



ASTINA AU 區詩婷大律師

Call: 2016 (HK)

PROFILE

Astina maintains a broad civil practice, particularly in commercial and company matters, and has also handled cases relating to land, probate, trust, family and defamation. She has appeared as a sole advocate before the Court of Appeal, Court of First Instance, and District Court. Her practice extends to cross-border arbitration as well.

Astina received her BBA(Law) and LL.B. from the University of Hong Kong and her LL.M. from Harvard Law School. During her studies, she was awarded 10 advocacy prizes from international and local mooting competitions, including the Champion title and Overall Best Oralist award at the North American Regional Grand Final of the 13th ELSA WTO Moot Court Competition (where she represented Harvard Law School).

CONTACT

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SECRETARY

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PRACTICE AREAS

- Commercial
- Company
- Injunction / Contempt
- Insolvency
- Probate / Succession
- Securities & Regulation
- Arbitration
- Banking / Finance
- Building / Construction
- Civil Fraud / Asset Recovery
- Conflict of Laws
- Confidentiality / Privacy
- Defamation / Media
- Disciplinary
- Discrimination
- Employment
- Equity / Trust
- Mental Health
- Property & Conveyancing
- Professional Liability

- Restitution / Unjust Enrichment

APPOINTMENTS AND PUBLIC OFFICE

- Member of the Management Committee, Consumer Legal Action Fund (2021 to present)
- Member, Committee on Financial and Securities Law, Hong Kong Bar Association (2020 to present)
- Coach for the University of Hong Kong team in the Philip C. Jessup International Law Moot Court Competition (2018 to present)

EDUCATION

PCLL (Distinction), The University of Hong Kong

LL.M., Harvard Law School

LL.B., The University of Hong Kong

BBA (Law), The University of Hong Kong

PUBLICATIONS AND ARTICLES

- Contributing Editor, *Hong Kong Civil Procedure* (2018 to present)
- Contributing Editor, *Annotated Ordinance of Hong Kong – Sale of Goods Ordinance* (Cap. 26) (2017-2018)
- Contributing Editor, *Annotated Ordinance of Hong Kong – Transfer of Business (Protection of Creditors) Ordinance* (Cap. 49) (2017-2018)
- Contributing Editor, *Annotated Ordinance of Hong Kong – Control of Exemption Clauses Ordinance* (Cap. 71) (2017-2018)
- Contributing Editor, *Annotated Ordinance of Hong Kong – Supply of Services (Implied Terms) Ordinance* (Cap. 457) (2017-2018)
- Contributing Editor, *Annotated Ordinance of Hong Kong – Contracts (Rights of Third Parties) Ordinance* (Cap. 623) (2017-2018)

SCHOLARSHIP AND PRIZES

2015	Bar Scholarship
2015	The Victor and William Fung Fellowship
2015	Champion and Overall Best Oralist of the North American Grand Finals of the 13 th ELSA WTO Moot Court Competition
2014	HKSAR Government Scholarship
2014	HKU Alumni Prize
2013	Champion of ESU-Essex Court Chambers National Mooting Competition
2012	HKU Worldwide Exchange Scholarship
2012	Dean's Honours List
2011	Champion and Best Oralist of the Basic Law Mooting Competition

LANGUAGES

SELECTED CASES

COMMERCIAL

- *Easy One Finance Limited & Ors v Luk Wing Kee Andrew & Ors*, HCA 421/2020: Application for interim mandatory injunction for enforcing the mortgagees' power of sale (led by Paul Lam SC)
- *Poben Consultants Ltd and Others v The Clearwater Bay Golf & Country Club*, [2019] 1 HKLRD 1110: Appeal against the CFI's decision refusing to expunge evidence on the ground of without prejudice privilege in the context of a case involving private club debentures (led by Horace Wong SC)
- *Chow How Yeen Margaret & Ors v Wex Pharmaceuticals Inc & Anor*, [2018] 3 HKLRD 163: Resisting an appeal in an action for damages for fraudulent misrepresentations (with Leo Remedios)
- *Shih-Hua Investment Co Ltd v Zhang Aidong and Ors*, HCA 2682/2016: Application to enforce undertaking as to damages after discharge of two *ex parte* injunction orders (led by Victor Joffe QC)
- *Herbert Smith Freehills v Chris Au & Anor*, HCA 3030/2015: Application for discharge of post-judgment worldwide *Mareva* injunction (sole advocate)

