

萧子谦 大律师

牛津大学文学士
香港中文大学法律 JD
香港中文大学法学专业证书

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Year Of Call:
2011

Practice Areas: Company Law and Insolvency, Chancery,
Family Law, Intellectual Property, Securities Law, Land Law,
Tort Law



萧子谦大律师执业重点为商事及民事法。萧大律师执业经验涉及土地、公司、证券、遗嘱认证、家庭、知识产权、公法以及人身伤亡等各类民事案件。萧大律师执业重点领域为土地法，他经常参与土地法的聆讯并在土地审裁处有丰富的审讯经验。

在成为大律师之前，萧大律师曾在香港政府担任四年政务主任。

Expertise:

职务及任命

- 小额钱债审裁处暂委审裁官（2017年9月-12月）
- 香港仲裁司学会资深会员
- 信托与财产执业者协会成员

重要案件

清盘与破产

- Re Hong Kong Pak Tat Trading Co [2020] HKCFI 287: Acted for a liquidator in resisting a removal application by the petitioner, who was dissatisfied with the liquidator's decision to sell the company's only asset in the form of its shareholding in a PRC subsidiary.
- Re Ho Yuk Wah David [2019] 1 HKLRD 961: Acted for the respondents in resisting the trustees' application for production of documents, clarifying the scope of the court's jurisdiction in making a disclosure order.
- Re CW Advanced Technologies Limited [2018] 3 HKLRD 552 Acted for the Bank of China in appointing provisional liquidators, in this first ever decision reflecting on the interaction between the Singapore insolvency regime and the Hong Kong provisional liquidation regime
- Re Lee Siu Fung, Siegfried [2017] 1 HKLRD 1155 Acted for the trustees in obtaining an order for

private examination against the patriarch of the Siu Fung Group

商事法与公司法

- Yung Siu Wa v Raffles Family Office Limited [2018] 5 HKLRD 816 Acted for the defendants in dismissing an application by a director for inspection of documents on the ground that it was made for “improper purpose”
- Re Convoy Global Holdings Limited [2018] HKCFI 1729 Acted for a third party purchaser in dismissing an application for an injunction to restrain Convoy from disposing of its shareholding in another listed company
- Re China Shanshui Investment Company Limited [2018] HKCFI 1184 Acted for the former patriarch of the Shanshui group in obtaining a court-ordered EGM to facilitate the reconstitution of the board of a listed company
- Re Xinhua News Media Holdings Limited [2017] 5 HKLRD 153 Acted for Xinhua News Media in resisting a shareholder’s application to nominate directors, dealing with incorporation of terms into the articles of association
- Re Belgravia Properties Limited [2013] 5 HKLRD 337 Acted for the company in resisting an application for a court-ordered AGM, in this leading authority on the circumstances under which the court would order a meeting pursuant to the Companies Ordinance

衡平法

- Re Estate of Kong Wing Hong [2014] 2 HKLRD 517 Acted for the new executor in obtaining compensation from the former executor, dealing with the proper approach in interpreting tenancy agreements in the context of probate and administration

土地法

- 有利工業貨倉大廈業主立案法團 v 怡豐興業有限公司 [2019] HKLdT 10: Acted for the incorporated owners in obtaining an injunction to remove unauthorized structures on the external wall of an industrial building.
- Hao Tian Finance Company Limited v Win Again Limited [2019] HKCFI 76: Acted for a moneylender to recover a loan and to enforce a mortgage on a property.
- Re Estate of Kong Wing Hong [2014] 2 HKLRD 517: Acted for the executor, clarifying the law on the interpretation of tenancy agreements and implication of terms thereto in the context of probate and administration.
- Million Stars Technologies Limited v The Incorporated Owners of Century Industrial Centre [2017] 4 HKC 557 Acted for the management committee in dismissing an application for injunctions to restrain it from exercising its powers.
- National Resources Properties Limited v Ma Kwok Keung HCMP 1612/2014 Acted for the judgement creditor in enforcing by sale a lien on a property, dealing with issues on the scope and enforcement mechanism of a lien
- Party for Civic Rights and Livelihood of the People of Hong Kong Limited v China-Tech Surveyors

Limited HCMP 603/2012 Acted for the incorporated owners in staying a tenant's claim by invoking an arbitration clause in the deed of mutual covenants

民事訴訟程序

- Ng Yuk Keung v Yan Xiaojie [2018] 6 HKC 338 Acted for the plaintiff in resisting an application for stay pending the determination of related proceeding in the PRC
- Director of Immigration v Lam Hon Muk [2016] 5 HKC 98 Acted for the respondent in dismissing the application of the Director of Immigration to forfeit the respondent's vessel under the Immigration Ordinance
- Numeric City Limited v Lau Chi Wing [2016] 1 HKLRD 794 Acted for the defendant in dismissing an application for committal for having made a false statement verified by a statement of truth
- YN v NA [2014] 5 HKC 49 Acted for the appellant wife in setting aside leave to appeal granted to the husband, establishing that there is no jurisdictional obstacle to the bringing of an appeal from the grant of leave by the District Court

獎學金及獎項

- Lee Shau Kee Scholarship (2002-2005)
- Wadham College Undergraduate Scholarship (2003-2005)
- Henry Wai Prizes for Litigation and Professional Practice (1st Prize) (2010)
- Hong Kong Bar Association Prize for Trial Advocacy (2010)
- Boase Cohen & Collins Prize for Civil Litigation Practice (2010)

出版物及講座

- Author, “涉港商貿與歸復信託”, Shanghai Lawyer (2017)
- Author, “Sanctioned Offers”, LexisNexis Practical Guidance
- Contributor, “Trespass to Land”, Tort Law and Practice in Hong Kong (3rd Ed 2014)
- Contributor, “Contractual Remedies”, Hong Kong Construction Law (loose-leaf)
- Author, “The Law on Relocation of Children: Bringing about Change”, Hong Kong Lawyer (2012)
- Speaker, “Family Advocacy – Drafting & Advocacy in Children Law Cases”, with Deputy High Court Judge Carlson (22 October 2011)
- Author, “Principal-Agent Relationship in Corruption Law”, Archbold News (Hong Kong) (Issue 3 of 2011 Service, April 2011)

工作語言

廣東話；普通話；英語