

Zhao, Deming Shanghai

Trade & Customs

Compliance & Risk Control

Shipping



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Practice Areas

Dr. Deming Zhao is a partner resident in Shanghai. His practice covers corporate, regulatory compliance, dawn-raid defense and crisis resolution, M&A, maritime, shipping and logistics, insurance, and dispute resolution. Dr. Zhao is one of the pioneers who has developed the legal practice of customs & trade compliance (including export controls and economic sanctions) in China, which has won wide recognition among multinational clients.

Apart from general corporate work, Dr. Zhao has also provided regulatory compliance and crisis resolution services covering anti-monopoly, anti-commercial bribery, customs/quarantine and trade compliance, product labeling, import and export compliance regarding pharmaceutical, medical, food, healthcare, cosmetics, electronics and luxury products, either as an in-house or external counsel for multinational corporations. He has acted as the leading counsel in various joint venture, acquisition, merger, divestiture and corporate restructuring projects, and participated in overseas investment and offshore listing, covering aviation, banking, internet, mining, motor, new energy, electric, electronic, chemical, pharmaceutical, medical instrument, textile, cosmetics and other consumer product, shipping & shipbuilding, real estate and human resources consulting service industries.

In context of customs & trade compliance, Dr. Zhao has advised, represented or defended many renowned multinational companies in matter concerning import & export duty and VAT, consumption tax, anti-dumping duty, retaliation duty, import duty deduction and exemption programs, export tax rebate, transfer pricing and valuation, tariff code classification, precedent database of customs tariff classification, customs pre-ruling, royalties, assist, country of origin, cross-border e-commerce, customs survey and inspection, import & export license, quarantine and non-tariff barriers, processing trade, bonded logistics models, customs supervision zones, plant relocation, deep processing transit (inter-plant transfer), and outsourced processing.

Deming Zhao has also advised, represented and defended many corporate clients in administrative and criminal cases concerning customs audit, query, ASB investigation and criminal cases with smuggling or other charges, with a good record of successful innocence defense for corporate clients either at the stage of criminal investigation or prosecution. He has led many legal audits and health-check projects on trade compliance, as well as trainings for business operations of multinationals in China. Dr. Zhao frequently presents speeches on practical and legislative issues concerning Chinese customs regulatory environment at customs law symposiums and at different law schools in and outside China.

As far as Chinese or foreign export controls and economic sanctions are concerned, Dr. Zhao advises and trains many Chinese or foreign clients, and helps them to establish internal control programs (ICP). Dr. Zhao frequently presents lectures on China's export control and customs supervision practices at symposiums or seminars in Europe. Dr. Zhao was once invited by the International Anti-Corruption Academy to lecture on China and US export control practices in Seoul to professional audiences from Asian countries. He also lectured on China's Export Control and Countermeasures, as well as RCEP and Country of Origin for students of the Master of Customs Administration Program at the University of Münster, Germany. In 2021 and 2022, invited by the Netherlands International Chamber of Commerce as the legal expert on China's export control and economic sanctions, Dr. Zhao gave on-line speeches to an array of international audience on global trade control and economic sanctions, together with the EU export control officials, legal experts and U.S. economic sanction officials.

In 2022 and 2023, Dr. Zhao advised and trained Chinese and foreign corporate clients regarding Chinese and foreign export control and sanctions matters and the cross-border supply chain compliance as well, concerning issues of U.S. semiconductor export control, Xinjiang-related supply chain, Russia-related economic sanctions, export control compliance, and trade compliance due diligence in M&A projects. In an administrative review case some years ago, Dr. Zhao successfully defended a multinational client against the export licensing requirement for a chemical product, thus saving the export business from collapse. In 2024, Dr. Zhao advised, represented and successfully defended many corporate clients in customs query, audit, investigation (administrative & criminal) cases on valuation and transfer pricing, tariff code classification, country of origin and bonded operations. In the same year, Mr. Zhao also advised Chinese and foreign clients to tackle risks under Chinese and foreign sanctions and import & export controls and other risks of supply chains by way of compliance measures.

Dr. Zhao has been a maritime law expert as well. He specialized in maritime law during his study at University College London and has many years of experience in teaching and practicing maritime law and serving as counsel for shipping companies. His services have covered contentious and non-contentious matters concerning insurance, charter parties, cargo claims, subrogation claims, bills of lading frauds, P&I defense, marine pollution, limitation of liabilities, collision, general average and international sale of goods. Dr. Zhao has also advised clients on their logistics and supply chain models.

Dr. Zhao has extensive experience both as an in-house and outside counsel in supporting human resources functions of multinational companies and foreign-invested enterprises. He has advised clients on labor union, employee representatives and employee club issues, labor aspects of M&A transactions, expatriate issues, overtime issues, social security issues as well as the risk control and management of labor arbitration and litigation and intellectual property protection in labor relations. He helps his clients prepare confidentiality and non-competition agreements, service invention agreements, corporate rules and policies, labor severance guidelines, employee handbooks, labor contracts, training contracts, optional employee benefits and secondment agreements.

