



Raymond C. L. Yang

Partner

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Overview

Chinese and international clients come to Raymond Yang for counsel on international dispute resolution, commercial and investment arbitration (institutional and ad hoc), court litigation (including all levels of the Hong Kong courts and PRC courts), and regulatory investigation and compliance matters. Clients rely on Raymond with complex and cross-border contentious matters, such as:

- Corporate and shareholders' disputes
- Banking and finance
- Bankruptcy and insolvency
- International trade and investment
- Energy and resources
- Infrastructure, construction, and real estate
- Intellectual property

Raymond is triple qualified in the PRC, Hong Kong, and England and Wales, setting him apart from other dispute resolution lawyers who deal with Greater China matters. He has in-depth experience with handling complex and cross-border disputes. Raymond is one of the very few Mandarin-speaking PRC lawyers who is conversant with Chinese law, Hong Kong law, and English law, owing to his overseas legal education, training, and practice. He speaks Mandarin, English, and Cantonese. Clients served by Raymond include Chinese and international financial institutions, multinational corporations, national oil companies, and leading TMT companies.

Experience

Experience in International Arbitration

Foreign-related arbitration cases (Mainland China)

As a PRC qualified and practicing lawyer, Raymond has represented clients in dozens of CIETAC arbitration proceedings and assisted clients in enforcing CIETAC arbitral awards in China and overseas. Examples include:

- Acted for a group of BVI companies in obtaining favourable awards in a series of CIETAC arbitration proceedings (involving billions of yuan in dispute) concerning a Sino-foreign cooperative expressway project and also advised the clients on the subsequent enforcement of the arbitral awards.
- Acted for a Japanese-listed company in obtaining a favourable award in a CIETAC arbitration in relation to an international contract for the sale of equipment and services.
- Acted for a Macanese company in obtaining a favourable award in CIETAC arbitration proceedings concerning Sino-foreign joint venture disputes and also advised the client on the enforcement of the arbitral award in courts and the insolvency proceedings of the joint venture.
- Acted for a Chinese state-owned company in obtaining a favourable award in CIETAC arbitration proceedings and assisted the client in recognising and enforcing the award in Italy, Europe.
- Advised a Swiss company on the recognition and enforcement of a Hong Kong arbitral award in a Mainland court.

Arbitration, arbitration-related litigation, and injunction (Hong Kong)

As a qualified solicitor practicing in Hong Kong, Raymond has represented Chinese and international clients in various cross-border arbitrations (institutional or ad hoc) and arbitration-related litigation in the Courts of Hong Kong. The following is a representative list of some of the cases:

- Acted for a Chinese company in an ad hoc arbitration in Hong Kong concerning joint venture contract disputes (the amount involved in the disputes is USD\$40 million) with a well-known US beer manufacturer. The arbitration was conducted under UNCITRAL Rules.
- Acted for a Chinese-listed company (on the list of China's Top 500 Enterprises) in an arbitration filed by a well-known US chemical company concerning disputes over a license agreement. The dispute was related to the design, engineering, construction, and operation of a chemical project, with a total investment of approximately RMB 3.5 billion for the first phase of the project. The dispute involved complex claims for loss and damage, accounting for profits, declaration claims, and an injunction application (the amount claimed was approximately US\$20 million). This arbitration was administered by the HKIAC under its Administered Arbitration Rules and was finally settled in favour of our client.
- Acted for an Australian businessman in disputes against a Belgian company concerning a share purchase and shareholders' agreement, which involved the exercise of a put option and transfer of equity to a third party, with the

amount in dispute being approximately US\$6 million. The arbitration was conducted under the auspices of the HKIAC in accordance with its Administered Arbitration Rules and was finally settled and concluded in favour of our client.

