



HORACE PANG

Associate

Hong Kong SAR

E: horace.pang@bclplaw.com

T: [+852 3143 8411](tel:+85231438411)

BIOGRAPHY

Horace is an Associate in the International Arbitration and Construction Disputes practice. He is admitted as a Solicitor in Hong Kong SAR in 2020.

Horace has experience in complex international arbitration across a number of sectors (including construction, energy and international trade). These cover proceedings governed by various rules and institutions, including the HKIAC, LCIA and ICC.

Horace regularly advises main contractors and sub-contractors in construction and engineering disputes concerning major developments and projects in Hong Kong SAR and overseas, on a wide range of issues including variations, scope of work, EOT, delays and disruption, termination, defects, call of bond and insolvency.

SPOKEN LANGUAGES

- Chinese (Mandarin)
- Chinese (Cantonese)
- English

ADMISSIONS

- England and Wales
- Hong Kong

RELATED CAPABILITIES

- Construction Disputes
- Litigation & Dispute Resolution
- Real Estate

RESOURCES

PUBLICATIONS

- [Hong Kong Competition Tribunal establishes four-step approach to assess pecuniary penalties for contraventions of competition rules in recent judgment](#)

RELATED INSIGHTS

Insights

Feb 14, 2025

Adjudication and insolvency: interface of two statutory regimes affecting the construction industry

Adjudication has become a key tool in the construction industry, helping employers and contractors resolve disputes quickly and keep cash flowing on projects. But when insolvency enters the picture, things can get tricky – especially when it comes to enforcing adjudication decisions or allowing insolvent parties to take part in the process. In this insight, we take a closer look at the legal approach to the interaction between adjudication and insolvency in England & Wales and Singapore, and what to look forward to in Hong Kong SAR as the Construction Industry Security of Payment Ordinance was gazetted on 27 December 2024 and will come to effect fully on 28 August 2025.

Insights

Aug 22, 2024

HK Court of Appeal set aside arbitral award for the absence of underlying disputes

In *CMBICDHAW Investments Limited v CDH Fund V Limited Partnership & others* [2024] HKCA 516 (judgment date: 10 July 2024), the Hong Kong Court of Appeal (CA) addressed an appeal regarding the Court of First Instance's (CFI) decision to set aside parts of an arbitral award due to the absence of a relevant dispute. The disputed portions included a declaration of non-liability and additional comments made by the arbitrator. The CA determined that no relevant dispute existed to establish the arbitrator's jurisdiction and that there was an abuse of process.

Insights

Jun 28, 2024

HK court clarified and confirmed that orders for interim measures cannot be challenged using the grounds for setting aside final awards

In *G v N* [2024] HKCFI 721 (judgment date: 11 March 2024), a Hong Kong court dismissed an application to set aside the enforcement of an interim order which an arbitrator had made requiring a party to take steps to dismiss the proceedings commenced by it against the other party and the other party's subsidiaries. In doing so, the court considered and clarified the distinction between interim measures and awards for the purpose of enforcement and setting-aside proceedings, and the separate regimes that apply to them.

Insights

Jun 25, 2024

Changes in the payment and adjudication processes regarding variations and time-related disputes

In May 2024, the Hong Kong Government introduced the Construction Industry Security of Payment Bill (Bill) to the Legislative Council for first reading. If the Bill is passed into law, the Bill will introduce a statutory security of payment regime for both public sector and private sector construction contracts in Hong Kong. This is the second article in a series of two articles. In the earlier article, we compared the clauses in the Bill against the public works contracts pilot programme security of payment provisions (Pilot Provisions) promulgated by the Development Bureau (DevB) in its Technical Circular (Works) No.6/2021 (Circular) for the contractual regime, and considered the key development, changes and differences. In this article, we will take a deeper look at the changes made in the Bill concerning the treatment of variation claims and time-related disputes in the payment process and the adjudication process.

