



GEOFFREY SHAW

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BIOGRAPHY

Geoffrey Shaw is a partner in our Hong Kong SAR office with extensive experience in construction and commercial disputes in Hong Kong SAR and the region. Geoffrey has worked in Hong Kong SAR for 30 years' and has been acknowledged for over a decade as a leading lawyer in the area of construction in the Asia Pacific Legal 500.

Geoffrey's principal practice is Litigation, with a focus on construction related arbitration and litigation, as well as ADR (both mediation and adjudication). Geoffrey has worked on some of the largest and most complex matters throughout Hong Kong SAR. In addition, he regularly advises clients through the SE Asian region.

SPOKEN LANGUAGES

- English

ADMISSIONS

- Australia
- Queensland
- England and Wales (non-practicing)
- Hong Kong

RELATED CAPABILITIES

- Business & Commercial Disputes
- Real Estate
- Energy Transition
- Real Estate Disputes
- Litigation & Dispute Resolution
- Intellectual Property & Technology Disputes
- International Arbitration
- Regulation, Compliance & Advisory
- Class Actions & Mass Torts

RELATED INSIGHTS

Insights

Jan 07, 2021

Hong Kong court refuses to uphold an arbitral award for enforcement on grounds of excess of authority and denial of a fair hearing

In *X v Y* (HCCT 62/2018) [2020] HKCFI 2782 (Date of Decision: 5 November 2020), the Hong Kong Court of First Instance (the Court) set aside an order to enforce an arbitration award on the basis (i) that the tribunal's findings were beyond the scope of the arbitration clause and the parties submission to arbitration, and (ii) that the respondent in the arbitration had not been given a reasonable opportunity to present its case and to meet the case of the claimant in the arbitration. In her judgment, Mimmie Chan J explained the principles for determining the proper scope of the tribunal's jurisdiction where a dispute involves a series of connected agreements that are subject to different dispute resolution clauses. The court also provided guidance on how arbitrators should proceed if they are impressed by a point that had never been explored or advanced by either side in evidence or submissions.

Insights

Dec 08, 2020

Hong Kong sees the first disqualification order under its Competition Ordinance

Under the Competition Ordinance, the Hong Kong Competition Tribunal (“Tribunal”) may, on application by the Competition Commission (“Commission”), impose a disqualification order prohibiting a person from being a director, liquidator or provisional liquidator of a company, a receiver or manager of a company’s property, or taking part in the promotion, formation or management of a company. The disqualification order may be for a maximum period of 5 years (ss 101-103). This is one of many orders, remedies and penalties the Tribunal is empowered to make in respect of competition law contraventions in Hong Kong. In *Competition Commission v Fungs E&M Engineering Company Limited & others* [2020] HKCT 9, the Tribunal issued its first disqualification order since the new statutory competition regime came into effect. The Tribunal also discussed the principles, guidelines and factors for determining the le...

Insights

Sep 29, 2020

Enforcing an arbitration award: don’t mislead the court!!

In *1955 Capital Fund I GP LLC & another v Global Industrial Investment Limited* [2020] HKCFI 956, the court set aside an ex parte order for the enforcement of an arbitral award on the grounds of material non-disclosure by the applicants. This decision is a reminder to parties that they should ensure compliance with the enforcement procedures under the Arbitration Ordinance, and make full and frank disclosure of all material facts where the enforcement application is made on an ex parte basis.

Insights

Sep 22, 2020

Competition Tribunal adopts the Carecraft procedure for settlements in competition law cases

In *Competition Commission v Kam Kwong Engineering Company Ltd & others* [2020] HKCT 3, the Competition Tribunal (the “Tribunal”) adopted the Carecraft procedure for disposing of enforcement proceedings against respondents who admit liability for contravention of competition rules under the Competition Ordinance (Cap. 619) (the “Ordinance”).

Insights

Aug 21, 2020

Impact of arbitration clauses on insolvency proceedings: a retreat from the Lasmos Approach?

Recent Hong Kong cases have highlighted varying approaches regarding the impact of arbitration clauses on insolvency proceedings, in particular, on the Court’s discretion to make a winding-up order where a debt is disputed. Recent judgments have varied between the so-called Traditional Approach which requires the company-debtor to show a genuine dispute on substantial grounds and the Lasmos Approach which requires the company only to commence arbitration in a timely manner.

Insights

Aug 06, 2020

HK and Macao put in place and activate their Arrangement for Mutual Service of Judicial Documents in Civil and Commercial Cases

The Hong Kong-Macao Arrangement for Mutual Service of Judicial Documents in Civil and Commercial Cases (the Arrangement) came into force on 1 August 2020. The Arrangement provides a formal mechanism governing service in Macao of any process in connection with civil and commercial proceedings in a court or tribunal in Hong Kong, and vice versa. This Q&A outlines some of the key features of the Arrangement.

