

Patrick Siu

BA (Oxon)
JD (CUHK)
PCLL (CUHK)
PgD in EU Competition Law (KCL)

Email Address:

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Year Of Call:

2011

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



Patrick has a predominantly civil practice and has been involved in such high-profile commercial cases as the Shanshui, Convoy and Hsin Chong litigations. He regularly acts for liquidators and trustees in insolvency and bankruptcy matters, and he has been involved in large-scale disputes relating to the bankruptcies of Lee Siu Fung, James Ting and David Ho.

Patrick is experienced in regulatory matters, particularly securities and competition disputes. He has represented directors and listed companies in hearings before the Securities and Futures Commission and the Hong Kong Stock Exchange, as well as in court proceedings. He is involved in the defence against a Competition Tribunal enforcement action in relation to an alleged air conditioning works cartel.

Patrick has a growing practice in international arbitration. He has conducted arbitrations, both as arbitrator and counsel, pursuant to the UNCITRAL Arbitration Rules and the HKIAC Administered Arbitration Rules on a wide range of cases. He is a fellow of both the Chartered Institute of Arbitrators and the Hong Kong Institute of Arbitrators, and he has been included in the list of arbitrators of HKIAC and the Financial Dispute Resolution Centre.

Before he joined the bar, Patrick was an administrative officer with the Hong Kong Government for four years. Drawing on his civil service experience, he has acted for both the Government and private parties in public law matters. He is also currently sitting on various administrative appeal body and tribunals.

Patrick studied economics at the University of Oxford and graduated with first class honours. He subsequently obtained his PCLL from The Chinese University of Hong Kong with distinction and a postgraduate diploma in EU competition law from King's College London.

Expertise:

Membership and Appointments

- Adjudicator, Registration of Persons Tribunal (December 2020 - present)
- Member, Review Body on Bid Challenges (January 2020 - present)
- Chairman, Appeal Tribunal Panel (Buildings) (December 2018 - present)
- Deputy Adjudicator, Small Claims Tribunal (September - December 2017)
- Fellow, Chartered Institute of Arbitrators (FCI Arb)
- Fellow, Hong Kong Institute of Arbitrators (FHKI Arb)
- Full Member, Society of Trust and Estate Practitioners (TEP)

Selected Cases

Insolvency and Bankruptcy

- 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

Commercial and Company

- 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

Chancery

- 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

Land Law

- 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

Civil Procedure

- 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

Scholarships & Awards

- 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)

Publication/ Lectures/ Talks

- Author, "Liability of Private Equity Investors for Breaches of Competition Ordinance", Hong Kong Lawyer (2019)
- Author, "涉港商貿與歸復信托", 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)

Languages

Cantonese, Mandarin, English