

GRACE TSZ YAN CHENG 鄭子欣

Telephone: +44 (0)20 7405 6114

Email: grace.cheng@fieldcourt.co.uk

Website: <https://fieldcourt.co.uk/barrister/grace-cheng/>

LinkedIn: www.linkedin.com/in/gracetszyancheng

LANGUAGES

English (native), Cantonese (native), Mandarin (native), French (proficient), Spanish (proficient)

QUALIFICATIONS

Admitted as a Solicitor in Hong Kong	2013
Called to the Bar of England and Wales (<i>Lincoln's Inn; Member of Denning Society</i>)	2016
Granted rights of audience before the Astana International Finance Centre (AIFC) Court in Kazakhstan	2020
Registered with the Dubai International Financial Centre (DIFC) Courts' Register of Legal Practitioners – Part II (registered individual with rights of audience before the DIFC Courts)	2022

Arbitrator

- *Asian International Arbitration Centre (AIAC – Malaysia 2021-2024)*
- *Beihai Asia International Arbitration Centre (BAIAC – Singapore)*
- *Centro de Arbitragem, Conciliação e Mediação (CACM – Mozambique)*
- *Chinese Arbitration Association (CAA – Taipei)*
- *Chinese European Arbitration Centre (CEAC – Hamburg)*
- *Delos Dispute Resolution (Paris)*
- *Financial Industry Regulatory Authority (FINRA – US / Puerto Rico)*
- *Hainan International Arbitration Court (HIAC – Hainan)*
- *Hong Kong International Arbitration Centre List (HKIAC – Hong Kong)*
- *International Chamber of Commerce (ICC – UK)*
- *London Court of International Arbitration (LCIA – UK)*
- *London Maritime Arbitration Association (LMAA – UK)*
- *Pacific International Arbitration Centre (PIAC – Vietnam)*
- *Shanghai Arbitration Commission (SHAC – Shanghai)*
- *Shanghai International Economic and Trade Arbitration Commission (also known as the Shanghai International Arbitration Center) (SHIAC – Shanghai 2021-2026)*
- *Stockholm Chamber of Commerce (SCC - Stockholm)*
- *UK Bar Council (UK)*
- *World Trade Center (WTC) Macau Arbitration Center (Macau)*
- *Sport Resolutions (International panel 2021-2024)*
- *World Intellectual Property Organization (WIPO)*

Adjudicator

- *HK Adjudicators (HKA – HK)*
- *London Maritime Arbitration Association (LMAA – UK)*
- *Technology & Construction Bar Association (TECBAR – UK)*
- *UK Adjudicators (UKA – UK)*

EDUCATION

The London School of Economics and Political Science, *LLB Bachelor of Laws (UK)* 2007-2010
First Class Honours

The University of Hong Kong, *The Postgraduate Certificate in Laws (HK)* 2010-2011
The University of Oxford, *Bachelor of Civil Law (UK)* 2014-2015

AWARDS

Harvard Book Prize	2006
South China Morning Post Student Linguist of the Year Special Recognition Award	2006
The Hong Kong Award for Young People, Silver Award	2007
Blackstone Chambers Prize for Best Performance in Public Law	2008
Hogan Lovells Prize for Best Performance in the Law of Business Associations	2010
Hou De Charitable Foundation Scholarship for the Postgraduate Certificate in Laws Programme	2010
Joint Hong Kong Law Society / Bloomsbury Books Prize 2010-2011	2011
Hong Kong Council of Volunteering Professional Volunteer Service, Gold Award	2012, 2015
Law Society Pro Bono and Community Work Recognition Programme, Silver Award	2012, 2013
Hong Kong Law Society International Bar Association Annual Conference Sponsorship Award	2013
Hong Kong Law Society Inter-Pacific Bar Association Annual Conference Sponsorship Award	2014
Law Society Pro Bono and Community Work Recognition Programme, Bronze Award	2014
The Eastham Scholarship, Lincoln's Inn Pupillage Award	2016
International Association of Young Lawyers Scholarship Award for 2017 Half-Year Conference	2017
Worshipful Company of Arbitrators Travelling Scholarship – Singapore	2020
Pegasus Scholarship (Inns of Court) – Dubai	2021