PROPERTY & CONVEYANCING

- *Yeung Hock Wai v Chan Wai Man, the Administratrix of the Estate of Yeung Hung Hei Patrick, Deceased*, HCA 2812/2015: Trial concerning existence and enforceability of a gift of land allegedly subject to conditions subsequent; issues of limitation and laches (led by Paul Lam SC)
- *Yuen Kwok Leung Eric & Anor v Chu Kwok Kee Kookie, the Personal Representative of Ming Chor Pao*, HCA 1637/2015, [2020] 1 HKLRD 573: Trial on issues of, *inter alia*, *locus standi* of a person purporting to represent estate of a deceased and the obligation to give and show good title under a sale and purchase agreement (sole advocate)
- *Lu Xiaohua, The Administratrix of the Estate of Wong Yiu Chung v Serawak (K.T.) Company Limited*, DCCJ 1060/2014: Trial of an adverse possession claim (sole advocate)

PROBATE / SUCCESSION

- *Re Estate of Wong Shou Chen* [2020] HKCFI 2410: 18-day trial concerning validity of 5 wills challenged on the bases of, *inter alia*, lack of testamentary capacity, want of knowledge and approval, undue influence, presumed revocation (led by Horace Wong SC, with Benjamin Chain)
- Advised trustees on an intended application to vary a provision of a will under the Variation of Trusts Ordinance (Cap. 253) (led by Horace Wong SC)

CONFLICT OF LAWS

- *Shi Jiu Xing v Hong Kong A-Sun Group Co. Ltd & Ors*, HCMP 44/2020, HCMP 178/2020: Resisting stay of proceedings pending resolution of PRC proceedings in an application for rectification of share register and convening of AGM (led by Laurence Li SC)
- *Chen Hongqing v Liu Yiu Keung Stephen & Ors*, [2021] HKCFI 440, HCA 1699/2019: Resisting application for joinder in an application for enforcement of PRC judgment (led by Paul Lam SC, with Vincent Lung)

COMPANY

- *Shih-Hua Investment Co Ltd v Zhang Aidong and Ors*, HCA 2682/2016: Application to strike out common law derivative action on grounds that alleged wrongdoer no longer in control after reconstitution of board and to discharge *Mareva* and proprietary injunction orders on grounds of abuse of process and material non-disclosure (led by Victor Joffe QC, with Justin Ho)
- *Xu Liu Chun v Wu Chang Jiang & Anor*, HCMP 3166/2014: Opposing an unfair prejudice petition brought under s.724 of the Companies Ordinance (Cap. 622) (with Paul Wu and Martin Wong)
- *Zhang Liqin v The Registrar of Companies & Ors*, HCMP 1910/2017: Application for restoration of company to the Companies Register pursuant to s.765 of the Companies Ordinance (Cap. 622) (sole advocate)

PROFESSIONAL LIABILITY

- Acting for the Plaintiffs in relation to a professional negligence claim against auditors for breach of duties arising from failure to identify misstatements in the accounts of a group of companies purportedly owning significant plantation assets (ongoing)

EQUITY / TRUST

- *Lau Koon Ying Matthew v Lau Tark Wing & Ors*, HCA 2305/2012, HCA 2306/2012, HCAP 23/2013: Appeal against an award of compound interest on the taking of accounts (led by Paul Lam SC)

DEFAMATION / MEDIA

- *Pac-Fung Feather Company Limited v The Incorporated Owners of Hoi Luen Industrial Centre & Anor*, DCCJ 1445/2013: Trial of a defamation and malicious falsehood claim involving defences of justification, qualified privilege (led by Horace Wong SC, with Paul Mak)

BUILDING / CONSTRUCTION

- *KH Foundations Ltd v Chun Yip Construction Company Ltd* HCCT 43/2019 – dispute arising out of a construction project for a residential development at Deep Water Bay Drive which involves claim sums of over \$200 million (ongoing)
- Represented a construction company in an arbitration arising from a dispute under a sub-contract with contract sum of over \$100 million (ongoing)