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Practices: Dispute Resolution, International Arbitration,
Commercial Litigation, Shipping and Commodities, Insolvency
and Restructure

Basic Information

Edward Liu is a highly accomplished lawyer with qualifications as a solicitor in Hong Kong SAR, England & Wales, and as a lawyer in the People's Republic of China. He is widely recognized as a leading expert in commercial dispute resolution, specializing in international arbitration and commercial litigation. In July 2022, Edward received the Medal of Honour from the Hong Kong SAR Government in recognition of his outstanding contributions to the development and promotion of legal, arbitration, and dispute resolution services in Hong Kong, particularly in the field of transportation. Since 2020, Edward has consistently been recommended by renowned legal directories such as Chambers & Partners, The Legal 500, China Business Law Journal, Asia Business Legal, and Lloyd's List as a leading lawyer in both dispute resolution and shipping practices.

Edward's expertise spans a wide range of international commercial disputes, including areas such as trade and commodities, energy and offshore projects, shipping and shipbuilding, shareholder disputes, international investment (especially related to Belt & Road projects), construction and infrastructure, commercial fraud, insolvency and restructuring, regulatory investigations, international sanctions, and the global enforcement of judgments and arbitration awards. Edward represents a diverse clientele, including financial institutions, insurance companies, multinational corporations, non-governmental organizations, Chinese state-owned enterprises, as well as major shipping and commodities companies. He handles complex cross-border commercial disputes in courts located in Hong Kong, London, and international tribunals. Additionally, Edward provides advisory services to banks, insurers, and trading companies on non-contentious matters related to asset finance, trade finance, and shipping finance.

In the field of dry shipping, Edward possesses extensive experience in handling various types of claims, including those arising from charterparties, bills of lading, long-term contracts of affreightment, sale of second-hand vessels, marine insurance, collisions, groundings, salvage and general average, ship arrests, and jurisdictional challenges. He has also been involved in numerous shipbuilding cases involving Chinese shipyards. As the principal representative of the International Chamber of Shipping (China) Liaison Office and Shanghai Representative Office, Edward actively contributes to discussions and the formulation of conventions and regulations within the United Nations International Maritime Organization. He is responsible for communication and coordination with the Chinese government and shipping organizations regarding policies and measures in the maritime industry.

Edward is a Fellow of the Chartered Institute of Arbitrators (CI Arb) and a member of the International Court of Commercial Arbitration (ICCA). He serves on the panels or lists of arbitrators for various esteemed institutions, including the Hong Kong International Arbitration Centre (HKIAC), Asia International Arbitration Centre (AIAC), Shenzhen Court of International Arbitration (SCIA), Dalian International Arbitration Court (DIAC), Tianjin Arbitration Commission (TJAC), Nanjing Arbitration Commission (NJAC), London Maritime Arbitrators' Association (LMAA), Hong Kong Maritime Arbitration Group (HKMAG), China Maritime Arbitration Commission (CMAC), Singapore Chamber of Maritime Arbitration, and eBRAM International Online Dispute Resolution Centre (eBRAM). Since 2018, Edward has accepted appointments as an arbitrator and has been appointed as a sole arbitrator in approximately 20 cases. He has handled arbitration cases as an arbitrator under the rules of HKIAC, LMAA, HKMAG, UNCITRAL, SCIA, as well as ad hoc arbitrations, having issued 10 arbitral awards to date. Additionally, Edward is an accredited mediator of the Hong Kong Mediation Accreditation Association (HKMAAL), a mediator for eBRAM, and an APEC neutral.

