

Anthony Neoh, QC, SC, JP (梁定邦資深大律師)

Anthony Neoh is a senior member of the Hong Kong Bar, with extensive experience in civil appellate and international litigation and arbitration cases. He is a Chinese National and a permanent resident of the HKSAR, with no other nationality. He has no political affiliations. He was a member of the Hong Kong Civil Service from 1966 – 1979. In 1980, he commenced private legal practice at the Hong Kong Bar, taking silk in 1990. He returned to full-time public office from 1995 – 2004 after which, he resumed private legal practice as a member of the Hong Kong Bar. This remains his principal profession to date, spending most of his time in recent years as an international arbitrator. His working languages in his professional and public work are English, Cantonese and Putonghua, in all three of which he has native fluency. He had studied French to a high level of proficiency but due to long disuse, now retains only reading ability.

Public and Company Board Service

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

He was a member of the International Advisory Board of the CSRC (中國證監會國際諮詢委員會委員) from 2004 to 2016. 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.

His full-time public service in Hong Kong began in 1966, when he joined the Hong Kong Civil Service after two years serving as a high school mathematics teacher. 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 Directorate (top management team) during the early developmental stages of the institution.

In the mid-1980’s, 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 (also former PRC Ambassador to the UN).

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 that 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 1989 to 1995.

In 1986, he was appointed an Unofficial Justice of the Peace for Hong Kong (太平紳士).

In 1988 to 2010, he was appointed by the Government as a member of the Standing Commission on Civil Service Salaries and Conditions of Service (SCCS)(公務員薪俸及服務條件常務委員會).

In 1991, he was appointed and served as a Deputy High Court Judge.

In 1988 to 1994, he was the Vice-Chairman of the Hong Kong Inland Revenue Board of Review (香港稅務局稅務上訴委員會), in which position he presided over the hearing of a large number of tax appeals.

From 1 July 1997 to 30 June 2007, he was a member of the Hong Kong SAR Basic Law Committee under the Standing Committee of the National People's Congress (全國人民代表大會常務委員會香港基本法委員會委員). In this capacity, he has participated in many fundamental interpretations of the Basic Law of Hong Kong.

Since 1990, he is Council Member of the Chinese University of Hong Kong (CUHK). 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 and Treasurer of the Chinese University of Hong Kong, 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.

Since 1989, he is appointed Arbitrator, China International Economic and Trade Arbitration Commission. In 1989 to 1999, he was the Hon. Legal Advisor to the Shenzhen Municipal Government. In 2012, he was appointed as arbitrator of Shenzhen International Arbitration Commission, Shanghai International Arbitration Commission.

In 2000 to 2005, he was appointed as Senior Economic Advisor to the Fujian Provincial Government (personally appointed by Governor Xi Jin Ping 習近平, as he then was) and Tianjin City Government. In these capacities, he advised these Governments in regulatory practices, particularly in the area of corporate governance and creation of capital markets.

In 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 Special Committee, in which the activities of former Chief Executive Liu Jin Bao (劉金寶) and Zhou Zhengyi (周正毅) (a Shanghai Developer) were investigated. His report was published by BOCHK, resulting in re-establishment of the reputation and integrity of the management processes of BOCHK.

Between 2002 to 2005, he 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).

He was INED of China Shenhua Energy Holdings Limited between 2004 to 2009 and China Life (listed in the HK and Shanghai Stock Exchanges) from 2009 to June 2016. In China Life, he was also chair of the Risk Management Committee.

He also served as INED of New China Life Ltd between July 2016 and July 2019.

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 oversaw 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 currently serves as INED of CITIC Limited (since Dec 2014), and Industrial and Commercial Bank of China (ICBC) (since 2015). In ICBC, he is Chairman of the Risk Committee, which oversees risk to over 30 Trillion RMB of financial assets of the bank. His work also includes Board Oversight of regulatory and legal compliance and operational risks both domestically and internationally. ICBC's international footprint covers over 100 countries.

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 (最高人民法院發起的中華司法研究會常務理事).

In 2016, upon formation of the Shenzhen Court of International Arbitration (深圳國際仲裁院), he was appointed Vice Chairman. He was active in assisting in the formation of the China International Commercial Court, which now sits in three Circuits, one of which is based in the Greater Bay Area. He is a Member of the Court's Panel of International Experts.

He also served as 2018 B20 Financing Sustainable Infrastructure Task Force Co-chair and National Co-chair of the China Securitisation Forum. He is also a Senior Adviser to the Asian Pacific Securitization Association (APSA).

