

Rachel Lam SC

M.A. (Oxon)
L.L.M (Harvard)
M.St. IHRL (Oxon)

Email Address:

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Year Of Call:

2004 (England and Wales)
2004 (Hong Kong)
2007 (New York State Bar)
2019 (Hong Kong Inner Bar)

Practice Areas: Commercial Law, Company Law and Insolvency, Intellectual Property, Securities Law, Restructuring, Regulatory litigation, Civil litigation, Information Technology law, , Experience in:- Advisory work, drafting, and court attendance in all of the above areas.



Rachel's practice relates mainly to insolvency, regulatory, company and commercial matters. She is qualified in three jurisdictions - Hong Kong, England & Wales and New York State - and has practised in Hong Kong since 2006.

Rachel has extensive experience in insolvency matters, company and commercial litigation, as well as in the securities field.

She has significant experience in dealing with insolvency matters, acting regularly for liquidators, creditors, shareholders, and a wide range of companies. Her company and commercial litigation practice comprises commercial trust matters, corporate claims, derivative actions, and commercial injunctions. Her regulatory and securities practice encompasses market misconduct and related disciplinary, compliance and contentious matters.

In connection with these disputes, she regularly advises clients in relation to the multifarious issues which can crop up in both contentious and non-contentious settings. She deals regularly with complex issues of law and has advised and represented financial institutions, investors, listed companies and their directors, trustees, beneficiaries, regulators, and shareholders.

Directory Quotes:

New silk Rachel Lam SC of Des Voeux Chambers is a "very busy" and "very bright and

knowledgeable" counsel with a *"calm yet persuasive advocacy style which is very succinct but covers every point."* Experienced in a variety of commercial, intellectual property and regulatory issues, she stands out in particular for her expertise in the insolvency sphere, interviewees observing that she is *"very much front and centre in the market"* and the *"preferred counsel"* of a number of leading liquidators and professional trustees.

Chambers & Partners Asia Pacific (2020)

Rachel Lam of Des Voeux Chambers is noted both for *"very intelligent and very detailed work"* and for what one source calls *"a particularly impressive advocacy style - eloquent and passionate and yet calm; a very powerful combination."* Another source ascribes to her *"all the gravitas of a silk."* In addition to a busy company and commercial, regulatory and insolvency-related practice, she is also active in the intellectual property arena and acted for start-up company Acron International Technology in appellate proceedings which represented Hong Kong's first case concerning an employer's entitlement to lay claim to an employee's inventions.

Chambers & Partners Asia Pacific (2019)

Rachel Lam of Des Voeux Chambers is singled out by one source as *"one of our best senior juniors,"* more than one interviewee stressing that she *"pursues points strongly, but not unfairly,"* making her *"someone the court trusts."* Both sought after as a junior and increasingly seen leading cases in her own right, she is especially recommended for her *"very good practice in insolvency matters"* and assured handling of trust issues.

Chambers & Partners Asia Pacific (2018)

"Rachel Lam of Des Voeux Chambers is singled out by one source as a *"very good, diligent and popular"* barrister who is *"probably the most sought-after junior for insolvency and knows that area very well."*

Chambers & Partners Asia Pacific (2017)

"Rachel Lam of Des Voeux Chambers has *"lots of knowledge on insolvency and company law and practice"* and is *"very reliable."* She frequently acts for liquidators, and is also skilled at handling regulatory matters. Her *"very calm, very thorough, clear and concise"* manner makes her *"a go-to junior."*

Chambers & Partners Asia Pacific (2016)

Expertise:

Selected Cases

Company, Commercial & Trusts:

