Geoffrey Y. M. Chan

Senior Partner

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> I also really appreciate the role that Geoffrey Chan has played in arriving at what is hopefully the best achievable outcome for both sides, and I do appreciate the constructive approach he has taken.

A senior government officer, Civil Engineering and Development Department

Businesses and professionals in the construction and infrastructure industry turn to Geoffrey Chan for advice on all aspects of contentious construction work, including legal proceedings, arbitration and alternative dispute resolution in Hong Kong, China and Macau. He provides guidance on town-planning and building law in addition to construction contract claims, construction negligence claims and claims involving environmental issues. He also advises clients on labour importation issues by the Legco Select Committee.

Experience

Advised:

- A major blue chip developer who is the majority owner of an industrial building in Hong Kong, on building and construction issues arising from a fire which took place in the industrial building, where two firemen died.
- A leading charitable organisation in an independent panel of inquiry arising from the collapse of a heritage building and on technical and other issues arising therefrom, potential enforcement proceedings and prosecution by the relevant authority, and potential proceedings to be commenced in due course against party/parties in default.
- A public body employer on the causes of the collapse of the roof structure of one of its buildings on campus and on related issues such as technical expert input required, insurance issues, potential risks of enforcement and/or

prosecution proceedings by the relevant authority, safety issues, public relations aspects, and potential proceedings against the culpable party/parties who have caused or contributed to the collapse.

- Numerous PRC employers on the drafting and negotiation of PRC construction contracts in China.
- An NYSE listed electronics company on the construction of successive Phases of their hi-tech factory premises in the PRC.

- A PRC employer on defective glass curtain walls with nickel sulphide inclusions in relation to a project in the PRC. Seat: CIETAC.
- On an observation tower and entertainment project in Macau in its entirety including the engagement of consultants of different disciplines, finalising their terms of engagements and advising on liability for defects in the design drawings and claims by the contractor. Seat: HKIAC.
- Employers in relation to the duty to re-nominate nominated subcontractors, disputes on extensions of time, loss and expense, the copyright in drawings provided by the nominated subcontractors. Seat: HKIAC.
- An employer on various issues including professional negligence, CAR insurance, extension of time and variation orders in relation to the collapse of civil engineering works in the PRC.
- An employer in relation to defective tiles in projects in China. Seat: CIETAC.
- A contractor in relation to defect tiles in Hong Kong. Seat: HKIAC.
- An employer in relation to professional negligence issues arising out of civil engineering works in China. Seat: HKIAC and CIETAC.
- A blue chip developer in relation to latent defects found on the stone façade of a commercial development and potential causes of actions against various parties including consultants, contractors, stone supplier, etc.

Advised and acted for:

- A PRC public authority in relation to claims for prolongation disruption delay to the tune of RMB 7 billion in respect of a hydro-electric dam and powerplant which involved multiple critical paths. Seat: Stockholm Chamber of Commerce arbitration proceedings.
- An NYSE listed electronics company in relation to legal and arbitration proceedings in Hong Kong and in the PRC. The dispute concerned the escalation of the cost of construction of factory premises. Seat: CIETAC.
- A large contractor in relation to claims for uncharted utilities, variations, extensions of time and loss and expense arising out of civil engineering works in Hong Kong against the Drainage Services Department. Seat: HKIAC.
- A firm of consulting engineers in a High Court Action in Hong Kong and successfully defending the same (Secan Limited v Associated Consulting Engineers [HCCT 93 / 1999]).

Acted for:

- Various construction companies in the Commission of Inquiry on excess lead found in drinking water in public rental housing developments in Hong Kong, including advising on various contractual issues and expert evidence input from various disciplines including health, water quality, etc.
- Hong Kong and China Gas Co Limited in relation to its Shenzhen – Tai Po submarine pipeline project in its entirety.
- Hong Kong and China Gas Co Limited in relation to a major gas explosion in Hong Kong.
- Acted for a blue chip company on the environmental and construction issues in relation to the construction operation and testing of a pilot incineration plant.
- A quarry company in relation to various construction claims arising from a Government quarry rehabilitation contract. Seat: HKIAC.
- A contractor in relation to variation and defective materials dispute arising from a luxury residential development in Tuen Mun. Seat: HKIAC.
- A main contractor against a sub-contractor in relation to measurement and valuation claims and claims for loss of profit exceeding arising from road and drainage works.