- Acted for a well-known US-listed technology company that provides crystal furnace equipment and solutions to global solar, LED, and electronics industries in arbitration proceedings concerning an equipment purchase agreement entered into with a Hong Kong company (the amount in dispute was approximately US\$40 million). This arbitration was conducted under the HKIAC Administered Arbitration Rules, and the governing law of the agreement was PRC law.
- Acted for a Chinese animal husbandry technology company in an arbitration against an English company in arbitration proceedings concerning disputes over a breeding license and sales agreement and successfully facilitated the settlement between the two companies. HKIAC arbitration, English law.
- Acted for a Cayman Islands company in arbitration proceedings concerning disputes arising from the Hong Kong and Mainland joint venture companies, applying for such orders as conducting a financial audit of the joint venture companies, among other mandatory injunction orders. HKIAC Administered Arbitration Rules applied.
- Advised one of the shareholders of a Cayman Islands company in relation to disputes between shareholders over an agreement for the sale and purchase of Series A preferred shares, a shareholders' agreement, and US export controls, as well as arbitration before the Hong Kong International Arbitration Centre. The disputes were related to a satellite development project, and the amount involved in this project was about US\$250 million.
- Acted for two respondents (a well-known Filipino businessman and a Filipino company) in arbitration proceedings administered by the HKIAC (the amount in dispute was approximately US\$30 million) concerning disputes arising from a facility agreement and investment and security agreements and successfully raised a jurisdictional challenge, the result of which was the two respondents being removed from the arbitration proceedings.
- Acted for an Israeli company against a prominent Chinese electrical appliance manufacturer in arbitration proceedings administered by HKIAC concerning disputes arising from distribution agreements.
- Acted for a well-known Hong Kong-listed company in arbitration proceedings concerning an agreement for the acquisition of equity in a gas project in Mainland China (with the amount involved up to hundreds of millions of RMB). The arbitration proceedings were subject to the UNCITRAL Arbitration Rules and administered by the Hong Kong International Arbitration Centre. Upon obtaining an arbitration award in favour of the client, continued to assist the client in applying for enforcement of the arbitration award in the Hong Kong court, opposing the other side's application to the Hong Kong court to set aside the arbitration award; in the meantime, assisted the client in applying for Mareva and Chabra Injunctions from the Hong Kong court to restrain the opposite party and a third party from dissipating or disposing of their assets.
- Advised a China paper products company on a dispute with a Swedish company in relation to a share transfer agreement and a put option agreement of a joint venture (the amount involved is RMB 350 million) and the intended arbitration at the Hong Kong International Arbitration Centre.

- Acted for a Mainland-listed company in an HKIAC arbitration over an earnest money dispute (the amount involved was RMB 1 billion) in relation to its proposed acquisition of a Hong Kong-listed company and advised the company to oppose the other side's application for an injunction to restrain the presentation of a winding-up petition.
- Acted for a Hong Kong-listed real estate developer in an application for a pre-arbitration injunction against a Chinese conglomerate in the Hong Kong court in relation to an earnest money dispute arising from a merger and acquisition project (the amount in dispute was HK\$200 million) and subsequently represented the company to commence arbitration proceedings in Hong Kong.
- Represented a Chinese financial institution in providing legal advice on a share redemption dispute (the amount in dispute was approximately US\$30 million) involving its pre-IPO investment in a VIE entity, as well as overseas insolvency proceedings; Represented the client in commencing arbitration in the Hong Kong International Arbitration Centre and applying for an assets preservation order from a Mainland court under the interim measures arrangement of both Mainland China and Hong Kong, securing the assets of subsidiary companies of Mainland China or entities controlled by the target entity.
- Advised a leading Chinese Internet technology corporation on a pre-IPO share purchase and redemption dispute involving its fintech sector business (the amount involved was over US\$2 billion) and advised the client on Hong Kong arbitration, shareholders' disputes, and overseas insolvency matters.

Energy and investment arbitration

- Acted for a major Chinese state-owned oil corporation in an arbitration over a dispute in relation to a production sharing contract (the amount in dispute was nearly US\$2 billion) conducted under the UNCITRAL Arbitration Rules with the seat of arbitration in London.
- Acted for a Chinese company and an individual in investor-state arbitrations involving mineral investments in a Latin American country (the dispute involved hundreds of millions of US dollars).

Recognition

- Top 10 Outstanding Young Lawyers – *China Legal Education and Career Seminar Series (CLECSS)* (2021)
- One of the 1,000 Elite Lawyers specialising in foreign-related legal matters, selected from among 650,000 PRC peers
 - Ministry of Justice of the PRC

Qualifications

Education

- The University of Hong Kong, Master of Common Law
- Melbourne Law School, Diploma
- SOAS, University of London, Diploma
- Hebei University of Economics and Business, LLB

Admissions

- Hong Kong
- PRC
- England and Wales

Languages

- Cantonese
- English
- Mandarin

Professional & community involvement

- Arbitrator, Shanghai International Arbitration Center
- Arbitrator, Guangzhou Arbitration Commission
- Arbitrator, Langfang Arbitration Commission
- Fellow/Council Member, Hong Kong Institute of Arbitrators (FHKI Arb)
- Fellow, Chartered Institute of Arbitrators (FCI Arb)
- LCIA Young International Arbitrators Group
- ICCA Young Professionals Forum
- HKIAC/HK45
- Fellow, Lord Chancellor's Training Scheme for Young Chinese lawyers (London)
- Fellow, Australia-China Legal Profession Development Program (Sydney, Melbourne, Brisbane)

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- Full-steam ahead for Mainland-Hong Kong Cooperation Mechanism to recognise and assist insolvency proceedings in pilot areas and beyond, 6 December 2023