

Frances Lok

B.A. (CUHK) First Class Honour (2002)
M.A. (Jurisprudence) (OXON) First Class Honour (2004)
LL.M. (HARV) (2005)
Postgraduate Certificate in Laws (HKU) (2006)

Email Address:

frances.lok@dvc.hk

Year Of Call:

2007 (Hong Kong)
2008 (3rd Judicial Dept., State of New York)
2010 (CEDR Accredited Mediator)

Practice Areas: Arbitration, Mediation, Chancery,
Commercial Law, Company Law and Insolvency,
International Trade, Ancillary relief and Injunctions,
Employment law



Frances practices mainly in commercial, company and insolvency areas, with experience in conflict of laws and jurisdictional disputes. She frequently handles matters concerning ancillary relief in aid of foreign proceedings and registration of PRC judgments.

Frances is experienced in trust, probate and shareholders' disputes. She regularly acts for listed companies, their shareholders and directors in winding up petitions, unfair prejudice petitions and derivative actions.

Frances speaks fluent Mandarin. She appears for banks, state owned enterprises and individuals in court hearings or arbitrations conducted in English or Chinese. Frances has experience in being engaged to provide legal opinions on Hong Kong law in PRC proceedings to assist the PRC courts.

Directory Quotes:

Frances Lok is acclaimed for being a “very effective and quite punchy” advocate, going on to praise her ability to “deal with difficult circumstances and clients very well.” She is held in high regard for her handling of insolvency and company law disputes, in addition to contentious probate and shareholder matters. She is praised as a counsel with “superb advocacy skill, whose meticulousness provides great assistance in her cross-examination.”

Chambers & Partners Asia Pacific (2021)

' Extremely well prepared, easy to work with and brilliant at cross-examination. In the Court of First Instance, Frances Lok, who is particularly active in cases with interfaces with the Mainland and covering questions of corporate governance, represented a judgment creditor in defeating an attempt to set aside the registration of a Beijing judgment for enforcement in Hong Kong. Frances Lok is recognised as a Leading Junior for Commercial Disputes.

Legal 500 Asia Pacific HK Bar (2021)

Frances Lok of Des Voeux Chambers is widely regarded as one of the junior Bar's most dependable members and maintains a "very busy practice," within which she is particularly well known, on the one hand as "a very worthy adversary" and "a tough, fierce fighter who makes her client's stance clear," and on the other as a barrister whose assiduous attention to detail means that "her cross-examination often exposes fallacies in testimony," while "her written work is always very solid and first-rate." Particularly prominent in company, insolvency and trust and probate-related disputes.

Chambers & Partners Asia Pacific (2020)

Frances Lok have been recognised by the Doyles Guide 2020 for Estates & Probate Litigation in the Recommended Junior Counsel category.

Doyles Guide (2020)

Frances Lok of Des Voeux Chambers operates a broad commercial practice of which company and insolvency matters and trust and probate issues occupy a substantial portion. Commentators concur in identifying two key characteristics of her work. The first is a "very conscientious" attention to detail which equips her particularly well to "analyse complex points of law." The second is her "incredibly fierce and effective" cross-examination style. She was one of the counsel acting for the plaintiffs in *K&L Gates v Melco Crown Gaming*, a complex recovery action arising out of large-scale embezzlement on the part of a former partner of the client firm.

Chambers & Partners Asia Pacific (2019)

Frances Lok of Des Voeux Chambers is identified as a "very tenacious advocate with impeccable academic credentials," whose clear and focused presentation ensures that "she

hits all the right points in a case." Particularly familiar with trust and probate issues alongside a broad commercial range, she acted successfully for CSSC Huangpu Wenchong Shipbuilding in a High Court Mareva injunction matter against Dry Bulk Services, a Hong Kong ship management company.

Chambers & Partners Asia Pacific (2018)

"Frances Lok of Des Voeux Chambers is described by one interviewee as a "very thorough, hard-working intellectual powerhouse" who "leaves no stone unturned" when handling a case, while others concur that she is "certainly very able." Noted for her expertise in the areas of company, probate and trust law, she recently represented the plaintiff in *Compania Sud Americana de Vapores SA v Hin-Pro International Logistics Ltd*, a widely reported case concerning creditors' winding-up petitions."

Chambers & Partners Asia Pacific (2017)

"Frances Lok of Des Voeux Chambers specialises in trust, probate and company disputes and is admired by sources as a "fearless and redoubtable" barrister who "stands her ground." One peer adds that she is "feisty and smart - a very able junior."