Appointed as arbitrator in various arbitration cases, representative cases include:

- -HKIAC/A15098
- -HKIAC/17096A
- -HKIAC/A17086
- -HKIAC/A19177
- -HKIAC/A19178
- -HKIAC/A19179

Recognition

- Thought Leader – Construction, Hong Kong – *Lexology Index: Construction*
- Leading Partner – Construction, Hong Kong – *The Legal 500 Asia Pacific*
- Litigation Star – Construction and International Arbitration, China, Hong Kong – *Benchmark Litigation Asia-Pacific*
- The Arbitration Powerlist: Hong Kong – *The Legal 500*
- Recommended – Construction – *Who's Who Legal: Construction*

- Recommended – Construction – *Who's Who Legal: Mainland China, Hong Kong SAR and Macao SAR*
- Recommended Lawyer – International Arbitration, Singapore – *The Legal 500 Asia Pacific*

- "Geoff Chan, partner, is a very impressive, personable individual with years of experience in the field of construction and engineering disputes." – *The Legal 500 Asia Pacific*
- "Excellent ... very commercially astute and is always prepared to do whatever it takes to get the best possible result in a case for his clients."– *The Legal 500 Asia Pacific*
- Recommended – Leading Construction & Infrastructure Litigation Lawyers, Hong Kong – *Doyle's Guide*
- "[The firm's] team led by Geoffrey Chan possesses 'deep knowledge and experience.'" – *The Legal 500 Asia Pacific*
- Leading Individual – Construction, Hong Kong – *The Legal 500 Asia Pacific*
- Leading Individual – Construction (International Firms), China – *Chambers Greater China Region* and *Chambers Asia Pacific*
- Expert – Construction and Real Estate, Hong Kong – *Expert Guides*
- Recognised Practitioner – Construction (China) – *Chambers Asia Pacific*
- Leading Practitioner – Construction, China (International Firms) – *Expert Guides*
- "Delivers sound advice" (Construction: Hong Kong) – *The Legal 500 Asia Pacific*
- Recipient of the Caernarfon Award from the *Institute of Quarrying* in New Zealand
- "Valued for his ability to 'understand complicated facts and grasp the gist of the matter quickly.'" – *Chambers Asia Pacific*
- "Highly skilled in contentious matters, particularly construction-related cases" – *The Legal 500 Asia Pacific*

Qualifications

Education

- Queen Mary, University of London, LLB

Admissions

- Hong Kong
- England and Wales

Languages

- Cantonese
- English
- Mandarin

Professional & community involvement

- Panel of Adjudicator, Construction Industry Security of Payment Ordinance, Hong Kong International Arbitration Centre (HKIAC)
- Panel of Arbitrators of Hong Kong International Arbitration Centre
- Panel of Arbitrators of China International Economic and Trade Arbitration Commission
- Fellow, Chartered Institute of Arbitrators
- Fellow and Council Member, Institute of Quarrying Hong Kong Branch Council
- Member, Asia Society, Hong Kong Centre
- Member, Society of Construction Law Hong Kong

- Hong Kong Branch Member, Lighthouse Club
- Deputy District Court Judge (May 2009)
- Adjunct Professor, the University of Hong Kong, Department of Engineering, Construction Law
- Honorary Legal Adviser, The Hong Kong Federation of Electrical and Mechanical Contractors Limited
- Legal Adviser, Hong Kong Electrical Contractors' Association Limited
- Legal Adviser, Hong Kong Plumbing and Sanitary Ware Trade Association Ltd

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