

Kinsey Kang

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Call: 2012 (HK)
2022 (GBA, PRC)

Practice Profile

Kinsey has a broad civil practice with a focus on corporate/commercial and employment disputes. As one of the few barristers with native Manderin abilities and dual qualification in PRC(GBA) and Hong Kong, she has developed a substantial practice in cross-border commercial litigation and international arbitration. She constantly provides advice to both local and mainland clients on various areas including employment related issues, cross-border transactions, investment disputes, tenancy disputes, enforcement of mainland judgments or arbitral awards in Hong Kong. She also acted as Hong Kong law expert in arbitration or court proceedings conducted in PRC.

Education

BCL, University of Oxford
PCLL (Distinction), City University of Hong Kong
LLB (1st Hon), City University of Hong Kong

Other Professional Qualifications

- Member, The Chartered Institute of Arbitrators

Recent Highlights

International Arbitration

- HKIAC Arbitration: represented a Hong Kong company in a dispute arising from an agency agreement; 2018 HKIAC Administered Rules.
- HKIAC Arbitration: provided advice to a BVI company in relation to disputes arising from JV agreements; 2018 HKIAC Administered Rules.
- HKIAC Arbitration: provided advice to a PRC state-owned company in relation to a dispute arising from a sale and purchase of shares agreement; 2018 HKIAC Administered Rules.
- HKIAC Arbitration: provided advice to a PRC company regarding disputes arising from defect of goods.
- HKIAC Arbitration: provided advice to HK and PRC companies regarding share redemption disputes.

- CIETAC Arbitration: acted as expert; provided legal opinion on Hong Kong law in relation to loan disputes.
- ICC Arbitration: provided advice to a PRC company in relation to disputes arising from sale of goods contracts.
- Provided advice at all stages of international arbitration from the commencement of arbitration to enforcement of arbitral awards, or setting aside of arbitral awards.

General Civil Commercial Disputes

- *Song Lihua v Lee Chee Hon* [2023] HKCFI 2429; [2024] HKCFI 1111 (resisted an application to set aside property transfer; obtained security for costs against the plaintiff)
- *Chan Kon Fung v Gallop Pioneer Ltd and Another*, HCA 1357/2011 (acting for a PRC state-owned company in a contractual dispute)
- *Noble Crest Ltd v Chau Yuet Ching Brenda* [2023] HKCFI 115 (represented the Plaintiff, for rectifying company records)
- *Chau Yuet Ching Breanda v Chan Bo Man William and Others* [2019] HKCFI 2778; [2021] HKCFI 640 (represented the Plaintiff, involving civil fraud and contractual disputes, obtaining proprietary injunction, striking out part of the Defendants' counterclaim)
- *Diagor Bioscience Incorporation Ltd and Another v Zendex Bio Strategy Incorporated and Others* [2021] HKCFI 146; [2022] HKCA 1636.(represented the Plaintiffs, involving breach of director's fiduciary duties, civil fraud)
- Provided advice to a PRC company regarding disputes arising from JV agreements

Employment Related Disputes

- Acting for a hedge fund company in an employment dispute.
- Acting for an asset management company in an employment dispute.
- Acted for a Hong Kong listed company in defending an employee's claim for shares award.
- Provided advice to a construction company regarding its liabilities to construction workers under Employment Ordinance (Cap.57).
- Provided advice to a director as to the effect of the non-competition clause in his employment contract.
- Provided advice to a PRC company regarding employment disputes in Hong Kong.

Personal Injuries

- Acting for a beauty company in defending personal injury claims.

Appointments

- Vice president, Legal Professional Advancement Association
- Panel Arbitrator, Nanjing Arbitration Commission (since 2023)
- Panel Arbitrator, Dongguan Arbitration Commission (since 2023)
- Member, Standing Committee on Mainland Affairs of the Hong Kong Bar Association (2022 to now)
- Deputy Presiding Officer, Labour Tribunal (June 2021 to January 2022)
- Tutor, Company law, City University of Hong Kong (2018, 2019)

- Guest Lecturer, International Commercial Arbitration Course, Peking University (2018)
- Guest Lecturer, Common Law Course, Peking University (2017, 2023)

Publications

- Practical Guidance for Personal Injury Claims (2015 LexisNexis)
- Annotated Ordinance--Mainland Judgments (Reciprocal Enforcement) Ordinance (Cap 597) (2021 LexisNexis)

Scholarships / Awards

- Middle Temple Advocacy Scholarship
- Professor Reisman-Arsanjani Prizes (best student work in international investment law)

Languages

Native in Mandarin, fluent in English and Cantonese