

Anthony Neoh, QC, SC, JP (梁定邦资深大律师)

Anthony Neoh is a senior member of the Hong Kong Bar, active in civil appellate and international litigation and arbitration cases. He is a Chinese National and a permanent resident of the HKSAR, born 9 November 1946. He has no political affiliations. He was a civil servant in the Hong Kong Government from 1966 – 1979. In 1979, he commenced private legal practice at the Hong Kong Bar. He returned to public office from 1995 – 2004. In 2003 (by agreement with the CSRC), he resumed private legal practice, which remains his principal profession to date. His working languages in his professional and public work are English, Cantonese and Putonghua, in all three of which he has native fluency.

Public and Company Board Service

He was Chief Advisor to the China Securities Regulatory Commission (“CSRC”) from September 1998 to June 2004 at the personal invitation of former Premier Zhu Rongji.

He remains a member of the International Advisory Board of the CSRC. He was Chairman of the Hong Kong Securities and Futures Commission from 1995 to 1998. He was the first Asian to be elected Chairman of the Technical Committee of the International Organization of Securities Commissions, in which position he served from 1996 - 1998.

Prior to his appointment to the chair of the Hong Kong Securities and Futures Commission, he was in private legal practice, which he began in 1979, after 13 years in the Hong Kong Civil Service. In the Civil Service, he served in a wide range of management positions, including City District Commissioner for Kowloon. His last appointment with the Hong Kong Government (1976-1979) was as an Assistant Director of the Independent Commission Against Corruption, serving as a member of the senior management team during the early developmental stages of the institution.

He was one of the founding members of the International Law Society of Hong Kong and has lectured on public international law and international financial regulatory issues in many universities in the world. He has judged many Regional Jessup and Red Cross International Law Finals. Over the years he has kept up a long friendship and contact with international law practitioners such as International Court Justice the late Ni Zheng Yu and International Law Commissioner Huang Jiahua.

From 1991 to 1994, he was a member of the Hong Kong Stock Exchange Council and its Listing Committee, and chaired its Disciplinary Committee and Debt Securities Group, and the Legal Committee of the Hong Kong and China Listing Working Group. He was chief architect of the legal structure which made possible the listing of Chinese enterprises in Hong Kong from 1993.

He also served on many public boards and committees and was a leading board member of the Hong Kong Hospital Authority. In 1986, he was appointed an Unofficial Justice of the Peace for Hong Kong.

From 2004 to 2008, he was Chairman of the Planning Committee established to set up the Law School (now Faculty of Law) of the Chinese University of Hong Kong. He is presently a member of the Advisory Board of the Faculty and an Executive Committee Member of the Council of the Chinese University, as well as a Council Member of the Shenzhen Chinese University.

He was Chairman of the Law Reform Commission Sub-Committee on Class Actions which in 2013 published its Final Report, after a five-year study of class actions worldwide and a lengthy consultation following publication of its Consultation Paper.

From 1 July 1997 to 30 June 2008, he was a member of the Hong Kong SAR Basic Law Committee under the Standing Committee of the National People's Congress. In this capacity, he has participated in many fundamental interpretations of the Basic Law of Hong Kong.

He is appointed Arbitrator, China International Economic and Trade Arbitration Commission, Shenzhen International Arbitration Commission, Shanghai Arbitration Commission, Jinan Arbitration Commission and Hon. Legal Advisor to the Shenzhen Municipal Government, and Senior Economic Advisor to the Fujian Provincial (personally appointed by Governor Xi Jin Ping, as he then was) and Tianjin City Governments. From October 2001 to December 2005, he was Senior Advisor to the Bank of China Hong Kong (BOCHK) Board, which is a non-executive position. During this time, he chaired the Shanghai Land Loan Special Committee, in which the activities of former Chief Executive Liu Jin Bao and Zhou Zhengyi (a Shanghai Developer) were investigated. His report was published resulting in re-establishment of the reputation and integrity of the management processes of BOCHK.

On 4 July 2015, he was elected to the Standing Committee of the Chinese Institute for Judicial Studies, an institution under the People's Supreme Court.

Until October, 2013, he was Independent Non Executive Director (INED) of the Bank of China (in which position he chairs the Risk Policy Committee of the Board). In his position as Chair of the Risk Policy Committee of the Bank of China, he oversees for the Board, the Basle II and III Project for the Bank, which is now designated by the Financial Stability Board of the G20 Group of Countries, as a Globally Significant International Financial Institution.

He has also previously served as INED of the Link Real Estate Investment Trust, the first REIT listed in the HK Stock Exchange, Non Executive Director and founding Chairman of the Board of Global Digital Creations Limited (listed in the GEM Board of the Hong Kong Stock Exchange) and INED of China Shenhua Energy Holdings Limited (listed in the HK and Shanghai Stock Exchanges). He presently serves as INED of China Life Limited, CITIC Limited, and ICBC. In both China Life and ICBC, he is Chairman of the Risk Committee.

