

YINGJIE KANG

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PRACTICE AREA

MR. KANG SPECIALIZES IN REGULATORY COMPLIANCE, ADMINISTRATIVE LAW AND NATIONAL SECURITY REVIEW. HE HAS EXTENSIVE EXPERIENCE IN HANDLING VARIOUS COMPLIANCE MATTERS FOR COMPANIES, RESPONDING TO ADMINISTRATIVE INVESTIGATIONS, ADMINISTRATIVE RECONSIDERATIONS, LITIGATIONS, AND CRISIS MANAGEMENT.

Education

- The China University of Political Science and Law, LLB

Professional Qualification

- Admitted to practice in the PRC

Work Language

- Chinese
- English

Professional Background

- Before joining Fangda Partners, Mr. Kang worked for over 15 years at the Department of Treaties and Laws of China's Ministry of Commerce as Deputy Director. He mainly engaged in legislation, government investigations, administrative reconsideration, and administrative litigation. During this tenure, he worked as a commercial consul at the Chinese consulates abroad for more than four years, gaining extensive experience in overseas compliance of Chinese enterprises and overseas dispute handling.

Mr. Kang's practice areas include advertising, anti-unfair competition, environmental protection, product quality, securities and finance, export control and sanctions, among others. He has long been involved in handling various legal compliance matters for multinational and domestic enterprises across multiple industries.

Mr. Kang also has extensive experience in identifying compliance risks and building compliance systems. Mr. Kang is skilled in handling administrative disputes and has represented clients in numerous administrative investigations, administrative reconsiderations, administrative litigations, and crisis response cases. He is well-versed in the trial procedures, judicial thinking, and working methods of administrative agencies and courts, and is able to propose constructive and actionable dispute resolution based on specific case circumstances.

Mr. Kang has extensive experience in foreign investment national security review and has handled numerous national security review risk assessments, consultations and notifications in different industries.

REPRESENTATIVE MATTERS AND CASES

National Security Review

- Assisted a multinational enterprise in the PRC national security review notification for its acquisition of a Chinese high-tech enterprise
- Represented an internationally renowned investment fund in the PRC national security review notification for its acquisition of a Chinese commercial real estate project
- Represented an internationally renowned investment fund in the PRC national security review notification for its acquisition of a Chinese pharmaceutical retail chain enterprise
- Represented two leading investment funds in the PRC national security review consultation for a privatization project of a well-known internet platform enterprise
- Represented an internationally renowned port enterprise in the PRC national security review consultation for its construction of a container terminal project in China

- Provided advisory and risk assessment related to national security review for dozens of foreign investment acquisition projects, involving various industries such as real estate, internet, information technology, retail, infrastructure, new materials, medical and life sciences

Government Enhancement and Crisis Management

- Provided legal services to a large state-owned enterprise in response to an overseas anti-corruption investigation
- Represented a leading shipping company in an administrative investigation by the Shanghai Administration for Market Regulation into alleged commercial bribery
- Represented a leading international hotel management group in response to an administrative investigation by Shanghai's relevant law enforcement authorities in relation to advertising and cyber security
- Represented a major hotel management group in response to an administrative investigation by Shanghai Administration for Market Regulation into alleged advertising violations
- Provided legal services to an internationally renowned auto parts manufacturer in response to the administrative enforcement of the Baotou city administration department's demolition of illegal buildings
- Represented a leading fund company in response to an administrative investigation by the China Securities Regulatory Commission into alleged securities violations
- Represented a “Big Four” accounting firm in connection with the China Securities Regulatory Commission’s investigation of its audit responsibilities in the annual reports of listed companies
- Represented a well-known investment institution in responding to an administrative investigation by the local natural resources department regarding its alleged illegal use of land
- Represented a major real estate company in response to an administrative investigation by Shanghai Administration for Market Regulation into alleged false advertising and infringement of consumer rights in the sale of its commercial properties
- Represented a large e-commerce platform company in response to an administrative investigation by Beijing Administration for Market Regulation into its alleged price violations
- Assisted an internationally renowned accommodation booking platform in responding to an administrative investigation by the market regulatory department regarding its alleged illegal advertising
- Assisted a well-known internet recruitment platform in responding to a crisis event triggered by its exposure in the CCTV “3.15 News Evening”
- Handled more than 10 cases of administrative penalties for failure to merger filing matters in accordance with the anti-monopoly law during the tenure at the Ministry of Commerce

