

EUGENE C. H. LAM

Solicitor • Quantity Surveyor • Arbitrator • Adjudicator

*MHKIS RPS(QS) FHKI Arb ACI Arb
HKIA/HKIS Joint Panel Listed Arbitrator
LSHK Panel Listed Arbitrator
HKIAC Panel Listed Adjudicator
HKICAdj Listed Adjudicator
Chairman of Appeal Tribunal Panel (Buildings)
Representative of Appeal Panel of BRCRS
Civil Celebrant of Marriages*

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Eugene Lam is both a practicing solicitor and a registered professional surveyor (quantity surveying).

He has extensive experience in contract administration, preparing monetary and non-monetary claims for main contractors and sub-contractors in various kinds of construction projects, and handling construction litigation and arbitration cases when practicing as a quantity surveyor / construction claims consultant as well as a solicitor.

He has practiced as a quantity surveyor / construction claims consultant for 8 years. He has been practicing as a solicitor since 2012 specializing in handling construction-related disputes. He advises his lay clients on all their construction-related legal needs, from drafting of contracts (and sub-contracts) to resolution of disputes arising out of the projects.

He has been giving advice and handling disputes on a wide spectrum of construction projects (over 100 numbers) including but not limited to the followings :-

- (a) Building projects for main contractors, and various trades of sub-contractors, for instance, fitting out works, alterations and additions works, building maintenance works, electrical works, external wall (façade and roof covering) systems, structural steel works, formwork works, etc.;
- (b) Piling projects, including foundation works and marine piling; and

- (c) Civil works projects, for instance, reclamation works, drainage works, rehabilitation works of water mains, sloping works, road and bridge works, tunnel works, etc.

He is an arbitrator listed on the Hong Kong Institute of Architects / Hong Kong Institute of Surveyors (HKIA/HKIS) Joint Panel of Arbitrators and the Law Society of Hong Kong. He is also an adjudicator on the HKIAC Panel of Adjudicators and the HKICAdj's List of Adjudicators since 2020 and 2022 respectively. He is also one of the co-authors of the "Adjudication Handbook for Security of Payment Provisions" jointly published by the Society of Construction Law Hong Kong and the Department of Real Estate and Construction from The University of Hong Kong.

He has also represented clients to appear at Magistrates' Courts in relation to industrial summons.

Eugene speaks English, Cantonese and Putonghua (conversant).

Selected Cases:

Construction litigation

- **Superl (Hong Kong) Limited v ADO Limited (DCCJ 4278 / 2023)**
 - Representing the Defendant counterclaiming against the employer approximate HK\$2.3 million relating to the renovation works to an office premises in Lai Chi Kok.
- **Tsun Sing Engineering Limited v Kin Shing (Cheung's) Engineering Limited (HCCT 83 / 2022)**
 - Representing the Defendant (as a sub-contractor) counterclaiming against the sub-sub-contractor approximate HK\$14.5 million relating to the formwork works for the power generation units on Lamma Island
- **Colmat Construction and Engineering Co Ltd v Minmetals Condo (Hong Kong) Engineering Co Ltd [2021] HKCFI 2184 & [2021] HKCFI 2591**
 - Represented the Defendant and successfully counterclaimed against the Plaintiff approximate HK\$8 million relating to the fitting out works for the Plaza Balcony and Ceiling of Xiqu Centre of the West Kowloon Cultural District.
 - Successfully obtained enhanced interest and costs on indemnity basis as a result of the Defendant's sanctioned offer.
- **Converge Design and Construction Co Ltd v Mount Kelly International Ltd [2021] HKCFI 1591 & [2021] HKCFI 1908**
 - Represented the Plaintiff and successfully claimed against the Defendant approximate HK\$1.8 million and obtained costs on indemnity basis relating to the interior fitting out works at two teaching centres.

- Successfully obtained enhanced interest as a result of the Plaintiff's sanctioned offer.
- **AID Ltd v Nanyang Brothers Tobacco Co Ltd** [2015] HKEC 2572 & [2015] HKEC 1990
 - Represented the Plaintiff and successfully resisted the leave application by the Plaintiff to appeal against the judgment of the District Court.
- **AID Ltd v Nanyang Brothers Tobacco Co Ltd** [2015] HKEC 1617 & [2015] HKEC 606
 - Represented the Plaintiff and successfully claimed against the Defendant approximate HK\$0.6 million relating to the renovation works for several toilets of the Defendant's building.
 - Successfully obtained enhanced interest and costs on indemnity basis as a result of the Plaintiff's sanctioned offer.
- **SNE Engineering Co Ltd v Hsin Chong Construction Co Ltd** [2015] 4 HKLRD 517
 - Represented the 1st Defendant and successfully resisted the appeal by the Plaintiff against the judgment of the Court of First Instance dismissing its claim against the 1st Defendant alleging infringement of its short-term patent.
- **SNE Engineering Co Ltd v Hsin Chong Construction Co Ltd** [2014] 2 HKLRD 822
 - Represented the 1st Defendant and successfully obtained a declaration that the Plaintiff's Hong Kong short-term patent for a "rotator and wedge" method of extracting piles (bored piles and H-piles) from the ground is invalid.