On 1 June 2018, Mr Neoh was appointed as Chairman of the Hong Kong Independent Police Complaints Council to serve a term of 2 years, within which period, he was instrumental in the production of the first 1000 Page Thematic Study of the Police Actions in the 2019-2020 public protests in Hong Kong. His appointment was extended to 31 May 2021, which he served in full.

Since 1 July 2018, he has been Chairman of the Asian Academy of International Law (亞洲國際法研究院主席). The Academy has been active in promoting training and discourse in all matters of international law affect Hong Kong, the Mainland and Asia.

Between 2018 and 2019, Mr Neoh was the Convenor of the HKMA Expert Group on the Finance Academy and is among the first ten Honorary Fellows of the Hong Kong Academy of Finance upon its formation. The Academy is now Hong Kong's foremost organization promoting leadership in the financial services in Hong Kong.

Private legal and international 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 also advised the Legal Affairs Bureau of the Central Military Commission in the drafting of the Hong Kong Garrison Law (香港特別行政區駐軍法).

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 *pro bono* successfully acting for the Society for the Protection of the Harbour, FACV 14/2003, in preventing further reclamation of Victoria Harbour). Among his many cases, he acted as leading counsel for the Plaintiff in a complex multi-party and multi-jurisdictional company fraud case involving a publicly listed Taiwan company spanning 2004 – 2014 (HCCL 16-18/2009, CACV 93-96 of 2012, FAMV 5-8 of 2014) in which the Plaintiff, the Taiwan company, recovered property, valued to be worth well over three billion dollars at the time.

In 2009, he became an Accredited Mediator of the UK Centre for Enterprise Dispute Resolution (CEDR). In 2012, 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).

In recent years, he has been principally involved in complex international arbitration cases as arbitrator and complex mediation matters.

Qualifications, academic and research interests

Mr. Neoh was appointed Queen's Counsel (now retitled, Senior Counsel) in April 1990. A law graduate of London University in 1976, he was called to the English Bar by Gray's Inn also in 1976, and to the Hong Kong Bar the same year. Mr. Neoh obtained his legal qualifications with full time study in London while on no-pay leave from the Hong Kong Civil Service from 1975 - 1976. 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. After teaching at the Harvard Law School, he helped found the US-China Financial Symposium, now in its 18th Year, jointly organized by the Harvard Law School and the China Development Research Foundation (an organization under the State Council of the PRC).

He was awarded the Honorary Degree of Doctor of Laws by the Chinese University of Hong Kong (CUHK) (香港中文大學榮譽法學博士) in 2003. In 2009, he was elected an Honorary Fellow of the Hong Kong Securities Institute (香港證券及投資學會榮譽院士) and an Academician of the International Eurasian Academy of Science (歐亞科學院院士) (the only financial expert among the Academicians), and received the International Award for Distinguished Contribution to the

Financial Services by the Institute of Chartered Financial Analysts (國際特許金融分析師協會頒發國際金融卓越貢獻獎). In December 2013, he was awarded the Honorary Degree of Doctor of Social Science by the Open University of Hong Kong (香港公開大學榮譽社會科學博士). In November 2016, he was also awarded the Honorary Degree of Doctor of Social Science by Lingnan University (香港嶺南大學榮譽社會科學博士).

He also held many adjunct, honorary and visiting professorial appointments in universities in the Mainland of China and the Hong Kong SAR of China, including Adjunct Professor of the National College of Public Administration in Beijing (國家行政學院) and Visiting Professor to Peking University Law School (北京大學法學院), Guanghua Business School (北京大學光華管理學院), 人民大學 (Remin University of China) and Dean's Visiting Professor at the National University of Singapore Faculty of Business (新加坡國立大學). He is currently Visiting Professor at the Law School of Tsinghua University (清華大學), Honorary Professor of Lingnan University (嶺南大學), and the Hong Kong Metropolitan University (香港都會大學). He is also frequent lecturer at the Hong Kong University of Science & Technology Executive MBA Course (香港科技大學). Mr Neoh has also been invited to be lecturer in training courses conducted for senior management of the Hong Kong Independent Commission Against Corruption (ICAC) (香港廉政公署高級職員培訓課講師).

His research interests are in legal and financial history, current issues in financial regulation, comparative legal systems and dispute resolution, subjects which he continues to lecture actively and extensively in the PRC and internationally.

Other interests

His other interests 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: 4 November 2021