



Richard Yip

Barrister-at-law

Denis Chang's Chambers

Call 2011
Set Main Set
Address 9/F, One Lippo Centre, 89 Queensway,
Admiralty, Hong Kong
Tel +852 2810 7222
Email ryip@dcc.law

Biography

“One of the strongest junior barristers around, his stand-out qualities include an excellent handle on the detail, an insightful legal mind, and sound commercial sense.” Legal 500 Asia-Pacific 2021 & 2022, Commercial Disputes – Leading Junior (Tier 1)

Richard's broad civil practice has a focus on companies practice, commercial litigation, financial regulation and competition law. He is noted for his experience in shareholder disputes and matters involving breach of directors' duties.

Richard also has a thriving practice in cross border commercial arbitration, having acted as Counsel for both claimants and respondents in arbitrations seated in and outside Hong Kong. In particular, Richard has ample experience in arbitrations administered by the HKIAC, and is very familiar with its emergency arbitrator procedure and expedited procedure.

Prior to joining Denis Chang's Chambers in 2011, Richard was a corporate finance solicitor at Herbert Smith Freehills.

Richard is actively involved in the community and academia. He is a part time lecturer at the University of Hong Kong.

Practice Areas

Administrative and Public Law	Family Law
Chancery	Land and Property Law
Commercial Law	Mediation
Company and Insolvency	Probate and Administration
Competition Law	Regulatory and Disciplinary
Employment Law	Tort and Personal Injuries

Professional Qualifications

Barrister, Hong Kong (2011-present)
Solicitor, Hong Kong (2008-2010) (Herbert Smith)
HKMAAL accredited mediator

Academic Appointment

Part-time Lecturer, Department of Law, University of Hong Kong

Education

Postgraduate Diploma in EU Competition Law, King's College London (2016)
PCLL, University of Hong Kong (2005)
LLB, University of Hong Kong (2004)

Selected Cases

Arbitration

- Represented a group of private equity investors in a HKIAC seated arbitration against a private Chinese company and its founder concerning the investors' investment in the Chinese company (trial counsel)
- Represented a group of investors in two co-current arbitrations in HKIAC and St Kitts & Nevis on non-recourse loan against two respondents (trial counsel)
- Represented a private Chinese company in an emergency arbitration involving injunction in respect of the shares of a listed company in Germany held by the client
- Obtained injunction in aid of arbitration for a stock loan fraud
- Represented a prominent Italian decoration firm in a contractual dispute against a theme park
- **GD v HY** [2021] HKCFI 3900 (Resisting application to set aside enforcement of emergency arbitration award)
- Advised client on all stages of arbitration from the commencement of arbitration to enforcement of arbitration awards, including, seeking emergency relief from emergency arbitrator, jurisdiction challenge and trial

Company

- **Re King's Glory Educational Centre Limited**, HCCW 407/2016 (15-day shareholders dispute trial based on unfair prejudice and just and equitable winding up)
- **Hong Kong Wine Chambers of Commerce** [2019] HKCFI 2548 (Challenging the result of an AGM on the basis of irregularities during the meeting)
- **Acropolis Limited v W&Q Investment Ltd**, HCA 1496/2017 (Resisting an injunction against directors of a listed company based on fraudulent placement of shares) (led by Anson Wong SC)

- ***Dragon Success Enterprises Ltd v Aeso Holding Ltd***, HCMP 1647/2017 (appointment of interim receiver)
- ***Aeso Holding Ltd and Others v Chan Siu Chung and Others***, HCMP 1721/2017 (discovery of documents in the possession of directors of a company)
- ***Hong Wei (Asia) Holdings Co Ltd v The Registrar of Companies***, HCMP 1418/2016, 13 Jul 2016 (Failure to file return of allotment of shares by a listed company, relief from sanction under s.45 of the Companies Ordinance, Cap 32)
- ***Waddington Ltd v Chan Chun Hoo Thomas***, CACV 10/2014, 20 May 2016 (Causation between breach of fiduciary duties and damages awarded; whether multiple derivative action is permissible under BVI law; pre-judgment rate of interests) (led by Jat Sew Tong SC)
- ***Waddington v Chan Chun Hoo Thomas***, HCA 3291/2003, 18 Dec 2013 (Multiple derivative action by a minority shareholder in a listed company in Hong Kong, alleging majority shareholder and director to be in breach of fiduciary duty) (led by Martin Lee SC)

