MESSAGE FROM THE DIRECTOR

The CCCL, in the first half of 2022, organized several significant academic activities. The academic roundtable on insolvency law was a collaborative event with the Singapore-based Asian Business Law Institute to present the preliminary research results of a grant under the Collaborative Research Fund (CRF) from the HKSAR Research Grants Council. Working together with CityU’s Centre for Judicial Education and Research (CJER), we also invited Professor Li Xiao-Min, a distinguished Chinese jurist, to introduce to Hong Kong legal community the development of Internet courts, an area in which mainland China is at the leading edge. In addition, the impact of Mr. Wang’s and Dr. Lin Yu-hsin’s seminars has gone far beyond Hong Kong in terms of transferring knowledge and skills on legal writing and research. Meanwhile, our members are continuing to contribute to society with their high impact research as evidenced in their publications.

We would also take this opportunity to pay tribute to Professor Tan Cheng Han, who served as the Dean of CityU School of Law from September 2019 to July 2022. We thank him for the tremendous support he lent to the CCCL during his deanship and wish him all the best in his work and life in Singapore.

Professor Wang Jiangyu
Director of CCCL, School of Law, CityU
MAJOR PAST EVENTS (JAN – JUN 2022)

Symposiums/Conferences

Academic Roundtable: Insolvency Law and Policy in Times of COVID-19 and Beyond (25 Jan 2022)

*The full report is written by Wai Yee WAN (Professor, City University of Hong Kong) and Xin VAN (Research Assistant, City University of Hong Kong)

The Centre for Chinese and Comparative Law and Asian Business Law Institute jointly organised an academic roundtable entitled ‘Insolvency Law and Policy in Times of COVID-19 and Beyond’ on 29 March 2022. The academic roundtable, which was fully supported by a grant from the Research Grants Council of the Hong Kong Special Administrative Region, China (Project No. CityU C1115-20GF), brought together judges, scholars, experts and professionals from world-leading universities and institutions.

The project team, including Wai Yee Wan (Professor, School of Law, City University of Hong Kong ['CityU']; also the project coordinator), Yaxuan Qi (Associate Professor, Department of Economics and Finance, CityU), Linda Chelan Li (Department of Public Policy, CityU), Lai Lan Phyllis Mo (Department of Accounting, CityU) and Gerard McCormack (School of Law, University of Leeds), shared their preliminary findings and conclusions with participants at the academic roundtable. The roundtable was divided into three main themes, and papers were presented by members of the project team, including

The themes were broadly divided into the following:

1. How bankruptcy law reforms impact corporate debt undertaken by firms;
2. The impact of governmental responses to mitigate the economic distress on SMEs resulting from the COVID-19 pandemic; and
3. The future of a creditor-driven insolvency law and policy in Hong Kong.

In the opening remarks, Jiangyu Wang (Professor, School of Law, CityU), Catherine Shen (Representative of Asian Business Law Institute) and Wai Yee Wan welcomed all participants on behalf of the organising institutions.

In the first theme, the panel discussed the ex-ante impact of insolvency and restructuring reforms in six jurisdictions (Spain, Germany, France, Italy, Singapore and Hong Kong).

The discussion was followed by commentaries from Reinhard Dammann (Founder of Dammann-Avocat; Member of III; Affiliate Professor, School of Law of Sciences Po Paris), Justice Luciano Panzani (Member of III; Retired President of the Court of Appeal of Rome), Aurelio Gurrea Martinez (Head, Singapore Global Restructuring Initiative, SMU Centre for Commercial Law in Asia; Assistant Professor of Law, Singapore Management University) and Christoph G. Paulus (Member of III; Associate member of South Square, London; Of counsel with White & Case, Berlin; Retired professor of law at the Humboldt-Universität zu Berlin).

In the second theme on governmental responses to mitigate the impact of the COVID-19 pandemic on SMEs, the panel outlined the survey among SMEs in Hong Kong on the challenges and responses since the start of the COVID-19 pandemic.

The discussion was followed by commentaries from Jason Harris (Professor of Corporate Law, The University of Sydney Law School), Jieche Su (Associate Professor, Civil, Commercial and Economic Law School, China University of Political Science and Law) and Tak Wing Ngo (Professor of Political Science, University of Macao; Editor of the journal China Information [SSCI-indexed]; Co-editor of the Journal of Contemporary Asia). The panel compared the responses in Hong Kong with that in Australia and Mainland China, noting the complexities.

In the third theme, the panel discussed the influence of Chapter 11 on two common law jurisdictions: the United Kingdom (UK) and Hong Kong. In particular, the panel discussed how corporate governance and enforcement of corporate law would matter to the design of corporate insolvency and restructuring laws.