Edward's expertise and contributions have led to his appointments as a member of several statutory and advisory bodies to the Hong Kong SAR Government. These include the Chief Executive Policy Unit Expert Group, International Legal and Dispute Resolution Services Expert Group, Advisory Committee on Promotion of Arbitration, Steering Committee on Mediation, Advisory Body on Third Party Funding of Arbitration and Mediation, Aviation Development and Three-Runway Advisory Committee, Hong Kong Maritime and Port Board, Task Force on Maritime and Port Development Strategy, and Mandatory Provident Fund Schemes Appeal Board. He is also a member of the Professional Services Advisory Committee of the Hong Kong Trade Development Council, the Arbitration Committee and OLQE Committee of the Law Society of Hong Kong, an executive member of the Hong Kong Maritime Law Association, a member of the China Sub-Committee of the Hong Kong Shipowners' Association, and the vice-president of the Hong Kong and Mainland Legal Profession Association. Edward is also a member of the CPPCC Henan Provincial Committee and CPPCC Shanghai Hongkou District Committee.

Edward actively contributes to the field of law through his roles as an editorial member of the renowned English shipping law newsletter, Lloyd's Shipping & Trade Law, and as a special contributor to the leading English arbitration law newsletter, Arbitration Law Monthly. He holds positions as a visiting professor at Shanghai Maritime University and Tianjin Foreign Studies University.

Professional history

Edward Liu joined Haiwen in August 2022 as partner. Before joining Haiwen, he was a partner of Hill Dickinson Hong Kong, and also worked as senior associate and associate at Reed Smith Richards Butler and DLA Piper.

Experience highlights

International Commercial Arbitration

HKIAC Arbitration (2023): defending a prominent Chinese telecommunications company and its subsidiaries in multiple arbitrations filed against it by various international banks for sums ranging from USD25 million to USD 100 million; and successfully resisted applications for expedited arbitration and consolidation of arbitrations

HKIAC Arbitration (2023): acting for a listing company and its subsidiary in defending a claim of around USD3 million arising out of an investment agreement

HKIAC Arbitration (2022): acting for a leading Chinese investment management company in filing a claim for more than US\$260 million against the counterparty for failure to pay the purchase price of the client's shares in a Cayman Islands fund under a call and put option agreement; acting for the client in applying for interim measures in Mainland China to freeze the counterparty's assets in Mainland China, in support of the arbitration in Hong Kong; also advising clients on claims against the funds, fund

directors and fund managers for negligent management of funds and/or dissipation of fund assets

HKIAC Arbitration (2022): advising and filing a claim on behalf of the client in relation to a loss of over \$5 million, resulting from Binance's delay in depositing the client's Luna coins into his account, and working with cryptocurrency experts to assess the amount of lost profits suffered by the client in different trading scenarios

Hong Kong Arbitration (2021): Acting for a Hong Kong main contractor to deal with unpaid construction costs resulting from the employer's early termination of the construction contract on alleged delay and various defective issues for construction of luxury villa in Hong Kong, the total amount of claim was more than HKD70 million

HKIAC Arbitration (2021): Advising the Chinese company on its challenge to the validity of an arbitration agreement under Hong Kong law and the jurisdiction of the tribunal to hear the arbitration commenced by a Germany company under a contract of supply of equipment for a sum of more than EUR1.1 million

HKIAC Arbitration (2019): successfully acted for owners in respect of disputes arising out of a charterparty and the subsequent settlement agreement with charterers. More importantly, we were the first one in Hong Kong to successfully obtain an order from the Shanghai Maritime Court for interim measures in aid of an arbitration administered by the HKIAC, immediately seizing on a new mainland-Hong Kong arrangement concerning mutual assistance in interim measures for arbitration proceedings that came into effect on 1 October 2019

LCIA Arbitration (2016): acted for a large state-owned oil and gas company defending a claim of a multi-million dollar sum brought by an UAE based company and the disputes involved the supply of high value, complex, machinery

Commercial Litigation

Hong Kong High Court – HCA 1939/2023: acting for a prominent commodities trading company in recovering its consignment of precious metals amounting to USD6 million which had been fraudulently re-directed to an unauthorized consignee

Hong Kong High Court – HCA 2050/2023: defending a Hong Kong creditor which had obtained a charging order over two Vessels of a debtor, against another creditor's claims that our clients did not act in compliance with charging order

