



## SARA TONG 唐思佩大律師

Call: 2003 (HK)

Solicitor: 2001 - present (England & Wales); 2002-2003 (HK)

Member of the HKIAC List of Arbitrators

### PROFILE

Sara Tong has a broad commercial practice and has advised and appeared in cases involving a wide range of commercial matters, including contractual disputes, banking and finance, corporate and shareholders' disputes, liquidations and bankruptcies, conveyancing, employment matters and arbitration. She also has experience in other areas such as judicial review, professional negligence and disciplinary matters, conflicts of laws, contempt proceedings, defamation, wills and probate, trusts, proceedings under the Mental Health Ordinance, as well as matrimonial matters. She has appeared in all levels of Courts in Hong Kong as well as in various specialist and disciplinary tribunals. She is also appears as counsel in arbitrations and sits as arbitrator in commercial disputes.

### CONTACT

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### PRACTICE AREAS

- Commercial
- Company
- Insolvency
- Public Law / Judicial Review
- Equity / Trust
- Property & Conveyancing
- Probate / Succession
- Conflict of Laws
- Professional Liability
- Disciplinary
- Injunction / Contempt
- Employment
- Banking / Finance
- Charity
- Arbitration
- Mental Health
- Civil Fraud / Asset Recovery
- Securities & Regulation
- Defamation / Media
- Confidentiality / Privacy
- Restitution / Unjust Enrichment

## APPOINTMENTS AND PUBLIC OFFICE

- 2020 Temporary Deputy Registrar of the Court of First Instance
- 2019 – 2021 Co-opted Member of the Consumer Council (Legal Protection Committee)
- 2018 – present Lecturer on Administrative Law, University of Hong Kong
- 2018 – present Chairman of the Appeal Tribunal Panel (Buildings Ordinance)
- 2018 – present Member of the Appeal Board Panel (Town Planning)
- 2018 – present Member of the HKSAR Passports Appeal Board
- 2018 – present Member of the Criminal and Law Enforcement Injuries Compensation Boards
- 2017 – present Panel Counsel for the Hong Kong Monetary Authority
- 2016 – present Adjudicator of the Registration of Persons Tribunal
- 2016 – 2018 Member of the Appeal Panel (Housing Ordinance)
- 2015 – 2021 Member of the Board of Review (Inland Revenue Ordinance)
- 2015 – 2017 Member of the Disciplinary Board Panel (Land Survey Ordinance)
- 2007 – present Representative of Hong Kong Bar Association on the Steering Committee on Land Titles Ordinance
- 2018 – present Member of the Committee on Company Law, Hong Kong Bar Association
- 2018 – present Member of the Committee on Land, Trust and Probate, Hong Kong Bar Association
- 2020 – present Member of the Committee on Constitutional Affairs and Human Rights, Hong Kong Bar Association
- 2020 – present Member of the Committee on Financial and Securities Law, Hong Kong Bar Association
- 2007 – 2009 Part-time tutor at University of Hong Kong

## EDUCATION

- 1995 - 1998 University of Cambridge, Robinson College  
*Master of Arts M.A. (Hons) Law (First Class in 2 years)*
- 1998 - 1999 University of Hong Kong  
*Postgraduate Certificate in Laws (PCLL) (Distinction)*

## PUBLICATIONS AND ARTICLES

- 2004 – Present Contributing Editor of the Hong Kong Civil Procedure (White Book)

## SCHOLARSHIP AND PRIZES

- 2003 Bar Scholarship
- 2003 Charles Ching Memorial Scholarship
- 1999 The Advocacy Institute of Hong Kong Prize in Advocacy (for the best performance in the PCLL advocacy course)
- 1999 Baker and McKenzie Postgraduate Prize (for the best performance in the PCLL Commercial Law and Practice course)
- 1999 IFA Prize in Revenue Law (for the best performance in the PCLL Revenue Law course)
- 1996 - 1998 Cambridge University, Robinson College Scholarship
- 1996 - 1998 Cambridge University, Robinson College Law Prize
- 1996 - 1998 Cambridge University, Rebecca Flower Squire Scholarship

