

The Hong Kong Companies Judge speaks on current and emerging developments in cross-border insolvency and restructuring from the court's perspective

About the topic

Given the close economic ties between the Mainland and the Hong Kong Special Administrative Region (HK), the increasing number of Mainland/HK cross-border transactions involving international elements, more and more insolvency cases have cross-border implications. Notwithstanding implementation of the pilot scheme for mutual recognition and assistance between the Mainland and HK courts in insolvency proceedings, which commenced in May 2021, HK liquidators continue to face uncertainties and hurdles when seeking recognition in the Mainland, as well as elsewhere. Conversely, overseas restructuring proceedings and relevant officeholders may encounter uncertainty in obtaining recognition in HK, due, in part, to the lack of statutory provisions on corporate restructuring in HK.

At this HKICPA Restructuring and Insolvency Faculty (RIF) and IWIRC (Hong Kong Chapter) joint event, we are honoured to have the Companies Judge, the Hon. Madam Justice Linda Chan to speak to members on:

- Insights into current and emerging developments in cross-border insolvency and restructuring from the court's perspective, including the pilot scheme for mutual recognition and assistance between the Mainland and HK courts in insolvency matters; and
- Possible benefits for HK of adopting the UNCITRAL Model Law

After the Judge's presentation, there will be a panel discussion with the participation of two senior professionals working in the insolvency field - a lawyer and an insolvency practitioner – and an opportunity for questions from the floor. Following the technical event, we welcome attendees to stay on for a relaxing networking and socialising session, with networking drinks sponsored by A&O Shearman and FTI Consulting.

About the programme

Date & Time	Friday, 5 July 2024 5:15 p.m. – 8:45 p.m.
Venue	HKICPA training centre, 27th Floor, Wu Chung House, 213 Queen's Road East, Wanchai
Fee	<ul style="list-style-type: none"> • HK\$200 per person for RIF and IWIRC members • HK\$400 per person for others <p><i>Non-HKICPA, IWIRC members (or RIF members without an online account) who wish to enrol online, please register as a new web member by clicking here, before completing <u>an online registration</u>. Non-members of both RIF and IWIRC should enrol offline.</i></p>
CPD credit	1 hour (subject to actual attendance)
Law Society CPD credit	Being applied for
Language	English
Competency	Insolvency *
Rating	Intermediate level*
Application Deadline	28 June 2024

Rundown

16:45 pm	Registration
17:15 pm	Introduction
17:18 pm	Presentation
18:05 pm	Panel discussion/ Q&A
18:30 pm	Closing remarks
18:32 pm - 20:45 pm	Networking drinks sponsored by

A&O SHEARMAN



Speaker

Hon. Madam Justice Linda Chan
 Companies Court Judge, Court of First Instance of the High Court

Panellists

Kenneth Yeo (moderator)
 Director and Head of Specialist Advisory, BDO; and past chair, RIF Executive Committee

Viola Jing

Partner, A&O Shearman; and lecturer for the Insolvency Preparatory Courses and tutor for the Professional Diploma in Insolvency

* Refer [here](#) for descriptions of the various ratings and competencies.

Please note, as this event is expected to be popular, applicants will be notified separately if their enrolment is successful. Priority will be given to RIF and IWIRC members in the event of over-subscription. Click [here](#) to join RIF or [here](#) to join IWIRC.



About the speaker and panellists

Hon. Madam Justice Linda Chan

Companies Court Judge, Court of First Instance of the High Court

Hon Madam Justice Linda Chan is the Judge of the Court of First Instance of the Hong Kong High Court and is in charge of the Companies and Bankruptcy List. She was appointed as judge in 2019 and, prior to that, as deputy judge for periods in 2013 - 2014, and recorder in 2015. Before joining the Judiciary, Her Ladyship was a member of Temple Chambers, where her practice comprised litigation and advisory work in the fields of company law, insolvency law, commercial dispute and professional negligence, with particular focus on applications under the Companies Ordinance, matters relating to directors' duties, shareholders' rights and remedies, corporate restructuring, capital restructuring and schemes of arrangement.

