

Samuel Chat Chor WONG



“understands commercial dynamics and business practices. He resolves disputes with first hand knowledge of commercial interest and reality”

Languages: English, Mandarin, Cantonese and Shanghai dialect

Location: Hong Kong

Overview

Samuel Wong is an experienced dispute resolver. He practices as a barrister and adjudicates disputes as an arbitrator. He covers a wide range of commercial disputes in which the governing law of the contract spans from New York law, UK law, Hong Kong law and PRC law. He also practices as an effective mediator.

Professional Background

As a Barrister, a Chartered Arbitrator and an Accredited Mediator, Samuel Wong is a professional in the resolution of disputes whether in Court or by ADR. He has B.A. and M.A. degrees in economics, earned an MBA degree from Harvard in 1978, PCLL from the Hong Kong University and studied dispute resolution at Harvard Negotiation Institute.

Mr. Wong is the immediate past President of the Hong Kong Institute of Arbitrators.

He is a fellow of the Chartered Institute of Arbitrators, a member of International Chamber of Commerce, Hong Kong, China (**ICC**) and a member of its Arbitration Committee. He is on the panel of the China International Economic & Trade Arbitration Commission (**CIETAC**), South China International Economic and Trade Arbitration Commission/Shenzhen Court of International Arbitration (**SCIA**), Shanghai International Arbitration Center (**SHIAC**), the Kuala Lumpur Regional Center for Arbitration (**KLRCA re-named AIIC**), the AALCO Hong Kong Regional Arbitration Center (**AALCO Hong Kong Center**), the Indian Institute of Arbitrators and Mediators (**IIAM**), the panels of the Arbitration Commissions of Wuhan, Guangzhou, Wenzhou, Nanjing, Weizhou (Guangdong) of the Peoples Republic of China and the Panels of Arbitrators of the Hong Kong International Arbitration Center (**HKIAC**) and the Hong Kong Institute of Arbitrators (**HKI Arb**). He is also on the list of arbitrators of the Hong Kong Bar Association, the Panel of Experts for Domain Name Disputes of the HKIAC and the Panel of Mediators of CCPIT.

As to mediation, he is CEDR and HKMAAL accredited, on the Panels of Mediators of HKIAC and the Hong Kong Mediation Center, on the List of Mediators of Hong Kong Bar Association and on the Panel of CEDR Asia Pacific Mediation Practice Group. He is also on the List of Mediators of the Building Management Mediation Coordinator's Office of the Hong Kong Judiciary, the Land (Compulsory Sale for Redevelopment) Ordinance Pilot Scheme and the Lehman-Brothers related Investment Products Mediation and Arbitration Scheme of the HKIAC. Mr. Wong is trained as mediator for Investor State Disputes resolution.

Samuel was involved with various task forces including the working group of the Department of Justice for the drafting of the arbitration bill and the reform of the law of arbitration in Hong Kong and the ICC Taskforce on the Review of the ICC Arbitration Rules in 2009. On Department of Justice's Advisory Committee on Promotion of Arbitration.

He gave lectures widely on arbitration and mediation to professional groups and at Universities. He has also written articles that were published in arbitration reviews, contributed a chapter to Arbitration in China - A Practical Guide by Sweet & Maxwell 2004 and authored Hong Kong Arbitration Ordinance 2011- A Guide and Commentary which was published in September 2011. He is on the Editorial Board of Asian Dispute Resolution.

Expertise

Samuel has extensive litigation experience in civil and commercial matters in the High Court of the Hong Kong SAR. He arbitrates as sole and presiding arbitrator in construction, international sales of goods (commodities and metals), insurance, professional negligence, international trade, shipping and China equity joint venture disputes. He was appointed in numerous ad hoc and institutional arbitrations carried out under the rules of CIETAC, other PRC Arbitration Commissions, ICC, HKIAC and UNCITRAL Arbitration rules and has rendered over 60 arbitral and administrative panel decisions. He has also advocated for parties in Hong Kong in ad hoc arbitrations and in FOSFA, LME and ICC arbitrations.