Construction Arbitration

- Representing an automatic door control system sub-contractor in an arbitration claiming against the main contractor approximate HK\$7 million for a hospital redevelopment project in Hong Kong.
- Representing a main contractor in an arbitration claiming against a university approximate HK\$13 million and extension of time relating to the construction works at the university.
- Representing a window / door supplier in an international arbitration claiming against two Australian companies approximate HK\$20 million under supply contracts for 2 residential building projects in New South Wales of Australia.
- Representing a fitting out sub-contractor in an arbitration claiming against the main contractor over HK\$25 million under 3 sub-contracts for a 5-star luxury hotel project in Macau.
- Represented a marine works sub-contractor in an arbitration and successfully claimed against the main contractor approximate HK\$59 million relating to the reclamation

works, etc. near the Hong Kong Boundary Crossing Facilities (renamed as Hong Kong Port).

- Represented a Glass Reinforced Concrete specialist sub-contractor in an arbitration claiming against the main contractor over HK\$43 million under 3 sub-contracts for a 5-star luxury hotel project in Macau. The case was settled.
- Represented a fitting out sub-contractor in an arbitration claiming against the main contractor over HK\$24 million under a sub-contract for a 5-star luxury hotel project in Macau. The case was settled.
- Represented a main contractor in an arbitration and successfully claimed against the incorporated owners approximate HK\$5 million relating to the renovation works of a residential estate in Quarry Bay.
- Represented a main contractor (a joint venture) bringing claims of extension of time, variations, missing items and direct loss and expenses under a civil works contract for over HK\$300 million. The case was settled.
- Represented a civil work sub-sub-contractor in an arbitration and successfully claimed against the sub-contractor approximate HK\$4 million relating to the road and drainage works in an outlying island.

Industrial Summons

- *Man Sing General Contractors Ltd & Hui Ka Fai & Lo Kam Fat*
ESS 1096-1104 / 2023 16 June 2023
- *Man Sing General Contractors Ltd & Best Chance Scaffolding Engineering Co Ltd*
ESS 42376 – 42389 / 2021 11 March 2022
- *CMD Construction Engineering Ltd & Constancy (Hong Kong) Construction Ltd*
TMS 11849-11852 / 2023 18 April 2024

Appointment as Arbitrator:

- Appointed as the sole arbitrator in 2023 for disputes relating to building renovation works between incorporated owners and a contractor.

Professional Qualifications/Memberships:

2023	The Law Society of Hong Kong Panel Listed Arbitrator
2023	HKIA/HKIS Joint Panel of Arbitrators Panel Listed Arbitrator
2023	Hong Kong Institute of Arbitrators

- Fellow Member (FHKIArb)
- 2022 **Hong Kong Institute of Construction Adjudicators**
Listed Adjudicator
- 2020 **Hong Kong International Arbitration Centre**
Panel Listed Adjudicator
- 2020 **Civil Celebrant of Marriages**
- 2012 **Solicitor, Hong Kong SAR**
- 2009 **Chartered Institute of Arbitrators**
Associate Member (ACI Arb)
- 2007 **Surveyors Registration Board**
Registered Professional Surveyor (Quantity Surveying) (RPS(QS))
- 2006 **Hong Kong Institute of Surveyor**
Corporate Member (MHKIS)

Professional Work Experience:

- September 2024 - Present **Humphrey & Associates**
Partner
- April 2023 – September 2024 **Wong & Lawyers**
Consultant
- 2012 – April 2023 **Wong & Lawyers**
Solicitor
- 2010 – 2012 **Huen & Partners**
Trainee Solicitor
- 2004 – 2010 **Consultant Associates (H.K.) Ltd.**
Senior Consultant
- 2002 – 2004 **Gammon Construction Limited**
Assistant Quantity Surveyor

Academic Qualifications:

- 2007 – 2009 **City University of Hong Kong**
Postgraduate Certificate in Laws (Part-time) - PCLL
- 2002 – 2006 **University of London**
Bachelor of Laws (Part-time) – LLB (Hons)

1999 – 2002 **The University of Hong Kong**
Bachelor of Science in Surveying – BSc (Hons) in Surveying

Others:

2024 – Present **Department of Design and Architecture, Technological and Higher Education Institute of Hong Kong (THEi)**
Lecturer (Part-time)

2022 – 2023 **Society of Construction Law Hong Kong**
Council Member

2022 – Present **Building Rehabilitation Company Registration Scheme (BRCRS)**
Representative of the Appeal Panel

2019 – Present **Registered Minor Works Contractor Signatory Association Ltd.**
Honorary Legal Adviser

2018 – Present **Appeal Tribunal Panel (Buildings), s.45 of the Building Ordinance, Cap. 123**
Chairman

2016 – Present **Recreation and Sports Committee, Law Society of Hong Kong**
Convenor of the Law Society Cycling Team

2012 – Present **Hong Kong Institute of Surveyors**
Assessor for Assessment of Professional Competence (Quantity Surveying Division)