory authorities (with Mr. Adrian Lai)

• ***Arbitration under HKIAC administered arbitration rules*** -breach of buy-back provision in contract; existence of implied term; estoppel by convention (with Ms. Catrina Lam)

Publications and Lectures

- Annotated Ordinances of Hong Kong: Immigration Ordinance (Cap.115) (Contributing editor)
- Annotated Ordinances of Hong Kong: Crown Proceedings Ordinance (Cap.300)(Contributing editor)
- Annotated Ordinances of Hong Kong: Misrepresentation Ordinance (Cap.284)(Contributing editor)
- CPD-accredited lecture: Contracts, KYC and Data Protection for Hong Kong Start-ups
- CPD-accredited lecture: Introduction to Blockchain: Legal issues and Challenges
- CPD-accredited lecture: Pre-action Discovery & Access to Documents in Related Proceedings

Scholarships and Awards

- Bar Scholarship [2016]
- Queens' College Foundation Scholarship [2016]
- Sir Edward Youde Memorial Fellowship [2015]
- Des Voeux Chambers Junior Scholarship [2015]
- Mayer Brown JSM Scholarship for LLB Students [2014]
- LLB Subject Prizes in: (1) Legal Systems, (2) Business Associations, (3) International Law (Duke University, as exchange student) and (4) Equity & Trusts
- Dean's Honour List

Spoken Language

English

Cantonese
Mandarin