Hong Kong High Court – HCA 1629/2023: acting for a prominent Chinese investment company in obtaining interim injunction against its former employee prohibiting the said former employee from disclosing the confidential information of the company

Hong Kong High Court – HCA 1961/2023: acting for a former director of a distinguished financial firm, defending against claims of an alleged breach of fiduciary duty and the demand for the return of a bonus exceeding HKD20 million

Hong Kong High Court – HCA 1887/2020: acting for a leading investment firm in their efforts to recover a debt for over HKD20 million by imposing charging order on the debtor's shares within a publicly listed company

Hong Kong High Court – HCCW 365/2022: representing Chinese bank creditors in enforcing creditors' rights in a liquidation case involving more than HK\$340 million, and representing creditors in commencing legal actions against collateral and personal guarantees provided by debtors

Hong Kong High Court – HCA 1100/2022; HCSD 36/2022: acting for a state-owned bank as creditor/lender in Hong Kong to successfully oppose the default borrower's application for an interim injunction application to prevent the bank to issue a winding up petition against the borrower with costs be to the client; to oppose the default guarantor's application to set aside THE statutory demand against him; and the loan amount was more HK\$200 million

Hong Kong High Court – HCA 681 / 2020: acting for a lead creditor bank in Hong Kong in applying for summary judgment against borrower and guarantor for a loan over US\$45 million

Hong Kong High Court – HCA 1171/2022: acting for a seller to claim at least HK\$6 million against Christie's Hong Kong Limited for mishandling the sale of her painting

Hong Kong High Court (2022): acting for multiple creditors to enforce arbitral awards and other interim reliefs against a mastermind of fraud and its alter egos for a claim over RMB170 million

Hong Kong High Court (2022): acting for a Hong Kong company as the mortgagee having the right to foreclose or redeem the mortgages and to claim for relief for the purpose of securing repayment of the underlying debt in a sum of more than RMB100 million

Hong Kong High Court - HCCW 379/2021: acting for a Hong Kong aviation spare company and its former shareholders as opposing creditors to resist the conversion of a voluntary creditor's liquidation to a compulsory winding up of the company applied by a major European airway company for disputes in a sum of more than EUR10 million

Hong Kong High Court – HCA 1711/2021: assisting the PRC clients in enforcing an arbitral award issued by the Shanghai Arbitration Commission arbitral tribunal as a Hong Kong judgment for a totalling sum of more than RMB185 million. As part of the enforcement proceedings, bringing a HCAJ Kong court action under s.60 of the Hong Kong Conveyancing and Property Ordinance to set aside an assignment of a Hong Kong property for a stated consideration of HKD33 million from the award debtor to his son

London High Court – QB-2021-004480: successfully secured an urgent Mareva injunction from English High Court to freeze the bank account and disclosure order against the recipient bank, while acting for a Hong Kong company as a victim who had been deceived to transfer about 3 million US dollars from Hong Kong to a virtual bank account in the UK in the context of email fraud, and ultimately obtained the refund of the money through summary judgment

Hong Kong High Court – HCA 1160/2021: acting for an investor in seeking damages against a SFC-licensed investment advisory firm for various false representations and breach of tortious duties in inducing to invest in a HK-listed company; also acting for the investor in his capacity as a creditor in the liquidation of that HK-listed company

Hong Kong High Court – HCA 1887/2020: acted for a security company to recover debt from mainland Chinese individual and apply for service of court documents out of the jurisdiction of Hong Kong

Changfeng Shipping Holdings Limited –v- Sinoriches Enterprises Co., Limited [2020] HKCFI 2703: acted for London arbitral award creditor and successfully obtained leave from the court to serve oral examination orders made under O.48, Rule of High Court (Cap 4A) on officers of award debtor out of the Hong Kong jurisdiction; established Hong Kong law on the oral examination of foreign officers of local judgment debtors