CAREER & APPOINTMENTS

Field Court Chambers, <i>Barrister</i>	2016-now
Member of Attorney General's Civil Counsel Panel (Junior Juniors Scheme)	2016-now
Slaughter and May, <i>Trainee solicitor</i> (HK, London secondment), <i>Associate</i> (HK)	2011-2014
King's College London, <i>Visiting lecturer (Trusts law, Property law)</i>	2015-2016
The University of Warwick, <i>Law tutor (Tort law)</i>	2015-2016
The University of Oxford (The Queen's College), <i>Law tutor (Contract, Tort, Property, Trust)</i>	2016
National Taiwan University, <i>Visiting professor (FinTech, transnational law – LLM course)</i>	2018-2022
National Chengchi University, <i>Visiting professor (International Business Dispute Settlement)</i>	2019
Member of Asian International Arbitration Centre (AIAC) Academy Tutors Panel	2021-now
Member of AIFC Academy of Law Academic Pool	2022
The University of Hong Kong, <i>International Maritime Law Arbitration Moot Coach</i>	2013-2014
The University of Oxford, <i>Price Media Law Moot Coach</i>	2015-2016
The University of Oxford, <i>Nelson Mandela World Human Rights Moot Coach</i>	2018
Centre for Transnational Legal Studies (London), <i>Willem C. Vis Moot Coach</i>	2021-2022
Professor Ewan McKendrick, <i>Assisting with the 5th and 6th editions of Goode and McKendrick on Commercial Law – chapters 38 (commercial litigation) and 39 (commercial arbitration)</i>	2016, 2020
The Honourable Mr Justice Blair, Judge in Charge of the Commercial Court, <i>Judicial assistant</i>	2017
Alan Redfern, <i>Research assistant (preparing summary table of arbitration awards)</i>	2018
The Honourable Mrs Justice O'Farrell, Technology and Construction Court, <i>Court marshal</i>	2018
World Trade Organisation Ministerial Conference, <i>Student language helper</i> (HK)	2005

SELECTED CASES (AS ARBITRATOR / ADJUDICATOR)

- Appointed by The Football Association in two separate arbitrations involving allegations of unpaid intermediary fees
- Appointed as sole arbitrator of the Independent Tribunal in a matter involving two appeals by a national tennis association concerning violations of a code of conduct at one of the world's largest annual international tennis competitions
- Appointed as co-arbitrator of the Independent Tribunal in a matter involving disciplinary proceedings brought against a tennis player by the International Tennis Federation under the Tennis Anti-Doping Programme

- Appointed as sole adjudicator by TECBAR in a dispute involving the supply and installation of lighting at a fleet of stores owned by a British high-street retail chain (claim value approximately £400,000)
- Appointed as sole adjudicator by TECBAR in a dispute involving the maintenance and repair services of escalators and conveyors installed at a fleet of stores owned by a British high-street retail chain (claim value approximately £400,000)

SELECTED CASES (AS COUNSEL)

- Acting for the Secretary of State for Transport and assisting as part of a wider team in the case of Eurotunnel v Secretary of State for Transport (Brexit ferry case) which settled on 1 March 2019. This was a procurement claim involving a challenge by Eurotunnel to capacity contracts awarded by the Government to DFDS, Brittany Ferries, and Seaborne Freight to provide additional freight capacity between the UK and continental Europe. The contracts were procured under the 'extreme urgency' provisions in regulation 32(2)(c) of the Public Contracts Regulations 2015 to deal with the consequences of a 'no-deal Brexit'.
- Advising an oil and gas company on issues arising out of a contract for engineering, procurement, construction and installation of fibre optic infrastructure in Kazakhstan, including on descoping and acceleration, and exposure and entitlement resulting from the impact of the Covid-19 pandemic (with Jeremy Nicholson QC of 4 Pump Court Chambers)
- Advising one of the largest developers in the UK in relation to the design and construction of a residential and premium quality hotel development involving a JCT contract
- Advising a German publicly listed company on the recognition and enforcement of a German court judgment in the UK
- Acting for one of the Defendants in a claim brought by a Covid-19 testing laboratory for breach of employment contract, breach of fiduciary duties and conspiracy
- Representing a popular restaurant chain in relation to a prosecution brought by Transport for London (TFL) for breach of the Highways Act
- Acting for a Chinese company in an intellectual property dispute over the manufacture and distribution of toys involving a cartoon character from a popular animated TV series
- Representing a former employee of Virgin Atlantic in a claim against the airline for unfair dismissal and disability discrimination
- Representing a former employee of a care home in a claim for race and age discrimination
- Representing English Heritage in a claim brought by a zero-hours contract employee at Stonehenge for alleged unpaid furlough pay under the Coronavirus Job Retention Scheme
- Acting as Independent Counsel in relation to an HMRC investigation into suspected VAT fraud and money laundering offences

- Representing the Secretary of State for the Home Department in a claim for wrongful detention
- Representing a local authority in a judicial review claim challenging the alleged failure by another local authority to carry out a Merton-compliant age assessment and to provide accommodation and support under the Children Act 1989
- Appearing in the First Tier Tribunal and Upper Tribunal (Immigration and Asylum Chamber) in various matters involving appeals against the decision of the Secretary of State for the Home Department to deport following refusal of a human rights claim
- Advising a local authority on issues under the Environmental Protection Act 1990 in relation to the keeping of homing pigeons

SELECTED CASES (AS SOLICITOR / JUDICIAL ASSISTANT)

Assisted with the following matters at Slaughter and May:

- Advising CITIC Securities Corporate Finance (HK) Limited on the cash offer made on behalf of a controlling shareholder of China XLX Fertiliser Ltd (China XLX) for the shares of China XLX, one of the largest manufacturers of coal-based urea and compound fertilisers in China. The cash offer was made in connection with the proposal to delist the shares of China XLX from the Singapore Exchange, with the shares remaining listed on the Hong Kong Exchange
- Advising China Power International Development Limited, the flagship company of China Power Investment Corporation, one of the five national power generation groups in China, in relation to its issue of RMB 2 billion 4.5% bonds due 2017
- Advising MTR Corporation in relation to the construction and commissioning of the Shatin to Central Link, one of the most significant infrastructure projects to be undertaken in Hong Kong
- Advising an international banking group in respect of the global IBOR investigations, including the Hong Kong Monetary Authority's HIBOR investigation in Hong Kong
- Advising Cathay Pacific Airways and Swire Pacific Limited on the annual update of their debt issuance programmes

Assisted with the following decision given by The Board of Appeal of the European Supervisory Authorities, as Judicial Assistant to The Honourable Mr Justice Blair:

- *FinancialCraft Analytics Sp. z o.o. (formerly named Global Rating Sp. z o.o.) v The European Securities and Markets Authority* (Ref. BoA 2017 01)

PUBLICATIONS & LECTURES

- The Continuing Triumph of 'Bright Line' Rules: *Rothwell* revisited (2017) 25 Tort Law Review 3
- "You're fired": The Blacklisting of Workers in the Construction Industry (2017) 33 Construction Law Journal 403
- E-Money: Evolution or revolution? (2018) 33(2) Journal of International Banking Law and Regulation 56
- What's in a name? (2018) 1 International Family Law Journal 50
- The role of judicial review in the EU's financial architecture and the development of alternative remedies: The experience of the Board of Appeal of the European Supervisory

Authorities (2018) 84 Quaderni di Ricerca Giuridica published by Banca d'Italia 17 (co-authored with Sir William Blair)

- In Code we trust? Trustlessness and smart contracts (co-authored with Mimi Zou and Marta Soria Heredia) originally published by the Society for Computers and Law (April 2019) and in abridged form by the Oxford Business Law Blog (University of Oxford)
- Member of Commercial Bar Association / Chancery Bar Association joint working group responding to the Law Commission's call for evidence on smart contracts (March 2021)
- Overriding mandatory rules and compliance in international arbitration: national monetary restrictions, International Chamber of Commerce (ICC) Dossier XIX (co-authored with Sir William Blair)
- Arbitrating financial disputes—are they different and what lies ahead? (2022) Arbitration International 1 (co-authored with Sir William Blair, Gökçe Uyar and Yang Zhao)
- 'Principles of Civil Proceedings in the UK Courts', Lecture delivered as part of the Astana International Finance Centre Foundations Program for Lawyers (AIFC Academy, 30 March 2021)
- 'Overview of English Law', Lecture delivered to the National Welfare Fund "Samruk-Kazyna", a sovereign wealth fund in Kazakhstan which owns, either in whole or in part, a number of major companies in the country (AIFC Academy, 12 August 2021)
- 'Commercial Law', a series of lectures delivered as part of the Astana International Finance Centre Certificate in Common Law course (AIFC Academy, September to October 2021)

PROFESSIONAL ASSOCIATIONS

- Bar Council – member of the Alternative Dispute Resolutions (ADR) Panel
- Campaign for Greener Litigation – member of Steering Committee
- Chancery Bar Association (ChBA) – member of the International Sub-Committee and the Junior Chancery Bar Committee
- Commercial Bar Association (COMBAR)
- Family Law Bar Association (FLBA)
- London Maritime Arbitration Association (LMAA) – supporting member
- Technology and Construction Bar Association (TECBAR)
- International Law Association (ILA)
- International Chamber of Commerce Young Arbitrators Forum (ICC YAF)
- International Centre for Dispute Resolution Young & International (ICDR Y&I)
- Institute for Transnational Arbitration (ITA)
- Young International Council for Commercial Arbitration (YICCA)
- Asian International Arbitration Centre Young Practitioners' Group (AIAC YPG)
- Young Croatian Arbitration Practitioners (YCAP)
- ASA Swiss Arbitration Organization
- Young Hong Kong International Arbitration Centre (HK45)
- The London Court of International Arbitration Young International Arbitration Group (LCIA YIAG)
- Rising Arbitrators Initiative (RAI)
- Silicon Valley Arbitration & Mediation Center Young Professionals (SVAMC-YP)
- WIPO ADR Young
- Young International Centre for Settlement of Investment Disputes – World Bank Group (Young ICSID)
- Young Singapore International Arbitration Centre (YSIAC)
- Young Tashkent International Arbitration Centre (TIAC45)
- Young Thailand Arbitration Center (YTHAC)