Chambers & Partners Asia Pacific (2016)

Expertise:

Selected Cases

- Convoy Global Holdings Ltd & Anor v Kwok Hiu Kwan & Anor [2020] HKCFI 1496 struck out a claim brought by a listed company and its subsidiary against the former's shareholders for declarations and injunctions based on s.131 of the Securities and Futures Ordinance.
- Re Margaret Chiu [2020] 2 HKLRD 1118 obtained bankruptcy order against a debtor who alleged (relying on s.6D(3) of the Bankruptcy Ordinance) that the judgment creditor unreasonably failed to accept her offer to compound.
- Ge Qingfu & Ors v L&A International Holdings Ltd & Ors [2019] HKCFI 808 defended a director of a listed company in a claim for breach of fiduciary duties by placing shares for an improper purpose.
- 黄书建 v 代威 [2019] HKCFI 1386 resisted a judgment debtor's application to set aside the registration of a judgment of the Higher People's Court of Beijing Municipality under the Mainland Judgments (Reciprocal Enforcement) Ordinance.

- In re Fonfair Company Limited [2018] HKCFI 358 acting for the minority shareholder, resisted two winding-up and unfair prejudice petitions.
- Hai Kuo Shipping 1201 Limited v Everwin Shipping (Hong Kong) Company Limited & Ors [2018] HKCFI 1906 obtained judgment for the owner of a bulk carrier against the defendants for breach of a Bareboat Charterparty, Memorandum of Agreement and a Deed of Guarantee.
- Verralls Amy v Maria Gina La Giglia [2018] 5 HKLRD 362 obtained security for costs for the administratrix under a will (the validity of which was challenged).
- Harbour Front Limited v Leung Yuet Keung & Ors HCA 1143/2016 (29/12/2017) struck out two common law derivative actions.
- Cosmigo Ltd v Monin Asia KL SDN BHD HCMP 905/2017 (8/11/2017) obtained indemnity costs in an application to set aside a statutory demand.
- Liu Qian v Sunway International Holdings Limited CACV 88/2017 (1/9/2017) set aside a summary judgment entered against a listed company, the claim of which was based on the company's alleged failure to honour certain convertible notes.
- 好好國際物流股份有限公司 & Anor v Avere Trust Group Limited HCMP 586/2016 (7/2/2017) obtained judgment including declarations and injunctive relief for a Taiwanese logistic company against a trust company in Hong Kong for breach of a Trust Deed.
- Yu Cho Lam v Commissioner of Police & Ors [2016] 1 HKLRD 257 acted as *Amicus Curiae* of the Court of Appeal in a case concerning apparent bias.
- Bank of China Ltd v Yang Fan [2016] 3 HKLRD 7 resisted an application to discharge a Mareva injunction in aid of PRC proceedings.
- CSCC Huangpu Wenchong Shipbuilding Co Ltd v Dry Bulk Services Limited (formerly known as KC Maritime Limited) HCMP 1626/2016 (19/12/2016) obtained a worldwide Mareva injunction with ancillary disclosure order in aid of arbitration proceedings in London.
- Compania Sud Americana De Vapores S.A. v Hin-Pro International Logistics Limited (2016) 19 HKCFAR 586 on appeal to the Court of Final Appeal, restored the freezing injunctions granted *ex parte* at first instance (subsequently discharged inter partes which decision was upheld by the Court of Appeal) under s.21M of the High Court Ordinance.
- Re Hin-Pro International Logistics Ltd [2016] 1 HKLRD 1367; [2016] 5 HKLRD 282 obtained leave to amend a creditor's winding-up petition to include post-petition debts.
- Re Leung Yat Tung [2016] 4 HKLRD 462 obtained priority payment under s.38(5B) of the Bankruptcy Ordinance for a petitioning creditor.
- Lee Sai Nam v Li Shu Chung & Anor HCA 1711/2009 (9/12/2015) resisted a claim in money had and received, knowing receipt of trust properties and dishonest assistance.
- WCL Corporation Ltd v Zhou Jia Jin HCA 1442/2014 (17/9/2014) resisted an application to discharge an *ex partes* Mareva injunction.
- Standard Bank Offshore Trust Company Jersey Ltd as Trustee of the St George's Settlement v Belgravia Properties Ltd [2013] 5 HKLRD 337 obtained order under s.111(2) of the then Companies Ordinance (Cap. 32) for a court ordered annual general meeting.
- Re Wan Sing Hon [2010] 4 HKLRD 621 application for grant *ad colligenda bona* and injunctions.
- Chinachem Charitable Foundation Ltd. v Chan Chun Chuen [2009] 4 HKLRD 149 obtained

specific discovery under the principles stated in *Re Fuld (No.2)* [1965] P 405.

- *Re Wong Shui Pui* HCCA 2138/2007 (18/8/2008) resisted an application under s.36 of the *Probate and Administration Ordinance* and NCPR r.44.
- *A v The Securities and Futures Commission & Anor* [2008] 1 HKLRD 591 acted for the SFC in a judicial review and clarified the scope of its power to insist on an interview being audio recorded.

Scholarships and Awards

- Middle Temple Scholarship (2007)
- Bar Scholarship (2006)
- The Advocacy Institute of Hong Kong Prize in Advocacy (2006)
- Sir Edward Youde Memorial Fellowship (2004)
- Rhodes Scholarship (2002)