He has mediated and settled various disputes involving Incorporated Owners and BMO disputes, shareholder disputes, land and right of way disputes, probate disputes, financial product disputes, solicitor and client disputes, charter party and maritime disputes, bank and client disputes and other general contractual disputes.

Dispute Experience

Selected Litigation and Arbitration Cases

Litigation Cases

- HCCT 15/2010 *Pacific China Holdings limited (in liquidation) v Grand Pacific Holdings Limited* : Setting Aside Award
- HCCT 32/2011 *Arima v Flextronics*: Setting Aside Award
- HCCT 45 of 2009 *Shanghai Hongri Chemical v. Petrochina International (Hong Kong) Limited*: Enforcement of Arbitral Award
- HCCT 5 of 2007 *Pacific China Holdings limited v Grand Pacific Holdings Limited*: Removal of Arbitrator
- HCA 321 of 2010: *Fook Lee Holdings Limited v Joy Future International Ltd. and Another* – Investment in China Youth Card project HK\$ 35 million
- HCA 2683 of 2008: *Citibank NA and Leung Ronald* – Bank and client disputes
- HCA 2155/2011 and HCMP 2621/2011: *Removal of Executors: administration of the Estate of Mr. Henry Fok*
- CACV 13,16 & 17 of 2014: Setting aside the judgment of HCA 2155/2011
- HCA 275/2016: Settlement Agreement dispute
- HCA 1428 of 2011 *BYD (Shangluo) Industry Co., Ltd v Solar Power Utility Holdings Ltd*: International sales of goods dispute –supply of polysilicon wafers
- HCA 597/2012 *Skillsoft Asia Pacific Pty Ltd. and Ambow Education Holdings Ltd*: Licensing disputes
- Market Misconduct Tribunal: Defending specified person in allegation of dealing shares in listed company with market sensitive information (2014): Asia Telemedia Limited
- CACV 154/2016 *Securities and Futures Commission and Yiu Hoi Ying & Another* and FACV 5 of 2018
- HCA 1131/2015 *Mega Honour Holdings Limited and 李森田 and Others*
- HCA 197/2015 *Dragon Court Limited and IO of Nos. 33&35 Bisney Road* – Adverse Possession

- HCA 275/2016 Settlement Agreement disputes – interpretation of the terms of the Settlement Agreement
- HCMP No. 2722/2015 Festival Walk (2011) Limited and Secretary for Justice for Director of Lands
- HCCT 9/ 2018: Enforcement of arbitral award – Limitation Ordinance of Hong Kong – argued against enforcement – enforcement refused.
- HCA 2526/2018: Finance- Transfer of Funds dispute
- HCA 724/2019: Shareholders' Disputes

Arbitration Cases

- International Arbitration as Chair of the Tribunal 2012 Award: Sales of Goods dispute concerning 53,000 tons of Indonesian Coal
- International Arbitration: Cooperation Agreement for trading in Mexican iron ore (2012- 2013)
- International Arbitration: Sales and Purchase Agreement for multi-crystalline silicon wafers – quantum of the claims about USD 100 million (2012-2013)
- International Arbitration (CIETAC Shanghai Arbitration): enforcement of a share purchase agreement in which the Claimant seeks specific performance of the agreement to transfer controlling share of a suite of three company, including a mining company listed on the Peruvian Stock Exchange (2013)
- International Arbitration (CIETAC Beijing) using ICC Rules: Equity interest in a telecommunications company; entitlement of the claimant to dividends – amount of the claim RMB 248 million (2013)
- International Arbitration (KLRC, Kuala Lumpur): Dispute arising from alleged breach of Shareholders Agreement (2013)
- International Arbitration (HKIAC Administered Arbitration): Sale of business – Management Agreement – Alleged breach of the terms of the Management Agreement (2015)
- International Arbitration (Ad Hoc Arbitration under UNCITRAL Arbitration Rules) – Insurance Claim disputes (2016)