Insights

Jun 25, 2024

HK court considered the proper scope of the court's intervention against an arbitral tribunal's ruling regarding public policy

In *G v N* [2023] HKCFI 3366 (judgment date: 29 December 2023), a Hong Kong court considered the question of whether and to what extent it is open for the court to review an arbitrator's ruling on matters of public policy. The court stayed the enforcement of the award and remitted the award to the arbitrator. Later, in [2024] HKCFI 655 (judgment date: 9 February 2024), the same judge considered the case to have raised an "important and novel" question as to what is the proper scope of judicial intervention in arbitral awards on grounds of public policy, and granted leave to appeal to the Court of Appeal.

Insights

Jun 24, 2024

Key developments and changes in comparison with the existing contractual security of payment regime

In May 2024, the Hong Kong Government introduced the Construction Industry Security of Payment Bill (Bill) to the Legislative Council for first reading. If the Bill is passed into law, the Bill will introduce a statutory security of payment regime for both public sector and private sector construction contracts in Hong Kong. Currently, a contractual security of payment regime is in place for public sector construction contracts only. In this article, we will compare the clauses in the Bill against the public works contracts pilot programme security of payment provisions (Pilot Provisions) promulgated by the Development Bureau (DevB) for the contractual regime, and consider the key development, changes and differences. This is the first article in a series of two articles. In the next article, we will take a deeper look at the change of two features in the payment process and the adjudication process relating to variation claims a...

Insights

May 29, 2024

Hong Kong Security of Payment Bill gazetted

The long-anticipated Construction Industry Security of Payment Bill ("Bill") was gazetted on 17 May 2024 and was introduced into LegCo for its first reading on 29 May 2024. The Bill aims to establish a legislative framework for addressing improper payment practices among contracting parties in the Hong Kong construction industry. Once in force, the Bill will replace the Development Bureau's pilot scheme for the introduction of security of payment provisions into public sector construction contracts which we discussed in our earlier Insights at Security of payment circular issued by the Development Bureau of Hong Kong – to take effect from 31 December 2021 and The new security of payment regime in Hong Kong – key issues to consider before its implementation.

Insights

Sep 21, 2022

Hong Kong Court of Appeal decision on cartel fines imposed on entities within the same undertaking

Competition Commission v W. Hing Construction & others [2022] HKCA 786 (judgment date: 2 June 2022) concerned an appeal from the first Hong Kong judgments concerning pecuniary penalties for contraventions of competition rules. The Court of Appeal held that pecuniary penalties for contraventions of competition rules are to be assessed based on the economic activities and conduct of the undertakings who are answerable for the contraventions, and that the legal or natural persons (entities) constituting such undertakings jointly and severally are liable for the pecuniary penalties. Accordingly, the Court of Appeal allowed the appeals by the Competition Commission (Commission) against two judgments in which the Competition Tribunal (Tribunal) reduced the pecuniary penalties ordered against the respondents in recognition of the respondents' limited participation in the anti-competitive conduct because they h...

Insights

Aug 02, 2022

Hong Kong court provided guidance on the approach to granting Mareva injunctions in support of enforcement proceedings for arbitral awards

Hong Kong court continued the validity of a Mareva injunction granted in connection with the enforcement proceedings of a CIETAC award, and dismissed an application for security or fortification in support of the cross-undertaking as to damages. This case confirms the Hong Kong courts' pro-arbitration and pro-enforcement approach. G v X highlights that Hong Kong courts generally are more prepared to grant Mareva injunctions and other relevant orders in aid of enforcement proceedings of arbitral awards, in comparison with similar applications made at the interlocutory stage in court litigation. The judgment also illustrates how Hong Kong

courts will apply the usual tests, and exercise its discretions, in respect of the grant of Mareva injunctions in the context of enforcement proceedings. The confirmation that parties may seek simultaneous enforcement in both the Mainland and Hong Kong under the Supplement...