

Patrick Fung BBS, SC, QC, FCIArb

LL.B. (Hons.)(Lond.)

Fellow of the Chartered Institute of Arbitrators

Admitted to the Bar in Singapore (1995)

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Year Of Call:

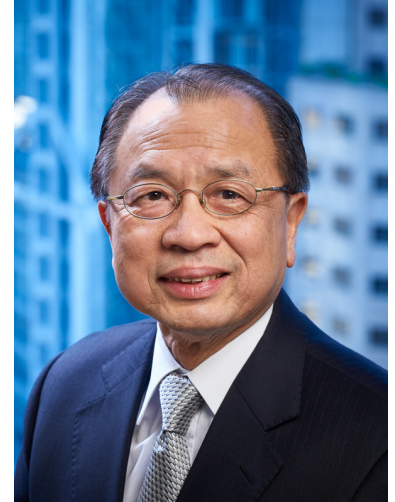
1968 (England and Wales)

1970 (Hong Kong)

1995 (Hong Kong Inner Bar)

1995 (Singapore Bar)

Practice Areas: Arbitration , Mediation, Chancery, Commercial Law, Company Law and Insolvency, International Trade, Land & Planning Law, Securities Law, Common Law, Liquidation and Receivership, Real Property, Compulsory Sale for Redevelopment, Conveyancing, Probate & Trusts, Charities, New Territories Law, Chinese Law and Custom , Administrative Law, Town Planning



Patrick Fung BBS, SC, QC, FCIArb has been in practice at the Bar for over 40 years and at the Inner Bar for over 20 years.

In the course of his career, he has dealt with a great variety of cases involving many branches of the law, spanning over fields of company and commercial law, liquidation and receivership, real properties, trust, probate and charities, Chinese law and custom and New Territories law, judicial reviews etc. and has taken part as Counsel in public inquiries such as the Hong Kong University Inquiry (2000) and the Hong Kong Institute of Education Inquiry (2007) both investigating into allegations of interference with academic freedom.

He is skilled in dealing with cases involving the use of English and Chinese (Cantonese and Putonghua) the number of which has increased considerably in the Courts since the Handover in 1997. He is particularly well-known for handling Chancery cases, especially conveyancing, trust, probate and companies cases. He also appears often in the Lands Tribunal conducting cases under the Land (Compulsory Sale for Redevelopment) Ordinance 545.

Besides acting as an advocate, he is also experienced in performing judicial and semi-judicial functions. He was a Recorder of the Court of First Instance of the High Court from 2006 to 2014. He had presided over appeals to the Inland Revenue Board of Review, the Securities and Futures Appeal Tribunal, the Appeal Tribunal (Buildings) and the Town Planning Appeal Board for many years. He also acts as an Arbitrator from time to time and is on the HKIAC Panel of Arbitrators. He still sits as a

Deputy High Court Judge from time to time.

Expertise:

Selected Cases

As Counsel

- **Brain Future Limited v. Century Crown Limited** [1999] HKCU 1341 C.A.
CACV 196/1999 Date: 20/10/1999
- **Mandecly Limited and another v. Hao Wei and others** [2006] HKCU 1395 and [2007] HKCU 1865
HCA 1216/2006 (17/08/2006) and CACV 347/2006 (13/11/2007)
- **Lam Ping Cheung Andrew v. The Law Society of Hong Kong**
HCAL 121/2006 Date: 22/12/2006
- **China Merchants Kin Swiss Transportation Co. Ltd. and another v. Treasure Wise Limited and others** [2008] 4 HKLRD 9
HCA 344/2007 Date: 11/01/2008
- **China Merchants Kin Swiss Transportation Co. Ltd. and another v. Treasure Wise Limited and others**
CACV 66/2008 Date: 18/07/2008
- **China Merchants Kin Swiss Transportation Co. Ltd. and another v. Treasure Wise Limited and others** [2009] 2 HKLRD 462
HCA 344/2007 Date: 20/11/2008
- **Sun Lee Kyoung Sil v. Jia Weili** [2010] 2 HKLRD 30 and [2010] 2 HKC 117
HCA 1768/2009 Date: 22/01/2010
- **Lee Tak Yee v. Lee Tak Yan and others**
HCA 766/2008 Date: 10/03/2010
- **So Yee Mui and others v. Lam Pui Chi**
HCAP 7/2008 Date: 01/12/2010
- **Wang Mei Na v. Tang Mu Lien alias Julie Tang and others**
HCA 421/2010 Date: 27/01/2011
- **Gao HoiYan and another v. Keeneye Holdings Limited and another**
HCCT 41/2010 Date: 12/04/2011
- **Fok Chun Yue Benjamin v. Fok Chun Wan Ian and others**
HCA 2155/2011 Date: 03/01/2014
- **Chinachem Charitable Foundation Ltd v. The Secretary for Justice and others**; Reported in : (2015) 18 HKCFAR 169
FACV 9/2014 Date: 18/05/2015
- **Cheer Capital Ltd v. Unibase Investment Ltd and others**
LDCS 5000 and 6000/2013 Date: 12/06/2015
- **Group Leader Limited and another v. Hui Sun Fat and Leung Chun Ha and another**