- International Arbitration (Ad Hoc Hong Kong Arbitration) – Car Parking licensing and transfer of business disputes (2016)
- International Arbitration (Ad Hoc Arbitration under UNCITRAL Arbitration Rules) – Shareholders’ Agreement disputes – escalator and components business (2017)
- International Arbitration (Ad Hoc Arbitration under UNCITRAL Arbitration Rules) – satellite licensing disputes (2017)
- International Arbitration under HKIAC Administered Arbitration Rules - Property Development (PMA) disputes in Macau (2018)
- International Arbitration: HKIAC Administered Arbitration (expedited procedure) – Macau Property development – management contract dispute (2018)
- International arbitration: HKIAC Administered Arbitration – Agreement to invest and loan dispute – intellectual property transfer (2019)
- International Arbitration: HKIAC Administered Arbitration – commodity trading dispute – coal (2019)
- International Arbitration: SHIAC Rules – health products contract (2019)
- International Arbitration: CIETAC (Consolidated Proceedings) Procurement and Installation of machinery (2022)
- International Arbitration: HKIAC (Intended share transaction for the purpose of PRC land/ property acquisition) (2023)
- Sat as Presiding, Sole or Co-Arbitrator in numerous PRC arbitrations under the rules of arbitration of CIETAC, SCIA, SHIAC, Guangzhou, Dalian and other arbitration commissions.
- Adjudicated more than 60 domain name disputes

Dispute Experience in Mediation

Probate

Probate Administration disputes – Estate of a well-known Hong Kong businessman – Estate in billions – Family Companies on-shore and off-shore –
Beddoe Application – Application to remove trustees – distribution of the Estate

Disputes between the executor (mother) and one of her sons as to the how the deceased estate was administered

Banking & Finance

Failure of bank to follow client's instruction in a timely manner – accumulators and other equity positions

Mis-selling of structured products – equity linked notes – GBP Twin Callable Daily Accrued Notes – structured products sold to person of advanced age over telephone

Mis-selling – minibonds – Lehman CDS and CDOs – Whether acted in accordance of Code of conduct of the regulatory body – Duty of Care – Client of advanced age

Shares – Sales and Purchase/shareholder disputes

Sales of listed company – undertakings – alleged breaches - quantum of dispute HK\$ 500 million

Building Management

Disputes between owners of a house and the Manager/Incorporated Owners of a development in Hong Kong – Alterations – Whether in contravention of the Deed of Mutual covenant – Claims and Counterclaims

Various building management and Land Tribunal disputes involving past and current Chairpersons of Incorporated Owners, renovation costs contribution, signage on external walls, water leakage, noise, animals

Transportation

On the construction of the Charter party –charter of barges on bare boat basis for use in Indonesian waters – whether the barges seaworthy - whether the charterer breached the terms of the charter party

Contract

Disputes between the publisher and the printer of the magazines – payment of printing charges

Disputes between the advertiser and landlord – entitlement to install television panel on external walls under a license – specific performance

Land

Disputes between owners of adjacent land in New Territory – Right of Way – Right of Access; adverse possession: land in New Territories

Professional Negligence

Solicitor and client's disputes

Recent Talks

- Talk to members of the Hong Kong Construction Arbitration Center on the new Hong Kong Arbitration Ordinance Cap 609 13 March 2012
- Delivered a speech “Some Issues and Recent Development” in a Conference on International Arbitration organized by the Hong Kong Academy of Law and the Hong Kong Institute of Arbitrators on 22 May 2012
- Delivered a seminar to members of the Hong Kong Institute of Engineers 31 July 2012
- Delivered a talk on International Arbitration at the Nansha Arbitration Cooperation and Development Forum 5 December 2012
- Delivered a talk at APEC Conference in Peru 2016 on Issues in connection with the Commencement of an International Arbitration
- Delivered a talk on International Arbitration in connection with the “Road and Belt Initiative” in the “兩岸四地法律研討” Conference in Ningbo March 2016
- Lectured on Practical Guide to International Arbitration to members of the Jiangsu Lawyers’ Association (2017)
- Lectured on Statutory Adjudication in relation to the Security for Payment Legislation for the Hong Kong Institute of Arbitrators (2017)
- Lectured IDRA Master Class for International Arbitration conducted under ICC Rules in Hong Kong (2018).

