

FACULTY OF LAW
THE UNIVERSITY OF HONG KONG

Professor Philip St. John Smart Memorial Lecture

Understanding Cross-Border
Insolvency in the Hong Kong Context

Thursday, 17 November 2016, 6:30 - 7:30 pm
Academic Conference Room, 11/F Cheng Yu Tung Tower
The University of Hong Kong

The Hon Mr Justice Jonathan Harris

Court of First Instance of the High Court, HKSAR



Jonathan Harris has been the Companies and Insolvency Judge since shortly after his appointment to the High Court in 2009. During that period an increasing number of applications have come before the Court involving insolvent companies incorporated outside Hong Kong. These range from self-contained applications to obtain documents, petitions to wind up companies in Hong Kong and restructuring of on-shore and off-shore debt. From the various judgments that these cases have generated emerge principles and mechanisms for

addressing the problems faced by liquidators and creditors in progressing the liquidation or restructuring of foreign incorporated companies with a Hong Kong connection. Judge Harris will discuss how the law has developed to address these problems and consider what he anticipates to be the issues likely to arise in the future and how they might be resolved.

Judge Harris is a graduate of UCL. He came to Hong Kong in 1983 as a trainee solicitor. He remained in Hong Kong on qualification and practised as a solicitor for 10 years advising clients on various types of contentious and non-contentious commercial issues principally arising from major property and infrastructure developments in Hong Kong, Mainland China and other jurisdictions in Asia. He was a partner in what is now King Wood Mallesons before joining the Bar in 1993. He was appointed Senior Counsel in 2006. Prior to joining the Judiciary, Judge Harris's principal areas of practice involved insolvency, company regulation and securities as well as acting as an arbitrator.

He is a Fellow of both the Chartered Institute of Arbitrators and the Hong Kong Institute of Arbitrators of which he was the Vice-President in 2006. He is an active member of the International Insolvency Institute and INSOL and is a member of INSOL's International College of Mediators. He has a particular interest in cross-border insolvency and restructuring issues. He is also a member of the Judicial Committee of the Academy of Experts in England.

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