Hong Kong High Court – HCA 1964/2020; HCA2021/2020: acted for a Mainland Chinese steel manufacturing giant in several matters involving their payment default and that of their Hong Kong-listed subsidiary in respect of bonds valued at an excess of HK\$710m in aggregate; advised the debtor about the enforcement action taken out by the creditors against the corporate and personal guarantees given by related persons

Hong Kong High Court – HCA 145/2020; HCA 162/2020: acted for a PRC state-owned enterprise in defending claims for recovery of mistakenly transferred funds and successfully setting aside a Mareva injunction order against the client

Shipping & Commodities Arbitration & Litigation

Hong Kong Arbitration (2024): acting for the bareboat charterers in defending a claim of non-payment of hire in the sum of around US\$8 million. This dispute also involves the evaluation of legal effect of various sanction regimes to the contract

Hong Kong Arbitration (2024): acting for owners to recover demurrage and deadfreight in the sum of around US\$4.5 million from charterers, a subsidiary of a state-owned enterprise

Hong Kong High Court (2024): A vessel was detained by the Hong Kong Marine Department in Hong Kong waters, represented a Canadian cargo owner to recover the cargo loaded on the vessel

LMAA Arbitration (2024): acting for the seller of the vessel to recover a loss exceeding US\$1 million as a result of the buyer's breach of the Memorandum of Agreement for the sale of Vessel. This case is complex as it involves the issue of whether the seller has taken reasonable steps to mitigate loss after the breach of the buyer

HKMAG Arbitration (2023): acting for the shipowner in claiming an outstanding sum of over US\$1 million, which involves freight, demurrage, detention, and other charges. The case also involved a dispute over the scope of expert evidence

HKMAG Arbitration (2023): acting for the shipowner in liaising the LOU, releasing a vessel arrested by the consignee, whilst also defending the charterers' claim under the charterparty to recover the hire and bunkers

HKMAG Arbitration (2023): acting for the shipowner in defending the charterer's claim of unclean hold, and counterclaiming for premature cancellation of the charterparty. Issues including the meaning of 'clean hold' and whether clean hold is a condition or warranty are explored. This case was further complicated by shipowner's unwitting partial refund of hire without reservation of rights, thus implying admission of liability

LMAA Arbitration (2023): Assisting a charterer in a case involving misrepresentation by owners who wrongly suggested that the vessel could possibly pass through New Panamax Canal, and the charterer conveyed such a message to the sub-charterer. Eventually, the vessel did not fulfil the canal requirements and was re-routed to Suez Canal, thus the sub-charterer has deducted hire. The issues in this case involved breach of contractual warranty, misrepresentation and contractual interpretations on the canal requirements

SIAC Arbitration (2022): Acting for a Singaporean trading company to deal with disputes arising from two sale and purchase contracts of Indonesian coal concerning a rapidly-evolving context following the coal ban policy of the Indonesian government and the total amount of dispute is more than US\$4 million

LMAA Arbitration (2022): Acting for charterers in dealing with hire disputes in an amount of about US\$750,000 concerning whether a certain type of coal cargo was permitted to be carried under the charterparties. The case involved legal issues of interpreting the lawful trades clause and technical issues concerning the characterises of certain type of coal

Hong Kong Arbitration (2021): successfully acted for owners to claim against charterers for off-hire, underperformance, and propeller damage caused by ice floes at the loading port

Hong Kong High Court – HCAJ 57/2020: acting for the largest shipyard in Hong Kong and defending them in an action brought by Airport Authority for an alleged allision between a barge and the jetty during the passage of Super Typhoon Mangkhut for a claimed amount of more than HK\$74 million

LMAA Arbitration (2020): advised owners and buyers in relation to the oral ban imposed in Mainland China on the import of Australian coal

HKMAG Arbitration (2020): acted for charterers successfully defending owners' claim for reliance loss resulting from failure to load cargo under a voyage charterparty brought by owners

Singapore International Arbitration (2020): successfully acted for owners to claim damages against charterers for wrongful termination of a voyage charterparty