The discussion was followed by commentaries from Sarah Paterson (Professor of Law, The London School of Economics and...
Political Science Law School) and Terry Kan
(Specialist Advisory Partner, ShineWing Hong Kong; Director, International Association of Restructuring, Insolvency & Bankruptcy Professionals (INSOL) International; Executive Committee Chair, Restructuring & Insolvency Faculty, Hong Kong Institute of Certified Public Accountants (HKICPA)).

Wan concluded the event by reiterating that the design of insolvency and restructuring law reforms raises complex issues. Given the fall-out from the COVID-19 pandemic, considering the appropriate reforms is timely, whether they are temporary or permanent in nature. The comments and suggestions at the roundtable are valuable in assisting the project team in fine-tuning the papers and the recommendations to policyholders in designing the insolvency and restructuring frameworks.

Seminars/Lectures
Prof. Li Xiao-min “Internet Courts in Mainland China” (25 Jan 2022)

With the rapid development of technology, China's judiciary has been cooperating with the Internet since 2017, with the establishment and operation of Hangzhou Internet Court, Beijing Internet Court, and Guangzhou Internet Court. Given the new model of online litigation pioneered by Chinese justice, the Centre for Judicial Education and Research (CJER) of the School of Law of the City University of Hong Kong, in collaboration with the Centre for Chinese and Comparative Law (CCCL), organized an online seminar on January 25, 2022, inviting Professor Li Xiao-min as a guest speaker to talk about the internet courts in the mainland China.

The seminar kicked off with a welcoming speech by Professor Lin Feng, Director of the CJER. Professor Li Xiao-min, Vice President of the National Judges College, is a researcher, a doctor of law at the China University of Political Science and Law, a post-doctoral fellow at the Institute of Law of the Chinese Academy of Social Sciences, a senior visiting scholar at the Law Department of the London School of Economics and Political Science, and has studied at the Institute of Public Administration at the University of Georgia in the United States and the University of Hamburg in Germany. He first introduced the current development of online litigation, and then explained the differences of online litigation between China and other countries. He pointed out that countries should provide a legal basis for remote judicial proceedings in order to establish internet courts. He argued that the mainland Internet Courts have adopted an approach to adjudicating cases with the view of resolving all aspects of a case online, including filing, mediation, filing, exchange of evidence, pre-trial preparation, trial, sentencing, service, and enforcement.

After Professor Li's thought-provoking speech, Professor Li invited Senior Judge Li Wenchao, who is the Deputy Director of the Beijing Internet Court Office (Research Office), to answer the participants' questions in more detail. The seminar concluded with a closing speech by Professor Lin Feng, who thanked the speaker for his valuable contributions and all the participants for their attendance, which made the seminar a fruitful one.
Mr. WANG Feng “Professional English Writing Skills for Non-Native Speakers” (22 March 2022)

The Centre for Chinese and Comparative Law (CCCL) of the School of Law of the City University of Hong Kong organized an online seminar on 22 March 2022 to assist students in developing skills in English legal writing and research. Mr. Wang Feng has been invited as a guest speaker to discuss how non-native speakers could avoid common mistakes when writing in English.

Mr. Wang Feng, Editor in Chief of FTChinese.com, has more than 20 years of experience in the media industry. He has worked for the Financial Times as Editor in Chief of FTChinese.com since April 2015. Previously, he had worked for 3 years as Online Editor at the South China Morning Post in Hong Kong, in charge of the English-language website scmp.com. Before SCMP, Wang Feng was with Thomson Reuters in Beijing for 5 years, first as founding editor of Reuters China Website (cn.reuters.com), and then as Editor in Charge of Reuters Chinese News Service. Mr. Wang introduced four hallmarks of effective writing, including accuracy, concrete, conciseness, and clarity. He recommended to every participant a book called "The Elements of Style," written by William Strunk Jr. and E. B. White, which conveyed the principles of English style to millions of readers and made a significant contribution to English writing. He summarized some key writing elements from the book, such as using the active voice and putting statements in positive forms, omitting unnecessary words, and avoiding a string of loose sentences. In general, he advised participants to consider how much information their readers can take in at a glance and to summarize a set of numbers with a single number such as mean and median. Finally, he used Hong Kong and its infamous 'cum' problem as an example of some obsolete words that are no longer used.

Dr. Lauren LIN Yu-hsmin “Introduction to Empirical Legal Research” (29 March 2022)

On March 29, 2022, the Centre for Chinese and Comparative Law (CCCL) of the City University of Hong Kong’s School of Law hosted an online seminar to assist students in understanding the empirical legal research studies. Dr. Lin Lauren Yu-hsmin has been invited as a guest speaker to explain how empirical analysis can inform legal arguments in a legal argument.

