

## Tinny Chan

Bachelor of Civil Law, University of Oxford [2018]  
(Distinction)  
Postgraduate Certificate in Laws, University of Hong Kong  
[2017]  
Bachelor of Arts (Jurisprudence), University of Oxford  
[2016] (First Class Honours)

**Email Address:**  
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**Year Of Call:**  
2019 (Hong Kong)

**Practice Areas:** Administrative and Public Law, Arbitration  
, Mediation, Chancery, Commercial Law, Company Law and  
Insolvency, Competition Law, Criminal Law, Employment  
and Anti-Discrimination, Family Law, Land & Planning Law,  
Securities Law,



Tinny is a Bar Scholar. She joined Chambers in 2019 upon completion of her pupillage with Mr. Derek Chan S.C., Mr. Jenkin Suen S.C., Mr. Christopher Chain and Mr. Jason Yu.

Tinny graduated with a BA in Jurisprudence (First Class Honours) and a BCL (Distinction) from the University of Oxford. During her studies, Tinny actively participated in various moots, including the Philip C Jessup International Law Moot Court Competition, where her team came second in the UK round and advanced to the semi-final of the international rounds. She was also individually ranked as the 4th best oralist in the international rounds.

Tinny is developing a broad practice and accepts instructions in all areas of Chambers' work. She has been involved in cases concerning areas of law including company, commercial, securities, competition, injunctive relief, probate and judicial review. She has also appeared in the Court of Appeal, the High Court and the District Court as a led junior and sole advocate.

## Expertise:

### Selected Cases

#### Company & Insolvency

- ***Re Up Energy Development Group Ltd*** [2021] HKCFI 2595 - opposing winding-up petition against foreign company due to failure to satisfy second core requirement (as sole advocate)
- ***Joint Provisional Liquidators of the CECEP COSTIN New Materials Group Limited v***

**RSM Nelson Wheeler and Anor** (HCMP 1011/2019) - application for production of documents under s.286B, Cap. 32 and pursuant to common law power to provide recognition and assistance to foreign liquidators (led by Ms. Rachel Lam SC)

• **Re Hsin Kuang Restaurant (Holdings) Limited** (HCMP 481/2019) - representing director-shareholder in application for joinder in derivative action (led by Ms. Rachel Lam SC)

• **National Arts Entertainment and Culture Group Ltd (in provisional liquidation for restructuring purposes)** [2020] HKCFI 275 - acting for joint provisional liquidators in application for sanction of scheme of arrangement under s.673 of the Companies Ordinance (led by Mr. Michael Lok)

• **Emperor Securities Ltd v SMI Investment (HK) Ltd and Ors** [2020] HKCFI 129 - application for interim receivership (led by Ms. Rachel Lam SC)

### **General Civil & Commercial**

• **Esports Business Development Ltd v Wong Chun Yee Christopher** (HCA 1953/2018) - claim for damages for loss of opportunity etc. in respect of breach of loan agreement (led by Mr. Jenkin Suen SC)

• **Harsen Industries Ltd v Wong Yee Chuk** [2020] HKCFI 600 - resisting strike-out and stay applications based on alleged settlement agreement (with Mr. Jason Yu)

• **Lam Tak Choi v Chow Tai Fook Jewellery Co Ltd** [2020] HKCFI 362 - resisting application for summary determination of question of law under Order 14A (led by Ms. Rachel Lam SC and Mr. Justin Lam)

• **Qvist Henrik v Clatronic Fat East Ltd and Anor** [2020] 1 HKLRD 703 - contesting application for indemnity costs and enhanced rate of interest in light of previous sanctioned offer (as sole advocate)

• **Xu Liu Chun v Wu Chang Jiang** [2019] HKCA 975 - resisting application of leave to appeal against order for interim payment (led by Mr. Jenkin Suen SC)

### **Fraud & Commercial Injunctions**

• **John Joseph Mc Gee v Nold (HK) Ltd and Ors** (HCA 1258/2021) - obtaining *ex parte* injunction against recipients of sums obtained via foreign exchange fraud (as sole advocate)

• **AVIC Trust Company Ltd v DIH International Ltd** (HCCT 60/2021) - obtaining *ex parte* Mareva injunction of over RMB 400 million (led by Rachel Lam SC)

• **CW Baice Ltd v The Wisdomobile Ltd and Ors** (HCCT 14/2020) - representing the defendants in a contractual dispute of over USD 13 million and resisting *Mareva* injunction (as sole advocate)

• **Koon Yuen Kim v Greentech Technology International Ltd and Ors** (HCA 2415/2019) - application for interim injunction under s.729 of Companies Ordinance to restrain company from completing share transfer agreement and issuing new shares (led by Ms. Rachel Lam SC and Mr. Jason Yu)

• **Chan Ting Ting v Guo George and Ors** (DCCJ 4406/2020) - obtaining *ex parte* Mareva and

proprietary injunction against recipients of sums obtained via internet fraud (as sole advocate)

- ***Eric Savage & Ors v Kokomo Capital Ltd*** (HCA 2014/2019) - obtaining *ex parte* proprietary injunction for investment funds held under Quistclose trust (led by Mr. Christopher Chain)

### **Judicial review and regulatory work**

- ***Cai Hongping v Securities and Futures Commission*** (SFAT Application No.3 of 2019) - representing the SFC in application for review of SFC's decision to prohibit sponsor from re-entering the industry under s.196(1)(iii) of the Securities and Futures Ordinance (led by Mr. Jenkin Suen SC)
- ***U Storage Group Ltd v Director of Fire Services and Anor*** (HCAL 490/2019) - representing the putative respondents in rolled-up hearing for judicial review of legality of guidance note issued for abatement of fire hazards (led by Ms. Catrina Lam and Ms. Sabrina Ho)
- ***Re Swiss Reinsurance Co Ltd and Anor*** [2019] HKCFI 2850 - representing the Insurance Authority in an application for sanction of scheme to transfer long term business under s.24 of the Insurance Ordinance (led by Mr. Jenkin Suen SC)

### **Arbitration**

- Advising on derivative action arising out of capital injection dispute of over USD 10 billion (led by Mr. Douglas Lam SC)
- Representing the defendants in a share subscription dispute of over USD 13 million (as sole advocate)
- Representing the landlord in a tenancy dispute concerning a HK\$500 million lease (led by Mr. Douglas Lam SC and Ms. Ebony Ling)

### **Selected Advisory Work**

- Advice on distribution of intestate estate by personal representatives (led by Patrick Fung SC)
- Advice on merits of proceedings under s.214 of the SFO (with Mr. Jenkin Suen SC)
- Advice on merits of public interest immunity claim by the SFC (with Mr. Derek Chan SC)
- Advice on limitation period applicable to debt claim of over HK\$1 billion (as sole counsel)
- Advice on merits of proceedings for committal and sequestration order (as sole counsel)
- Advice on application of s.60 of the Conveyancing and Property Ordinance to transfer of properties in Mainland, enforcement of judgment and costs order in Mainland and merits of application for *Mareva* injunction (as sole counsel)
- Advice on distribution of interest in an unadministered estate (as sole counsel)

### **Scholarships and Awards**

- Bar Scholarship (2018)
- Harry Liu Postgraduate Scholarship (2017)
- Merton College award for performance in Final Honours School (2016)

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- Philip C Jessup International Law Moot Court Competition - Semi-finalist team in international round; 4th best oralist in international round; 1st runner-up team in UK round (2015)

## **Spoken Language**

English, Cantonese and Mandarin