- Delivered a seminar to the Hong Kong Institution of Engineers on “Resolving International Disputes in GBA and Asean (Part II) (29 March 2023)

Publications

- Author, Chapter 23 Real Estate Arbitration in Arbitration in China, A Practical Guide by Sweet & Maxwell 2004
- Author, Hong Kong Arbitration Ordinance Cap 609 of 2011 – A Guide and Commentary
- Author of Articles published in Asian Dispute Resolution including Soybean Contracts and FOSFA Arbitration
- Contributed to Emden’s Construction Law Hong Kong 2017

Others

- On the Departmental Working Group of the Department of Justice on the drafting of the Arbitration Ordinance Cap 609
- Lectured on Conduct of Arbitral Proceedings (International Arbitration) at the School of Law, City University Hong Kong
- Delivered lectures and talks to members of the International Chamber of Commerce Hong Kong, the Hong Kong Law Society, the Hong Kong Institute of Arbitrators on various arbitral topics including “Ex-parte Communication” and Problems of FOSFA’s Two Tier Arbitration
- Consulted on the implementation of the 最高法院 “四五改革纲要” – 深圳前海人民法院普通程序商事案件庭审规则
- Gave evidence as an expert to the Intermediate Court of Beijing on the enforcement of an arbitral award that was improperly consolidated (July, 2016): enforcement refused.
- Appointed as legal consultant 平潭综合实验区专家顾问 (2017)
- Adjunct Professor of Arbitration Law and Practice of City University of Hong Kong (2023 - 2024)
- 广州市法学会涉外法律服务专家 (2024)

王則左大律師

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學業及資歷

美國哈佛大學工商管理碩士 (1978) MBA (HARVARD)

美國 Tufts 大學經濟碩士(1973) BA, MA (TUFTS)

香港大學法律專業證書 (2002) PCLL

香港大學與英國 Manchester Metropolitan 大學 PgDL (2001)

英國特許仲裁中心資深會員 (FCIArb) (1992 至今)

特許仲裁員 (2002 至今) Chartered Arbitrator

香港仲裁司學會資深會員 FHKI Arb (1997 至今)

香港仲裁司學會主席 (2002 年至 2004 年 及 2018-2020)

香港國際仲裁中心諮詢委員會委員 (2002)

國際商會(香港)仲裁委員會委員

HKIAC 香港國際仲裁中心仲裁員

AIAC (KLRAC) 仲裁員

中國貿仲委(CIETAC)仲裁員

上海國際仲裁中心仲裁員

深圳國際仲裁院仲裁員

中國廣州仲裁委員會仲裁員

南京仲裁委員會仲裁員

惠州仲裁委員會仲裁員

武漢仲裁委員會仲裁員

香港城市大學法律教授 (2023)

英國 CEDR 認可調解員

CEDR 亞州太平洋 調解員

香港國際仲裁中心 及 HKMAAL 認可調解員

深圳前海合作區人民法院調解員

福建平潭綜合实验区專家顧問（法律）

香港高等法院大律師

語言： 英文及中文（有書寫及運用普通話，上海話及粵語的能力）

經驗:

1. 香港高等法院民事及商業訴訟
2. 曾參與以下類別合約糾紛的仲裁: 建築，農產品買賣，保險，專業疏忽，國際貿易，海運，中外合資合作等。曾擔任仲裁員，首席仲裁員。

其他:

Xinyi Glass Holdings Limited (信儀玻璃控股有限公司)
獨立董事(2005 年 至今)

社會活動:

香港仲裁司學會會長 (2020)

青年交流基金會董事 (1997 年 至今)

香港善導會- 工業委員會主席 (2002 年 至今) 及 執行委員會委員 (2003 年 至今)

香港基本法研究中心執行委員(2004 年 至今)

溫州政協常委 (2012 年 至 2017)

溫州同鄉會前會長(2015-2017)

浙江聯合會 常務理事 （2022） 名譽副會長（2023）

香港溫州人愛心基金會主席 （2023）