Dr. Lin Lauren Yu-hsmin, Associate Professor at the City University of Hong Kong, also an expert in corporate law and governance, employs empirical methods to dissect and understand the effects of different governance rules and regulatory measures on corporations. She is interested in various topics in corporate governance, such as shareholder activism, securities class action, board independence, dual-class share structure, and governance issues in state-owned enterprises. Dr. Lin first defined empirical legal research as research studies that use data to inform legal and policy debates, based on observation but not by reasoning, oriented toward hypothesis testing, with concerns about examining patterns in the aggregate but not the particulars of a single case. To being trained in both methodology and law, there are some routes including a double major, a graduate degree in other disciplines, taking courses in methodologies such as statistics and econometrics, or attending empirical legal studies workshops on research design for causal inference. She argued that it is somehow challenging for some lawyers to conduct empirical legal research because of their weak mathematics background or the huge time commitment of pursuing a law degree and attending bar exams at the same time, but it is still important for law students to have a deep understanding on empirical legal research.

Screenshot of Mr. WANG Feng.

Screenshot of Dr. Lauren LIN Yu-hsmin.
NEWS OF CCCL MEMBERS (JAN – JUN 2022)

Jan 2022

- Professor Liu Qiao is included in the third-round meeting of an ongoing project of “National Laws of Contract in Comparative Context” organised by leading academics from Oxford Professors Hugh Beale and Birke Hacker (6 Jan 2022)

Feb 2022

- Professor Wang Jiangyu published a commentary on the Rule of Law in Hong Kong in Ming Pao (12 Feb 2022)
- Professor Wang Jiangyu published a commentary on Olympic gold medallist Eileen Gu’s nationality in Lianhe Zaobao (13 Feb 2022)
- Professor Wang Jiangyu gave a speech on the Ukraine crisis and the change of international order in a seminar held by the Peking University Alumni Association (Singapore) (19 Feb 2022)
- Professor Wang Jiangyu quoted on the US military involvement in a crisis in the Taiwan Strait in the future (20 Feb 2022)
- Professor Julien Chaisse quoted in the South China Morning Post on China’s chances of joining Comprehensive and Progressive Agreement for Trans-Pacific Partnership (21 Feb 2022)
- Professor Wang Jiangyu was interviewed by Lianhe Zaobao on Russia’s invasion of Ukraine (22 Feb 2022)
- Professor Wang Jiangyu published a commentary on Russia-Ukraine War in Lianhe Zaobao (27 Feb 2022)

Mar 2022

- Professor Wang Jiangyu interviewed by Lianhe Zaobao on Singapore’s PM Lee visited the US capital from 26 March to 2 April 2022 (1 Mar 2022)
- Professor Wang Jiangyu spoke on the experience of the construction of the rule of law system in internationally renowned free trade ports at a seminar held by the municipal government of Sanya, Hainan (7 Mar 2022)
- Professor Julien Chaisse quoted in China Trade Monitor on Hong Kong’s Application to Join the Regional Comprehensive Economic Partnership (RCEP) (8 Mar 2022)
- Professor Wang Jiangyu quoted on President Xi Jinping Holds a Virtual Summit with Leaders of France and Germany (9 Mar 2022)
- Professor Julien Chaisse quoted in the South China Morning Post on Singapore’s services trade with Russia (16 Mar 2022)
- Professor Julien Chaisse quoted in the Bulletin of the Saint-Pierre Center for International Security Bulletin on how RCEP will facilitate regional integration among its members, especially by strengthening the region’s manufacturing supply chains (20 Mar 2022)
- Professor Julien Chaisse quoted in the South China Morning Post on China’s chances of joining Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), one of the world’s largest free trade areas (22 Mar 2022)
- Professor Wang Jiangyu published a commentary on The Russian-Ukrainian War and the Dilemma of the Rule of Law in Contemporary International Order in Ming Pao (26 Mar 2022)

May 2022

- Professor Wang Jiangyu quoted on China’s zero-COVID strategy in Lianhe Zaobao (1 May 2022)
- Professor Julien Chaisse published a commentary on RCEP in East Asia Forum (7 May 2022)
- Professor Wang Jiangyu quoted on the case of the US-China Tariff War in Lianhe Zaobao (22 May 2022)
- Professor Julien Chaisse quoted in the CNBC on Indo-Pacific Economic Framework (26 Mar 2022)