Administrative Reconsideration and Administrative Litigation

- Represented a large real estate development company in an administrative review case concerning construction project planning changes
- Represented a wastewater treatment enterprise in its application for administrative reconsideration of a local environmental protection department’s decision to impose an administrative penalty for air emissions violations
- Represented a large trust company in an administrative review case by the banking regulator regarding the permission to change its charter
- Represented several rating professionals from a well-known credit rating agency to apply for administrative reconsideration of an administrative penalty decision made by the local securities regulatory authority
- Represented several senior executives from two large asset management institutions to apply for administrative reconsideration of an administrative penalty decision made by the local securities regulatory authority
- Represented professionals from a fund management company to apply for administrative reconsideration of securities regulatory measures made by the local securities regulatory authority
- Represented a leading international investment bank in applying for administrative reconsideration and filing administrative litigation against the taxation decision of a local taxation authority in Anhui Province
- Represented a leading international environmental protection company in an administrative lawsuit against a

penalty decision made by a local environmental protection department in Xinjiang
- Represented a large real estate development company in a series of administrative litigation cases involving land management, planning acceptance, and environmental acceptance
- Represented a leading high-tech enterprise in administrative review and administrative litigation proceedings involving its business registration change
- Represented a leading international tire manufacturer in an administrative proceeding involving its tire recall
- Represented a well-known pharmaceutical manufacturing company in an administrative litigation related to the quality of its pharmaceutical products
- Handled dozens of administrative reconsideration cases, business areas involving administrative penalties, administrative licenses, information disclosure, anti-dumping, international bidding for electromechanical products, etc.
- Represented the Ministry of Commerce in dozens of administrative litigation cases, covering areas such as foreign investment approval, information disclosure, anti-dumping, and performance of statutory duties

Regulatory Compliance System Building

- Provided legal services related to compliance system building for a large state-owned enterprise
- Provided legal services related to compliance risk identification and compliance inspection for a large port enterprise
- Provided legal services related to compliance system building for a well-known domestic consumer electronics enterprise
- Provided legal services related to compliance risk identification for a large food enterprise
- Provided legal services related to compliance risk identification and effectiveness evaluation of compliance systems for a large logistics enterprise
- Provided comprehensive legal services related to compliance risk inspection for a well-known internet platform enterprise
- Provided legal services as a third-party monitor to the compliance non-prosecution project of a large state-owned enterprise
- Conducted a special compliance inspection on safety production for a leading smart car wash enterprise
- Provided legal services related to compliance risk identification for an internationally renowned chemical enterprise

Regulatory Compliance Advice

- Assisted a leading fin-tech company in establishing an export control compliance management system
- Provided legal services related to China’s export control laws for several well-known domestic and foreign enterprises
- Provided legal services related to China’s sanctions and countermeasures for several multinational enterprises
- Provided legal services related to export control and sanctions for an internationally renowned automobile manufacturer
- Provided legal services related to supply chain compliance for a well-known multinational enterprise
- Provided legal services related to supply chain compliance for a large state-owned enterprise
- Provided legal services related to anti-commercial bribery for several well-known domestic and foreign enterprises
- Provided legal services related to advertising compliance for a large number of well-known domestic and foreign enterprises
- Provided legal services related to pyramid selling for a large alcohol production enterprise
- Provided environmental compliance consulting services for a large food production enterprise
- Provided legal services related to China’s technology exports for a well-known U.S. company

- Provided legal services for a multinational real estate enterprise in government planning changes and land acquisition procedures
- Provided legal services related to China’s mandatory product certification for a well-known children’s product manufacturer
- Provided legal services related to volatile organic compound emissions for an internationally renowned chemical company
- Provided legal services related to pollutant discharge permits and environmental responsibility for a multinational new energy enterprise
- Provided legal services for a medical investment platform under CITIC Capital to apply for an administrative license for foreign investment in domestic investment
- Provided legal services related to the management of hazardous chemicals for a multinational energy company
- Provided ongoing compliance legal services for several large state-owned and private enterprises