She was instructed in relation to numerous shareholders disputes, derivative actions, unfair prejudice petitions, "just and equitable" winding up petitions and bankruptcy matters. She was also instructed to advise the liquidators in relation to complicated liquidations involving substantial listed companies in HK, including the liquidation of Akai Holdings Limited, Kong Wah Holdings Limited, The New China Hong Kong Group Ltd, Ocean Grand Holdings Ltd, China Metal Recycling (Holdings) Ltd and China Medical Technologies, Inc.

Kenneth Yeo

Director and Head of Specialist Advisory, BDO; and past chair, RIF Executive Committee

Kenneth has over 30 years of experience in providing transaction advisory services to many multinational corporations in the region. His focus includes advising clients on due diligence, financial reviews, non-performing loans disposals, capital raisings, valuations, restructurings and mergers & acquisitions. His other work experience includes audit, forensic accounting and investigations and acting as expert witness. He was a highly-rated speaker on acting as expert witness, in the HKICPA's Professional Enhancement Programme on Forensic Accounting.

Kenneth has been involved in many cross-border transactions in HK, mainland China, Asia-Pacific and Europe. He is also a high-profile insolvency practitioner and has led teams on restructuring and insolvency appointments in HK, the Mainland, Malaysia and Australia.

Viola Jing

Partner, A&O Shearman; and lecturer for the Insolvency Preparatory Courses and tutor for the Professional Diploma in Insolvency

Viola is a restructuring and insolvency expert who advises clients across various industries and regions on how to navigate complex and challenging financial situations. She has extensive experience in representing debtors, creditors, committees and insolvency practitioners, with a focus on cross-border cases involving Mainland elements. She regularly leads cross-office, multi-practice teams to advise on complex, cross-border restructuring matters and has a strong track record in representing steering committees of creditors on restructuring, refinancing and/or enforcement options in regard to distressed Chinese real estate developers.

Viola was the secretary of the Hong Kong Network Board, IWIRC for three years, fostering the growth of IWIRC and the development of female restructuring and insolvency practitioners in the region, and she continues to dedicate herself to the nurturing of next generation female lawyers in restructuring and insolvency. She is also the first female Asian influencer in the Insolvency Influencers in Asia Vlog series presented by INSOL International Asia Hub, sharing her experience in lending support to female practitioners in the restructuring and insolvency market in HK.

Viola was named as the Restructuring and Insolvency Lawyer of the Year by the Women in Business Law Awards Asia 2022, a Next Generation Partner by The Legal 500 Asia Pacific since 2021.



Registration

- **Online enrolment by 28 June 2024; offline enrolment by post or e-mail also by 28 June 2024:**

Complete the [enrolment form](#) and return it to the Institute by 28 June 2024. Cheques should be made payable to "Hong Kong Institute of Certified Public Accountants" or "HKICPA". For payment by credit card, VISA/ Master card or the BOC HKICPA UnionPay card are accepted.

Please note, as this event is expected to be popular, applicants will be notified separately if their enrolment is successful.

Remarks

Disclaimers

- The opinions expressed by external guest speakers are, by their nature, those of the speaker. They are not necessarily endorsed by the Institute or the IWIRC, or reflect their official policies and views or those of their members.
 - The Institute and the IWIRC do not endorse or recommend any products or services referred to in the event and are not responsible for any loss or damage arising from the use of such products or services.
 - Participants are reminded that there is a wide range of products or services available in the market. Participants should carry out their own research and obtain independent advice before subscribing to any products or services.
 - The Institute and the IWIRC take no responsibility for any loss associated to any person acting, or refraining from acting, as a result of participation in the event.
- **Contact Terry Lam at 2287-7386 for enquiries.**