LMAA Arbitration (2020): acted for charterers successfully defending an over-performance claim under a voyage charterparty brought by owners

HKIAC Arbitration (2019): acted for a Singaporean trading company in respect of disputes arising out of a chain of sale contracts for light cycle oil involving more than US\$2 million claims, and successfully helped the clients in recovering substantial claim

P v Q and others [2018] EWHC 1399 (Comm); [2018] 2 Lloyd's Rep. 452: acted for one of the parties in a chain of charterparties and in this case, the English Commercial Court was asked to consider the principles governing contractual time-bars and an application under s. 12 of the English Arbitration Act 1996 to extend a contractually agreed limitation period to allow the claimant to bring claims in an arbitration

LMAA Arbitration (2017): acted for a major Chinese tanker fleet owner in relation to a claim brought by the charterers following the cancellation of a charterparty as a result of the failure of the vessel's crane and complex factual and legal issues involved e.g. construction of cancellation clause, hedging loss and its remoteness etc

LMAA & Hong Kong Maritime Arbitrations (2016): acted for a Hong Kong registered shipping company as charterers under a time charter in London maritime arbitration, and as owners under a voyage charter in Hong Kong *ad hoc* arbitration, in relation to charter chain disputes arising out of a fire incident happened on the vessel during loading at Tianjin port involving a multi-party multi-million dollar claims with complex issues of causation, seaworthiness and general average etc

LMAA Arbitration (2015): acted for charterers of MV "Bulk Jupiter" in tens of millions US dollars dispute concerning the alleged risks of liquefaction as regards the carriage of bauxite cargoes

Hong Kong Maritime Arbitration (2015): successfully acted for owners in defending cargo claims arising from loss of deck cargo and other marine casualties, associated indemnity claims, and general average issues

LMAA Arbitration (2014): acted for buyers in the trial of a dispute concerning a trilateral MOU to purchase a fleet of 10 vessels said to be worth US\$75 million. Issues as to whether the MOU was unenforceable for uncertainty and/or as an agreement to agree, ostensible authority and ratification, and whether the prima facie measure of damages under section 50(3) of the Sale of Goods Act 1979 applies

LMAA Arbitration (2014): acted for charterers against owners in respect of loss or damage to the vessel allegedly caused by the negligence of the crewmembers on board and/or unseaworthiness for which the owners were contractually responsible under the charterparty

LMAA Arbitration (2014): acted for a Chinese shipyard in shipbuilding disputes under two shipbuilding contracts totaling more than \$30 million was claimed by the buyers

Hong Kong Maritime Arbitration (2014): acted for charterers in demurrage disputes under more than 10 voyage charterparties in which more than \$1 million was claimed by the ship-owners

LMAA arbitration (2013): acted for a Chinese shipyard in a shipbuilding dispute in which more than \$20 million was claimed by

the buyers

Acted as Arbitrator

SCIA Arbitration (2023): appointed as the sole arbitrator in a dispute concerning an international railway transportation agency contract, adjudicated on the legality and validity of the contract in question, as well as whether the applicant has fulfilled their obligations comprehensively; arbitral award was published in September 2023

HKMAG Arbitration (2023): appointed as the sole arbitrator in respect of disputes arising out of a cargo claim worth of approximately USD 5.4 million, adjudicated on clauses in respect cargo discharge against a LOI and the surrender of original bill of lading thereafter and examined principles of double recovery; arbitral award was published in April 2023

HKMAG Arbitration (2023): appointed as a sole arbitrator in respect of disputes arising out of a charterparty, adjudicated on deadfreight clause interpretation thereunder and revisited principles of liquidated damages in conjunction with the contractual interpretation; arbitral award was published in March 2023

HKIAC Arbitration (2022): appointed by HKIAC as sole arbitrator to deal with disputes arising out of a voyage charterparty in relation to hull damages in the sum of about USD600,000; arbitral award was published in March 2022