Jun 2022

- Professor Wang Jiangyu quoted on the case of Biden-Xi Call in Lianhe Zaobao (16 Jun 2022)
- Professor Julien Chaisse quoted in Al Jazeera about international trade and multilateralism (17 Jun 2022)
- Professor Wang Jiangyu published a commentary on US’s gun violence epidemic in Ming Pao Daily (18 Jun 2022)
- Professor Julien Chaisse published a commentary on digital FDI and data regulation in Financial Times fDi Intelligence (17 Jun 2022)
PUBLICATIONS (JAN – JUN 2022)

CCCL Members’ Publications

Peter Chi Hin CHAN


Julien CHAISSE


Chunyan DING


Mandy Meng FANG

- Mandy Meng Fang & Anatole Boute, ‘China’s Textbook Approach to Regulatory Reform of the Natural Gas Market’ (2022) 76 Utilities Policy 101369
- Mandy Meng Fang & Weihuan Zhou, ‘Greening the Road: China’s Low-carbon Energy Transition and International Trade Regulation’ (2022) 35(2) Leiden Journal of International Law 357-378

Tianxiang HE


Qiao LIU

influence of the CISG on national jurisdictions (pp. 459-486), Wolters Kluwer.

Daniel PASCOE

TAN Cheng-han, S.C.

Wai Yee WAN
• Wai Yee Wan, "The Divergent Designs of Mandatory Takeovers in Asia." (2022) Vanderbilt Journal of Transnational Law, 55, 89-138

Jiangyu WANG
• Jiangyu Wang, “Hong Kong as the Hub for "Internationalisation" of Chinese Law” (2022) Hong Kong Lawyer, June 2022, 68-69.
• Jiangyu Wang, "Flexible institutionalization: a critical examination of the Chinese perspectives on dispute settlement for the Belt and Road" Asia Pacific Law Review. 29, 1, p. 70-85

Shucheng WANG
ABOUT CCCL

The Centre for Chinese and Comparative Law (CCCL) was established in 1994 as an interdisciplinary research institute in affiliation with the School of Law of City University of Hong Kong (CityU Law). As one of the world’s oldest research centres on Chinese and comparative legal studies as a discipline, it is devoted to research in both fundamental and cutting-edge issues in the relevant areas. The Centre benefits greatly not only from the institutional support of CityU Law but also from a sizable group of academics in the School of Law who specialize either in a particular area of Chinese law or general Chinese legal studies, as well as, are experts in comparative law. The Centre is blessed by its location in Hong Kong which has a legal system based on English common law and a long-standing rule of law tradition. As an international business and financial hub under the “One Country, Two Systems”, Hong Kong has also served as an international legal hub in facilitating rule-based commercial transactions and trans-border dispute settlement, in many cases involving mainland China, and provides the best forum in the world for interactions between Chinese laws and foreign laws. As both CityU and its School of Law are increasingly recognized as world-class educational and research institutions, the Centre is now in an ideal position to be the centre of gravity for Chinese and comparative legal studies in the region and the world.

CCCL MEMBERS

Director
Prof. WANG, Jiangyu

Associate Director
Prof. LIU, Qiao

Dr. LIN, Yu-Hsien Lauren

Core Members
Dr. DING, Chunyan

Prof. LIN, Feng

Prof. WAN, Wai Yee

Dr. WANG, Shucheng Peter

Associate Members
Prof. CHAISSE, Julien

Ms CHAN, Carrie Ka Ying

Dr. CHAN, Chi Hin Peter

Prof. CROFTS, Thomas

Dr. DEVA, Surya

Dr. FANG, Meng Mandy

Dr. GUAN, Wenwei

Dr. HE, Tianxiang

Dr. LONE, Fozia Nazir

Dr. PASCOE, Daniel

Prof. TAN, Cheng Han

Prof. ZHU Guobin

Fellows
Dr. DE REY, Sebastien (Faculty of Law, KU Leuven)

Dr. DU, Ruyi (Law School & Intellectual Property School, Jinan University)

Prof. LU, Haitian (School of Accounting and Finance, The Hong Kong Polytechnic University)

Mr. MAK, Ho Wang Charles (PhD Candidate in International Law, University of Glasgow)

CONTACT US

Email: lwrccl@cityu.edu.hk
Tel: +(852) 3442-4996
Fax: +(852) 3442-0190

Postal Address: Room 6101, 6/F, Li Dak Sum Yip Yio Chin Academic Building,
City University of Hong Kong, 83 Tat Chee Avenue,
Kowloon Tong, Kowloon, Hong Kong

Facebook: https://www.facebook.com/rcclhk/
Website: https://www.cityu.edu.hk/slw/rccl/

Newsletter Editor: Katy Ng