Private legal and arbitration practice

In private legal practice, he practiced trial and appellate advocacy in the Hong Kong Courts and until 1997, in the Privy Council in London.

His practice prior to 1995, when he joined the Securities and Futures Commission as Chairman, covered a wide spectrum of private and public law matters. They include company law, international investment, land resumption and compensation and town planning. In particular, Mr. Neoh specialised in valuation questions involving land and complex financial and accounting issues.

From 1984 to 1986, he was in active practice as a member of the California Bar, specialising in international financial transactions, including international investments and taxation, and was briefly associated with the firm of Pillsbury Madison & Sutro (as it was then called).

From 1985-1997, he was legal adviser to the Chinese Delegation to the Land Commission set up under the Sino British Joint Declaration, advising the delegation on both domestic and international law questions regarding implementation of the land side of the Joint Declaration. He advised the Legal Affairs Bureau of the Central Military Commission in the drafting of the Hong Kong Garrison Law. Since 1989, he has been an active arbitrator of international disputes involving a wide range of subject matter, particularly focusing on international investment disputes.

Since returning to private legal practice from 2003 (though his official connection with the CSRC formally continued until mid 2004), he has been involved in many cases in the Hong Kong Courts including the Court of Final Appeal over a wide range of private and public law cases (he was for example, Leading Counsel successfully acting for the Society for the Protection of the Harbour, FACV 14/2003, in preventing further reclamation of Victoria Harbour). He was also active in international arbitration work as an arbitrator, again focusing on international investment disputes frequently involving valuation issues with complex financial and accounting questions.

In 2009, he became an Accredited Mediator of the UK Centre for Effective Dispute Resolution (CEDR).

In 2010, he was designated by the People's Republic of China to the Panel of Conciliators and Arbitrators of the World Bank's International Center for Settlement of Investment Disputes (ICSID). He has since lectured extensively in China and elsewhere on Private/State arbitration.

For the past two years, in addition to appearances in the Court of Appeal and the Court of Final Appeal and advisory work connected with the securities markets, he has been heavily involved in a number of complex international arbitration cases as arbitrator and an important mediation matter over a few months. He also acted as leading counsel for the Plaintiff in a complex multi-party company fraud case spanning 2004 – 2014 (HCCL 16-18/2009, CACV 93-96 of 2012, FAMV 5-8 of 2014) in which the Plaintiff recovered property, valued to be worth well over three billion dollars.

Qualifications and research interests

Mr. Neoh was appointed Queen's Counsel (now retitled, Senior Counsel) in April 1990. A law graduate of London University, he was called to the English Bar by Gray's Inn in 1976 and to the Hong Kong Bar the same year. In 1984, he was admitted to the California Bar. In 1998, he became a Fellow of the Chartered Institute of Corporate Secretaries and Administrators and Fellow of the Hong Kong Institute of Corporate Secretaries and Administrators.

He was a Visiting Scholar at the Harvard Law School in 1990/91 and for September 2001 – May 2002, he was Visiting Professor from Practice at the Harvard Law School.

In 2004, he was appointed for that Academic Year Nomura Visiting Professor of International Finance from Practice by the Harvard Law School, a position he was unable to take up due to pressure of work in Hong Kong.

He was awarded the Honorary Degree of Doctor of Laws by the Chinese University in 2003.

In 2009, he was elected an Honorary Fellow of the Hong Kong Securities Institute and an Academician of the International Eurasian Academy of Science, and received the International Award for Distinguished Contribution to the Financial Services by the Institute of Chartered Financial Analysts.

In December 2013, he was awarded the Honorary Degree of Doctor of Social Science by the Open University of Hong Kong.

He also held many adjunct, honorary and visiting professorial appointments in universities in the Mainland of China and the Hong Kong SAR of China.

He presently serves as Dean's Visiting Professor at the National University of Singapore Faculty of Business, Visiting Professor at the Tsinghua Law School, and Honorary Professor of the Hong Kong Open University.

His research interests are in legal and financial history and current issues in financial regulation, subjects which he has lectured and continues to lecture extensively in the PRC and internationally.

Leisure interests

His hobbies include music, film and photography. He was producer (heavily involved in the planning, pre-production, production and post production, including music supervision) of and lyric writer for the choral music in the first Computer Graphics Imagery full feature length movie cinematically released in China in 2005, "*Thru the Moebius Strip*" (<http://pro.imdb.com/name/nm1660948/>) and continues to keep an interest in film making.

Dated: 18 January 2016