Hong Kong Arbitration (2022): appointed by HKIAC as sole arbitrator to deal with disputes arising out of three voyage charterparties in relation to unpaid freight and demurrage; arbitral award was published in January 2022

Hong Kong Arbitration (2021): appointed by HKIAC as sole arbitrator to deal with hire dispute under a time charterparty; arbitral award was published in August 2021

LMAA Arbitration (2020): acted as co-arbitrator in relation to disputes arising out of a time charterparty between the parties with owners claiming demurrage, and charterers counterclaiming for damages; arbitral award was published in May 2020

Accolades

In July 2022, Edward Liu was honoured with the Medal of Honour for his significant contributions to the development and promotion of legal, arbitration, dispute resolution, and transport-related legal services in Hong Kong.

Edward has consistently been recognized as a leading lawyer in dispute resolution and shipping practices by prestigious publications such as The Legal 500 and Chambers & Partners since 2020. He garners high praise from peers and clients, being consistently recognized as the "always first choice to work with", "at the top of the list", and a "very approachable" lawyer. His exceptional qualities, such as his remarkable speed, efficiency, quick thinking, and ability to deliver high-quality advice within tight timeframes, have earned him praise for providing "exceptional client service". Clients commend his dedication to "going above and beyond to meet their needs", highlighting his commitment to delivering outstanding service and exceeding expectations. (Chambers & Partners Greater China Region 2020-2024)

Edward is highly regarded and has been praised as "exceptional" for his ability to comprehend complex transactions spanning multiple jurisdictions with distinct legal systems, and he is recognized for being "pragmatic, very smart, and analytical", with "impeccable judgment and a tireless work ethic". He is commended for his "effective depth of knowledge and strategic thinking", particularly in the context of assisting entities in Greater China with resolving disputes through international arbitration and litigation (Legal 500 Asia Pacific 2020-2023)

In January 2023, Edward was named as one of the elite lawyers in China's legal market by China Business Law Journal. He was acknowledged "as one of the best lawyers in international arbitration and maritime trade in the entire Greater China region", and was highly regarded by clients as "one of the precious few dispute resolution-focused lawyers with a background in mainland China, gifted with a global vision, and qualified to practice in mainland China, Hong Kong and the UK".

In addition, he has been a frequent winner with many awards:

- *2022-2024: A-List China's elite lawyers, China Business Law Journal*
- *2023: Asia Super 50 Dispute Lawyers, Asia Business Legal*
- *2018-2023: Top 100 Most Influential People in Chinese Shipping Industry, China Transport News*
- *2022: Rising Star, China Business Law Journal*
- *2019-2021: Lloyd's List Global Top 10 Maritime Lawyers*
- *2020: China Shipping Top 100 Persons, China Shipping Gazette*
- *2018: Ten Outstanding Young Persons in Chinese Shipping Industry, China Transport News*
- *2017: Lloyd's List Global Top 5 in the Next Generation in Shipping*
- *2016 & 2017: Shortlisted as one of Lloyd's List The Next Generation Award for Asia & Pacific*
- *2015: The Ten Outstanding New Hong Kong Young Persons*

Education

Edward's educational background includes a Bachelor of Laws (LL.B.) degree from Shanghai Maritime University in 2008, a Master of Laws (LL.M.) degree from the University of Southampton, UK in 2009, and a Graduate Diploma of Laws (GDL) degree from BPP Law School in 2013.

In 2018, he completed the Investment Law and Investor-State Mediator Training Courses, co-organized by the Hong Kong Department of Justice, International Centre for Settlement of Investment Disputes (ICSID), and Asian Academy of International Law (AAIL). In 2022, he successfully finished the HKIAC Advanced Arbitration Training Programme. In 2023, he completed the Advanced Course in Hong Kong – 1st Edition: "Current Trends on International Commercial and Investment Dispute Settlement", co-organised by the Hong Kong Department of Justice, The Hague Academy of International Law, and Asia Academy of International Law.

Language

Edward's native language is Chinese and Putonghua, and can speak very fluent English and Cantonese.