CACV 61/2015 and CACV 110/2015 Date: 16/03/2016

- ***Nuoxi Capital Ltd v Peking University Founder Group Co Ltd*** [2021] HKCFI 381
HKCFI 381 Date: 17/12/2021

As Recorder or Deputy High Court Judge

- ***Chau Hoi Shuen, Solina Holly v. Seec Media Group Limited***

HCA 1194/2010 Date: 15/11/2012

(upheld by Court of Appeal in CACV 275/2012 and Court of Final Appeal in FACV 7/2015)

- ***Waddington Ltd v. Chan Chun Hoo Thomas and others***

HCA 3291/2003 Date: 18/12/2013

(upheld by Court of Appeal in CACV 10/2014 and Court of Final Appeal in FAMV 49/2016)

- ***Totalcorp (Nominees) Ltd v. Hong Kong Sai Kung Ngong Wo Resort Development Ltd***

HCMP 674/2017 Date: 12/03/2020

For other cases conducted by Patrick Fung S.C. as Counsel or decided by him as Recorder, please visit the Judiciary Website at <http://legalref.judiciary.gov.hk/lrs/common/ju/judgment.jsp> or <http://www.lexisnexis.com.hk> and use the “Advanced Search” function for a list of the cases in which the name “Patrick Fung S.C.” or “Patrick Fung” has appeared.

Memberships & Appointments

- Arbitrator of Shanghai International Economic and Trade Arbitration Commission (also known as the Shanghai International Arbitration Center) (“SHIAC”) (current)
- Member of the Advisory Committee on Complaints against Judicial Conduct (current)
- Member of the Beijing Municipal Committee of the Chinese People’s Political Consultative Conference (10th and 11th Sessions)
- Recorder of the Court of First Instance of the High Court (2006 - 2014)
- Deputy Chairman of the Town Planning Appeal Board Panel (2005-2011)
- Member of the Antiquities Advisory Board (2005-2010)
- Chairman of the Appeal Tribunal Panel (Buildings) (2003 - 2010)
- Deputy Chairman of the Securities & Futures Appeal Panel (2003 - 2006)
- Deputy Chairman of the Takeovers Appeal Committee (2002 - 2003)
- Deputy Chairman of the Inland Revenue Board of Review (2001 - 2006)
- Chairman of the Mandatory Provident Fund Schemes Appeal Board (1999 - 2005)
- Stock Exchange of Hong Kong Limited - Member of Listing Committee and Member of Working Party on Corporate Governance (1994 - 1996)
- Member of the Law Reform Commission of Hong Kong - Sub-Committee on Control of Exemption Clauses (1983 - 1986)
- Hon. Secretary of the Hong Kong Bar Association (1975)

Publications, Lectures & Talks

- **“6 Things You Need To Know About Cross-Jurisdictional Inheritance & Administration of Estate in 60 mins”** delivered at Des Voeux Chambers (14 July 2017)
- **“Litigation/Arbitration in the Maritime World”** delivered at Hong Kong Maritime Week 2018 organized by The Hong Kong and Mainland Legal Profession Association (20 November 2018)
- **“Talk on Aspects of International Arbitration”** delivered at Peking University International Commercial Dispute Resolution 2021 (10 April 2021)
- **“Talk on Aspects of Arbitration Agreement”** delivered at Peking University International Commercial Dispute Resolution 2022 (19 March 2022).

Languages

English, Cantonese, Putonghua