



IAN CHENG

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BIOGRAPHY

Ian is an Associate in the Hong Kong SAR office. He has experience in construction arbitrations and in advising clients on employment law matters. He also has experience in appearing before the High Court, the District Court, and conducting trials in the Magistrates Courts in Hong Kong SAR.

Ian is a prosecutor on fiat on the Department of Justice's Magistrates Courts B List. Ian also is a member of the Appeal Panel (Housing), an independent statutory body established under section 7A of the Housing Ordinance (Cap. 283) to determine appeals lodged against the termination of lease agreements between the Housing Authority and its tenants.

Ian is a contributing author to Financial Regulation: Emerging Themes in 2020 - an extensive collection of articles around the themes of supervision, governance, financial crime and investigations and digital.

He was admitted as a Solicitor in Hong Kong SAR in 2017.

SPOKEN LANGUAGES

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

ADMISSIONS

- Hong Kong

RELATED PRACTICE AREAS

- Construction Disputes
- Infrastructure
- Energy Transition
- Commercial Construction & Engineering
- Commercial Real Estate
- Investigations
- Litigation & Dispute Resolution
- Regulation, Compliance & Advisory
- Cross-border Employment Issues
- Employment Class & Collective Actions
- Business & Commercial Disputes
- Employment & Labor
- Real Estate

EXPERIENCE

- Advising a Hong Kong SAR non-profit organisation on its entitlements to liquidated damages, extension of time assessments, retention of monies and termination issues concerning the construction of a new operations building.
- Representing a major Korean contractor in disputes concerning the construction of a propane dehydration plant in Saudi Arabia.

- Representing the sub-contractor in an arbitration concerning the E&M works for a major casino in Macau.
- Representing the sub-contractor in arbitrations concerning the redevelopment of a landmark building in Hong Kong SAR.
- Representing the sub-contractor in an arbitration and the related appeals to the Hong Kong SAR courts concerning a major railway project.
- Representing the contractor in an arbitration concerning a JV dispute in Macau.
- Representing the employer in an arbitration concerning a bridge dispute.

RELATED INSIGHTS

Insights

Apr 29, 2025

Does “back to back” mean “pay when paid” in construction contracts?

In *Sze Fung Engineering Limited v Trevi Construction Company Limited* [2025] HKCA 278[1], the Hong Kong Court of Appeal (“CA”) ruled that the “back to back” wording in that case was not a “pay when paid” clause, but governed only the timing of payment.

Insights

Apr 28, 2025

Hong Kong Court makes security for costs order against Mainland parties with no assets in Hong Kong

In *Y and Another v GI and Another* [2025] HKCFI 1317[1], the Hong Kong Court of First Instance (“Court”) allowed the defendant’s application for security for costs against the plaintiffs in respect of the plaintiffs’ application to set aside an arbitral award. In doing so, the Court found that the plaintiffs were resident outside Hong Kong, had no assets available in Hong Kong and the setting aside application had little prospect of success.

Insights

Mar 19, 2025

HK Court relies on deemed service clause to dismiss a setting-aside application to enforce an arbitral award

Insights

Mar 18, 2025

HK court rules that gig delivery driver was not an employee

Insights

Mar 06, 2025

Getting the ball rolling: sports disputes resolution in Hong Kong SAR

These are exciting times for sports in Hong Kong. With the Hong Kong team's success at the 2024 Paris Summer Olympics and Summer Paralympics, the opening of the Kai Tak Sports Park and the 15th National Games (which Hong Kong is co-hosting together with Guangdong and Macao) in 2025, it is expected that interest in sports and the sports industry in Hong Kong will continue to grow. From the selection of athletes by sports clubs to the determination of the outcome of a game, anti-doping tests and sports-related commercial deals, disputes can arise at many stages along the sports industry chain. Some observers and commentators have suggested that Hong Kong would be assisted by having a comprehensive dispute resolution system to resolve the sports-related disputes which unavoidably arise from the growing sports industry.

Insights

Feb 27, 2025

Government issues Model Adjudication Documents

On 10 February 2025, the Development Bureau ("DEVB") issued a suite of model adjudication documents ("Model Documents"), including a set of model adjudication rules ("Model Rules"). This suite of Model Documents is not issued so as to be binding or operative in their own right. Rather, they are issued as guidance (perhaps strong guidance) for the various entities who will apply to Government to be recognised as approved adjudicator nominating bodies, "ANBs", for the purposes of the Construction Industry Security of Payment Ordinance (Cap. 652) ("Ordinance"). Although it remains uncertain to what extent the Model Documents will be adopted by nominating bodies, the Model Documents offer a preview of how the Ordinance might function when it comes into operation on 28 August 2025.

Insights

Feb 27, 2025

HK Security of Payment Ordinance: what difference might it make in practice?

In *Wang & Lee Contracting Ltd v Young Kwong Pui Trading as In Tech Engineering* [2025] HKDC 66 (Date of Decision: 3 January 2025), the District Court ordered the court proceedings to be stayed and that the plaintiff's claims be referred to arbitration. The court's decision to grant a stay in favour of arbitration is entirely unsurprising and is consistent with Hong Kong courts' pro-arbitration stance. What this article will explore is how this dispute might have proceeded along a different trajectory if the newly enacted Construction Industry Security of Payment Ordinance (Cap 652) ("Ordinance") had been in force and applied to this dispute and the facts leading up to it.

Insights

Dec 20, 2024

Hong Kong Security of Payment Ordinance passed; goes into operation on 28 August 2025

The second and third reading of the Construction Industry Security of Payment Bill concluded at the Legislative Council on 18 December 2024. As an important milestone of the security of payment regime in Hong Kong, the Construction Industry Security of Payment Ordinance ("Ordinance") will be published in the Government Gazette on 27 December 2024. According to section 1(3), the provisions on power of Secretary for Development for registration and administration of Adjudicator Nominating Bodies ("ANBs") will take effect on the gazettal date, i.e. 27 December 2024. The remaining provisions of the Ordinance will come into operation on 28 August 2025. Construction contracts entered into on or after this date will be governed by the Ordinance.

Insights

Oct 07, 2024

HK Security of Payment Bill: Government responds to submissions from the public

The Hong Kong Government received 37 submissions from the public in July 2024 regarding the Construction Industry Security of Payment Bill (“Bill”) and held discussions with deputations from different stakeholders at a LegCo meeting on 16 July 2024. On 2 October 2024, in a letter to the LegCo, the Government summarised some of the key points that had been made in the submissions from the public and gave its response to the submissions. While there is no indication from this letter that the Government would make any amendments to the wording of the Bill in relation to the submissions from the public, the letter raises some important points regarding the Bill and some follow-up actions that the Government said that it will undertake to deal with concerns raised by various stakeholders.