- **Dickson Valora Group (Holdings) Co Ltd v Fan Qi Jian** [2019] 2 HKLRD 173
- **China Shanshui Cement Group Ltd v Zhang Caikui** [2018] HKCFI 444, [2018] HKCFI 973, & [2018] HKCFI 1192
- **Re China Assets (Holdings) Ltd** HCMP 1875/2017
- **Chen Mei Lan v The Registrar of Companies** [2017] 1 HKLRD 924
- **China Baoli Technologies Holdings Ltd v Orient Equal International Group Ltd** HCA 1399/2016
- **Union Glory Finance Inc v Merrill Lynch International Bank Ltd** HCA 2494/2013, CACV 205/2016
- **Excel Courage Holdings Ltd v Wong Sin Lai** [2014] 3 HKLRD 642 & HCCL 34/2013
- **Pacific Electric Wire & Cable Co Ltd v Harmutty & Ors** [2007] 2 HKLRD 261 & [2008] 4, HKLRD 349 (CFI), [2009] 3 HKLRD 94 (CA), & (2014) 17 HKCFAR 710
- **Talal El Makdessi v Team Y&R Holdings Hong Kong Ltd** HCMP 1054/2011
- **East Epoch International Ltd v Wong Poon Ting** [2010] 3 HKLRD 495
- **World Fuel Services (Singapore) Pte Ltd v Florens Container Inc** (2007) 10 HKCFAR 252 & (2007) 10 HKCFAR 256

Insolvency:

- **Ho Chor Ming v Hong Kong Chiu Chow Po Hing Buddhism Association Ltd** [2018] 3 HKLRD 270 & [2019] HKCA 495
- **Peace Mark (Holdings) Ltd (in liquidation) v Chau Cham Wong Patrick** HCA 2371/2009, [2018] HKCFI 659
- **Re Wah Nam Group Ltd** HCCW 166/2000
- **Speedy Brilliant Investments Ltd v China Health Group Ltd** HCCW 816/2016 Re The Grande Holdings Ltd, HCCW 177/2011
- **Re STX Pan Ocean (Hong Kong) Co Limited** [2014] 5 HKLRD 581
- **Re Lehman Brothers Commercial Corporation Asia Ltd** [2014] 3 HKLRD 448
- **Re Days International Ltd** [2014] 1 HKLRD 20
- **Re Gabriel Ricardo Dias-Azedo** [2013] 4 HKLRD 549
- **Re Pioneer Iron and Steel Group Co Ltd** HCCW 322/2010
- **Re Moulin Global Eyecare Holdings Ltd** HCCW 470/2005
- **Re Chung Winston** [2013] 2 HKLRD 649
- **Re Titanium Technology Ltd** [2011] 3 HKLRD 134

Regulatory:

- Various engagements by the Securities and Futures Commission
- Founder Holdings Limited Inquiry

Intellectual Property:

- ***Acron International Technology Ltd v Chan Yiu Wai*** HCA 1709/2010, [2017] 3 HKLRD 799, [2018] HKCA 97, & [2018] HKCFA 21
- ***Lion Capital LLP v The Registrar of Trade Marks*** [2011] 1 HKLRD 272
- ***Hitachi, Ltd v Hitachi Wei Chu (Hong Kong) Ltd*** [2007] 4 HKLRD 431

Memberships and Appointments

- Member of the Standing Committee on Company Law Reform (SCCLR) (1 February 2020 to 31 January 2022)
- Adjudicator of the Immigration Tribunal (since 1 October 2019)
- Member of the Committee on Companies Law, Hong Kong Bar Association
- Member of the Committee on Intellectual Property Law, Hong Kong Bar Association
- Member of the Competition Commission (since 1 May 2018)

Publications, Lectures and Talks

- Contributing author, Company Law in Hong Kong - Insolvency
- Contributing author, Bullen & Leake & Jacob's Hong Kong Precedents of Pleadings (1st & 2nd editions)

Scholarships and Awards

- Oxford University (Pembroke College): Exhibition, First Class Honours
- Harvard Law School: Yong K. Kim Memorial Prize 2005 (for L.L.M. Dissertation on Intellectual Property and the Rule of Law in China)
- Hong Kong Bar Association: Bar Scholarship (2004) & Charles Ching Memorial Scholarship (2004)