Civil Procedure & Miscellaneous

- ***Tang Gang & Others v Wong Sai Chung*** [2022] HKCFI 3011, enforcement of PRC judgment in Hong Kong through summary judgment procedure
- ***China Industrial Securities International Brokerage Ltd v Li Hailong*** [2022] HKCFI 2694, resisting forum non conveniens application and application to set aside service out
- ***Ma Wah Yan and Others v Dharma Realm Buddhist Association Inc & Others***, CACV 179/2016, 2 March 2017 (Appeal – extension of time – merit of proposed grounds of appeal)
- ***Ko Nga Chun v Companhia De Desenvol Vimento Wui San Limitada***, HCA 277/2012, 26 Jan 2016 (late amendment of statement of claim)

- ***Christow Corporation Trust v Asiacom International Holdings Ltd*** [2015] 2 HKLRD 1134 (Setting aside default judgment where defendant is out of jurisdiction at the time of service but subsequently came to notice of the writ within the jurisdiction)
- ***Venetian Macau Ltd v Chen Mei Huan***, HCA 1440/2012, 27 Jan 2014 (Forum non conveniens application by loan borrower on the basis of an ambiguous jurisdiction clause) (led by Hectar Pun)
- ***Ko Nga Chun v. Companhia De Desenvol Vimento Wui San Limitada*** (Forum non conveniens application in respect of HK litigation proceedings dealing with events that occurred primarily in Macau) (led by Hectar Pun)
- ***Billion Star Development Ltd v Wong Tak Chuen***, FAMV 38/2014, 7 Feb 2014 (Quiat timet Injunction against protestors blocking passage to construction site at Mei Foo Sun Chuen)

Trust & Probate

- ***Lam Mo Chu Susie v Lam Sik Ying Victor***, HCA1974/2015, 5 Sep 2017 (removal of administrator based on breach of fiduciary duties)
- ***Ma Wah Yan and Others v Dharma Realm Buddhist Association Inc & Others***, HCA1190/2007, 3 Aug 2016 (Public charitable trust – whether the assets of a Deceased monk held in his own name was subject to public charitable trust)
- ***Wong Tat Lun Eddie and Others v. Wong Chi Ho Jimmy and Others***, HCMP 2391/2013, 24 Apr 2015 (Whether the administrator of an estate should bear costs where he successfully defended proceedings to remove him)
- ***Re Leung Wang Fai***, HCB 15328/2003, 17 Mar 2014 (Ownership in property where the son was a joint tenant but made no contribution towards purchase price of the property)

Employment

- 梁炳泉 訴 富裕國際旅遊發展有限公司 HCLA 11/2015, 12 May 2016 (Labour Tribunal Appeal – whether income from sales of souvenir by tour bus driver in the course of their employment constitutes “wages”)
- 黃佳 訴 富裕國際旅遊發展有限公司 HCLA 13/2015, 12 May 2016 (Labour Tribunal Appeal – whether income from sales of souvenir by tour bus driver in the course of their employment constitutes “wages”)
- **World Houseware Producing Company Ltd v Chau Kam Tong**, DCCH 1640/2012, 18 Feb 2014 (Fraud by employee)
- **Yu Yiu Wing v Lead Young Logistic & Others**, HCLA 20/2012, 11 Oct 2013 (Labour Tribunal Appeal, Applicant attempted to validate decision of the Presiding Officer on a different ground)