Dr. Zhao has more than 30 years of experience in litigation and arbitration in relation to investment, M&A, financing, insurance, shipping, domestic & international trade and engineering projects. He has participated in CIETAC and other arbitration cases as an arbitrator, and acted as a Chinese law expert in arbitration proceedings in Singapore and London arising from international trade and shipping disputes, in both cases of which the parties to the arbitration settled expeditiously after Dr. Zhao's submission of his expert opinions.

Work Experience

Managing partner, Haoliwen Partners (Haoliwen has consolidated its business into GLOBAL LAW OFFICE as from September 1, 2018);

Senior consultant Hong Kong and Shanghai Offices of PAUL HASTINGS;

Partner, RICHARD WANG & CO.;

Legal Counsel, Greater China Region of EASTMAN KODAK;

Associate Professor of Law, XIAMEN UNIVERSITY (1995).

Admission

Chinese Bar (1993)

Education

LL.M. in Corporate & Commercial Law, University College London (UCL)

LL.B., LL.M. & Ph.D., Xiamen University Law School

Awards

■ 2022-2025, Highly recommended lawyer, Band One (China), Customs, Export Controls, and Economic Sanctions, Chambers Global.

■ 2023, WTO & International Trade Lawyer of the Year, Legal 500.

■ 2024, Leading Lawyer in International Trade and Customs Law, Legal Band.

■ 2024, China Litigation Star in Government and Regulation, Benchmark Litigation.

■ 2012, Client Choice – Top 20 Lawyers in China, the First Survey by ALB.

■ 2010-2013, Leading Lawyer, General Corporate Practice, Asia Law.

■ Pre-eminent M&A Practitioner, Expert Guide: China.

Associations and Memberships

■ Arbitrator, Shanghai Arbitration Commission

■ Arbitrator, Xiamen Arbitration Commission

■ Arbitrator, Harbin Arbitration Commission

■ Chair Professor, An Chen International Law

■ Adjunct Professor, Shanghai University of International Business and Economics

Publications

- Contemporary China Export Control Law, Springer, March 2024, a pioneering monograph in English in the field of Chinese export control law and countermeasures (sanctions).
- International Maritime Law, editor-in-chief and main contributor, Peking University Press, 1999.
- U.S. Export Controls and Economic Sanctions Exposure of Commercial Arbitration Institutions and Arbitrators in China, co-author, Journal of International Economic Law, Issue 3, 2024.
- Study on Economic Sanctions in International Investment Arbitration, co-author, Journal of International Economic Law, Issue 2, 2023.
- Commentary on Anti-Foreign Sanctions Law, co-author, Journal of International Economic Law, Issue 1, 2022.
- China plant neue Dual-Use-Regulierung, AW-Prax (Germany), 2022, is an article in German on China Draft Dual-use Export Control Regulations.
- China: Abwehr ausländischer Sanktionen, AW-Prax (Germany), 2021, an article in German on China Anti-Foreign Sanctions Law.
- Trade Compliance im Handel mit China Healthcheck und Selbstauskunft, Der Zoll-Profi! (Germany), 2019, an article in German on the compliance health check and self-disclosure in trades with China.
- China's Current Export Control Scheme and Draft New Law – An Overview, Customs Law Review, Volume VIII, 2019.
- China's Current Export Control Scheme and Draft New Law – An Overview, an article in English, Yearbook of Global Ethics, Compliance & Integrity (Deutscher Fachverlag GmbH), 2018.

Languages

Chinese , English

Insights

Draft Revision of Chinese Customs Law: A Summary
2024-03-22

China Draft Foreign Relations Law: A Commentary
2023-02-23

China: Tech Export Control Lists Revised for Public Comment
2023-02-20

China Export Control Catalogue of Dual-use Items Updated
2023-02-02

Draft Regulations on Export Controls of Dual-use Items
2022-05-24

Export Control of Automotive Data under Chinese Law
2021-10-13

Commentary on China Blocking Rules
2021-01-25

The Guide to Sanctions (English version) with the Contribution of GLO Lawyers Was Published
2020-09-15

The Second Reading of the Draft China Export Control Law: - Extraterritorial Controls and Unreliable Entity List
2020-07-27

China Poises to Exclude Extra Tariffs for US Goods
2020-02-21

China Temporarily Exempts Import Taxes for Anti-COVID-19 Imports
2020-02-20

China New Draft Export Control Law: A Commentary (2019)
2020-01-16

Trade Compliance Health Check: Where Are the Risks?
2019-08-29

How to Apply for Exclusion from Chinese Extra Tariff Lists?
2019-06-11

Trade Compliance and China Customs Audit
2019-02-19

Trade Compliance Healthcheck and Self-disclosure
2018-11-28

China Customs and Automated Clearance Reform
2018-11-07

News updates

GLO advised clients on tariff codes and rules of origin in 2020

2021-04-23

GLO advised on customs valuation of transfer prices in 2020

2021-04-22

Awards & Rankings | GLO Honored in Legal 500 Asia-Pacific Rankings 2020

2020-01-16

GLO Welcomes New Partners

2018-12-26

GLO and HaoLiWen Announce Business Merger

2018-08-24