



**MAY TAI**  
MANAGING PARTNER, GREATER CHINA

[Hong Kong](#)

May is managing partner of our Greater China offices. She specialises in cross-border China-related and regional Asian disputes and contentious regulatory matters.

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## BACKGROUND

May is based in Hong Kong but also spends time in Herbert Smith Freehills' Shanghai and Beijing offices, and has also practised in London, Singapore and Tokyo. She has published several articles on arbitration and dispute resolution, and speaks Bahasa (Malaysian and Indonesian), Chinese (Mandarin and Cantonese) and English, and is qualified as a solicitor of England and Wales and Hong Kong.

May is a CEDR accredited mediator and an arbitrator in the HKIAC List of Arbitrators.

## KEY SERVICES

[International Arbitration](#)  
[Dispute Resolution](#)

## KEY SECTORS

[Energy](#)  
[Technology, Media and Telecommunications](#)

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## EXPERIENCE

May's practice covers a range of commercial disputes and regulatory issues. She has advised governments, government-owned entities and commercial clients (including financial institutions and energy companies) in Asia, Europe and the United States, including acting as counsel and advocate in arbitrations under various rules and court proceedings.

May's experience includes:

### **CHINA-SPECIFIC EXPERIENCE**

In China-specific disputes, May has advised:

- representing a leading PRC state-owned enterprise as claimants against its joint venture partner in a multi-billion dollar arbitration administered by the Singapore International Arbitration Centre (SIAC), relating to their investment in a European company
- a Shandong-based SOE on defending arbitration claims brought by a Hong Kong based investment company following the breakdown of a joint venture in the paper manufacturing business. The governing law of the contract was PRC law and arbitration was administered by the HKIAC and seated in Hong Kong
- a Chinese SOE on defending claims brought by a US company in the Singapore International Arbitration Centre (SIAC) concerning the alleged use of the US company's proprietary know-how in the construction of several petrochemical plants in mainland China
- Spirax-Sarco and its subsidiary Spirax-Sarco Engineering (China) on various civil proceedings in the Intermediate People's Court against the manufacturers and distributors of counterfeit goods, including two trademark oppositions to the China Trademark Office
- a leading international financial institution as respondent in a US\$20 million arbitration under China International Economics and Trade Arbitration Commission (CIETAC) rules, relating to a failed investment
- a Chinese corporation in Hong Kong (Chinese language) arbitration proceedings under United Nations Commission on International Trade Law (UNCITRAL) rules in relation to a software licensing dispute
- a Chinese state-owned company on defending a claim brought by a Hong Kong company, in ad hoc arbitration proceedings relating to the acquisition of two power projects in Nigeria

- a Thai corporation in a CIETAC arbitration against a Chinese corporation regarding a dispute over an energy procurement and construction contract to build a boiler plant in Thailand.

## **OTHER EXPERIENCE**

May's international experience includes advising:

- Telekom Malaysia as claimant in a UNCITRAL arbitration against the Government of Ghana for improper regulatory interference with and expropriation of Telekom's investments in Ghana, and related domestic Ghanaian court proceedings. The arbitration was administered by the Permanent Court of Arbitration and the seat was the Hague
- A major Korean conglomerate company is defending arbitration proceedings (including an emergency arbitrator application) brought by a European company under the SIAC rules in respect of a ship building contract
- BP and Rio Tinto in an International Centre for Settlement of Investment Disputes arbitration brought by the Provincial Government of East Kalimantan over disputes relating to a coal mining concession contract
- the Barbados Government in a Part XV and Annex VII United Nations Convention on the Law of the Sea arbitration against Trinidad relating to maritime delimitation and hydrocarbon rights
- a major German energy company in an International Chamber of Commerce (ICC) arbitration against an Indonesian coal producer for breach of a coal supply agreement, including the effect of government regulations on private parties' contractual obligations
- a global geophysical services company in SIAC arbitration proceedings - and possible parallel Association of Southeast Asian Nations Treaty arbitration - against a Southeast Asian state, relating to the state's refusal to allow the exploration and production of two offshore oilfields
- a major energy consortium on claims, taxes and penalties brought by a Kazakhstan Government agency in the Kazakhstan courts relating to production from a large Kazakh oilfield and other contractual and investment treaty arbitration claims
- a Canadian energy company in an ICC arbitration claim arising out of the sale and purchase of a Kazakhstan limited liability partnership whose primary assets were licences to produce three oil fields in the Caspian, and in a related freezing injunction

application in the English High Court

- a major energy company in a London Court of International Arbitration matter regarding the construction of an offshore oil platform in the Gulf of Mexico
- a German bank in a Stockholm Chamber of Commerce arbitration concerning the sale of a Swedish insurance business and related contribution proceedings in the English High Court.

## **ACCOLADES**

- Leading individual – Dispute Resolution: Arbitration, China - *Chambers Asia Pacific 2011-2015*
- Leading individual - Foreign Firms: Dispute Resolution, China - *Asia Pacific Legal 500 2013-2015*
- Commercial Arbitration Expert – China - *Expert Guides 2013*
- "Beijing based May Tai enjoys a growing reputation in this area and has won plaudits from sources for the high quality of her practice. She is a go-to figure for a number of Chinese SOEs owing to her specialisation in public international law" - *Chambers Asia-Pacific 2013*
- Lawyer of the Year – Dispute Resolution - *China Law & Practice Awards 2013*
- Women in Business Law, Commercial Arbitration – China - *Expert Guide, 2012*
- "May Tai is another core member of the team...Clients describe her as 'very bright and impressive,' especially in relation to China International Economic and Trade Arbitration Commission (CIETAC) arbitration. " - *Chambers Asia, 2011*

May has authored the following articles:

- ‘Stabilisation clauses: is there a middle ground between competing interests?’ *International Bar Association Newsletter*, September 2008.
- ‘The status of ICC awards in China’ *Asian Dispute Resolution*, January 2010
- ‘How to Maximise the Value of Your Investments: Utilise China’s Expanding Network of Bilateral Investment Treaties’, *China Legal Review*, March 2010
- ‘Guide to international arbitration rules – 1 HKIAC’, January 2010
- ‘Guide to international arbitration rules – 2 SIAC’, February 2010
- ‘Guide to international arbitration rules – 3 LCIA’, March 2010
- ‘Guide to international arbitration rules – 4 ICC’, April 2010
- ‘Guide to international arbitration rules – 5 AAA’, May 2010
- ‘Guide to international arbitration rules – 6 SCC’, June 2010
- ‘Guide to international arbitration rules – 7 ZCC’, August 2010