



Rosalyn J. Han

Counsel

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Overview

Rosalyn Han advises international developers and contractors in complex and high-value projects - the investment amount of which varies from hundreds of millions to billions in RMB - in Mainland China, Hong Kong, and the Middle East.

Contracts: Rosalyn has experience in drafting and negotiating construction contracts, including standard forms (such as FIDIC, HKIA, MOHURD and other international standard forms) and bespoke contracts, supply contracts, consultancy agreements, bonds, guarantees and warranties for construction projects. **Dispute Resolution:** Rosalyn advises and represents clients in domestic and international arbitration before major arbitration institutions, including CIETAC, HKIAC and DIAC. She serves clients on all types of construction disputes, including those relating to payment, valuation and measurement, delay and disruption, design, professional liabilities, issues arising from defective works, contract termination, and enforcement of performance security. **Construction:** Rosalyn provides full-length construction services to clients throughout the entire project cycle, including advice on procurement methods, tendering and filing requirements, regulatory and licensing issues, and issues arising out of performance bond and insurance. Rosalyn speaks fluent English, Mandarin, and Cantonese. She is admitted in PRC and California. Clients served by Rosalyn include The Hong Kong Jockey Club, Swire Properties Limited and New World Construction Company Limited, etc.

Experience

Contentious Construction

Advised and represented:

- Major developer in a case of defective works in respect of projects in Asia, including advice on cost claims, evidence preservation, determination of quality issues and associated legal proceedings in the mainland China and Hong

Kong. The disputed amount is around RMB 650 million.

- Major developer on issues arising from their multi-purpose projects in mainland China, including defective works, contractor's extension of time and cost claims, evidence preservation, time, quality and cost authentication exercises, and associated court and arbitration proceedings. The disputed amount exceeds RMB 600 million.
- PRC-based developer in HKIAC arbitration proceedings from the main contractor in relation to certain industrial building renovation works in the New Territories, Hong Kong. It involves issues arising from the termination of contract, claims under performance bond, assessment of final account, extension of time and cost claims.
- Railway operator in Hong Kong in the Commission of Inquiry into the Construction Works at and near the Hung Hom Station Extension under the Shatin to Central Link Project in 2018 and 2019.
- State-owned enterprise on issues arising out of a series of emission reduction purchase agreements as well as issues arising out of the potential HKIAC arbitration.
- Leading mining company on its construction disputes with Hong Kong Government for a Hong Kong project and the associated HKIAC arbitration proceedings.
- Chinese state-owned contractor on the final account dispute with an Indian main contractor for a construction project in Myanmar and the potential SIAC arbitration proceedings.
- Leading Hong Kong developer on the claims to the tune of RMB 100 million arising out of the defective works and workmanship for a multi-purpose development project in mainland China.
- Leading Hong Kong developer on the contractors' claims to the tune of RMB 150 million arising out of the multi-purpose development project in Guangdong province, mainland China.
- Leading Hong Kong organisation on defective construction works at a training centre project in Guangdong, mainland China. This concerns construction litigation (Hong Kong and mainland China), arbitration, and professional liability.
- Leading Hong Kong organisation on disputes arising out of valuation of construction works of their project in Beijing and advised on the related CIETAC arbitration proceedings.
- Global leading paint products manufacturer on environmental claims arising out of their plant facilities in Guangdong province, mainland China.

Non-Contentious Construction

Advised:

- Leading international chemical production company on drafting EPC (including onshore/offshore split and bridge agreement), EPCM, construction contracts, consultancy agreements and equipment supply contracts and preparing playbooks for such contracts to be used in the construction of a highly integrated chemical production site in Asia, the total investment of which is around USD10 billion.

- The Hong Kong Jockey Club, a leading charitable organization in Hong Kong, on its Conghua Racecourse (CRC) in Conghua, Guangdong, China, which involves the construction of a world-class facility for the training of Hong Kong's thoroughbred racehorses. The CRC is being constructed on the original site of the Guangzhou 2010 Asian Games Equestrian Centre. The project is significant because it was a first of its kind in China. We are advising the client throughout the entire project cycle.
- Leading Hong Kong developer on the preparation of construction documentation for a 450,000 sqm multi-purpose development in Guangzhou, and also advised on issues arising out of novation of the contract, the extension of time and cost claims. The total investment amount is around RMB 3 billion.
- JV formed by a German chemical company and a French mining company on the EPC contract negotiations with a Chinese contractor for the construction of a US\$2.6 billion nickel smelter project which will supply nickel and cobalt to Tesla and BYD for the manufacture of EV batteries.
- Major Chinese state-owned contractor in tendering for the construction, operation and maintenance of a transmission line project in Mexico.
- Chinese contractor in tendering, reviewing and negotiating a construction contract for a seamless copper tube plant in Abu Dhabi.
- JV formed by a China Government Guidance Fund and the National Bank of Uzbekistan in the development of the convention center, commercial, hotel and tourist complex in Uzbekistan.
- Hong Kong investment management firm on drafting construction contracts and consultancy agreements for a commercial and residential complex in Phnom Penh, Cambodia.
- JV formed by a Chinese state-owned contractor and a Hong Kong contractor on drafting and negotiating construction contracts and various issues arising from execution of the third runway concourse and apron works at the Hong Kong International Airport.
- British entertainment company on the development of a large scale theme park in Shanghai.
- Major Thai developer on the preparation of construction contract documentations based on MOHURD form for a multi-purpose project in Shandong and also advised on tendering and filing issues. Total contract sum exceeds RMB 800 million.
- Global leading chemical products manufacturer on the preparation of EPCM contract for a coal tar distillation plant project in Jiangsu province, mainland China, the total investment amount of which is around RMB 400 million.
- PRC state-owned developer on preparation of construction main contract and sub-contracts on the basis of HKIA forms for a hotel project in Hong Kong.
- Hong Kong leading developers on the preparation of their construction contracts on the basis of HKIA forms for use in their Hong Kong projects.

Recognition

- Real Estate and Construction Rising Star of the Year – *The Legal 500 China Awards* (2023)
- Recommended – Future Leaders – Non-Partners – *Who's Who Legal: Construction* (2023)
- Winner of *ALB China Rising Lawyers Awards* 2018
- Rising Star – Real Estate and Construction: Foreign Firms, China – *The Legal 500 Asia Pacific* (2020-2024)
- Next Generation Lawyer – Real Estate and Construction: Foreign Firms, China – *The Legal 500 Asia Pacific* (2017-2019)

Qualifications

Education

- Heriot-Watt University, MSc, Quantity Surveying (RICS accredited)
- Durham University, LLM, International Trade and Commercial Law
- Beijing Jiaotong University, LLB

Admissions

- California
- PRC

Languages

- Cantonese
- English
- Mandarin

Professional & community involvement

- Chartered Surveyor, Royal Institution of Chartered Surveyors
- Chartered Builder, Chartered Institute of Building
- International Building and Engineering Contracts Accredited Professional (IBECAP B), Society of Construction Law (China) and Joint Construction Management Ltd.

Related content

- JSM highly ranked in The Legal 500 Asia Pacific: Greater China 2025, 29 November 2024
- Legal 500 Asia Pacific 2024 ranks JSM in 24 practice categories and recognizes 21 lawyers, 19 January 2024
- Legal 500 Asia Pacific 2023 ranks JSM in 20 practice categories and recognises 20 lawyers, 16 January 2023
- Legal 500 Asia Pacific 2022 ranks JSM in 20 practice categories and recognises 18 lawyers, 18 January 2022