1995 - 1998 Prince Philip Scholarship

1995 - 1998 Cambridge Commonwealth Trust Scholarship

## LANGUAGES

Fluent in English, Cantonese and Putonghua

## SELECTED CASES

### COMMERCIAL

- *Zillion Global Ltd v. UBS AG* [2020] HKCFI 953
- *Brave Venture Ltd v. Xinhua News Media Holdings Ltd & Ors* [2017] 5 HKLRD 153, CAMP 42/2017
- *Daimler AG (formerly known as Mercedes Benz AG) v. Leiduck & Anor* [2018] 1 HKLRD 1188; [2018] 1 HKLRD 40; [2013] 2 HKLRD 822 (CA); [2013] 5 HKC 170 (CA), 220, 242; [2012] 3 HKLRD 119; CACV 172/2011(CA); FAMV 36/2012 (CFA)
- *China Construction Realty Ltd v. Lucky Dragon Ltd & Others*, HCA 1237/2012
- *Shenzhen Zhaotian Investments Co. Ltd v. Henderson Land Development Co Ltd & Anor; Beijing Henderson Properties Co. Ltd. v. Strait Peaceful Reunification Foundation Ltd & Anor*, HCA 825/2008, HCA 899/2009
- *Shenzhen Futaihong Precision Industry Co. Ltd & Others v. BYD Co. Ltd & Others* [2012] 3 HKLRD 736 (CA), [2018] HKCA 408
- *Big Island Construction v. Wu Yi Development & Anor* [2010] 2 HKC 356; [2014] 2 HKLRD 1054 (CA); (2015) 18 HKCFAR 364 (CFA)
- *Credit Agricole Indosuez Shanghai Branch v. China Textile Machinery Co. Ltd & Anor* [2010] 2 HKLRD 965
- *Cityability Ltd v. Treasure Spot Investments Ltd*, HCA 1604/2007
- *Hornor Resources (International) Co. Ltd v. Savvy Resources Ltd* [2010] 4 HKC 50
- *Lam Pak Cheung v. Lin Zhen Lue & Others* [2009] 1 HKLRD 35
- *Hong Kong Housing Authority v. Sui Chong Construction & Engineering Co Ltd & Anor* [2008] 1 HKLRD 84
- *Active Profit Ltd v. Nissho Iwai Hong Kong Corporation Ltd & Others* (2006) 9 HKCFAR 653 (CFA)
- *Ericsson Ltd & Anor v. Klm Royal Dutch Airlines & Others* [2006] 1 HKLRD 584
- *Bunker Holdings Ltd v. Asia Pacific Seafood Management Ltd & Others* [2005] 2 HKLRD 423

### COMPANY

- *Re Pacific Bulk Lines Company Limited* [2020] HKCFI 1690
- *Chinaculture.com Ltd v. Lam Ting Ball & Ors* [2018] HKCFI 742
- *Re China Metal Recycling (Holdings) Ltd* [2015] 2 HKLRD 747
- *Shih-Hua Investment Co. Ltd v. Zhang Aidong & Ors* HCCW 198/2016
- *Yung Woon Kwai & Anor v. Yung Yui Kai & Ors*, HCMP 1685-1686/2009
- *AR Evans Capital Partners Ltd v. Gen2 Partners Inc.* [2012] 4 HKLRD 511
- *Kwok Tak Ming Joseph v. Cosmo-Technology Ltd & Others* [2009] 2 HKLRD 151
- *Yau Siu Chan v. Italina (Holdings) Ltd & Others* [2009] 1 HKLRD 307

### INSOLVENCY

- *Official Receiver v. Chan Man Yiu*, HCMP 1278/2010
- *Official Receiver v. Chan Kin Hang Danvil*, CACV 202/2011 (CA)
- *Official Receiver v. Steven Todd Krause* [2008] 5 HKLRD 147
- *Official Receiver v. Chan Hing To* [2008] 5 HKLRD 279 (CA)

### CONFLICT OF LAWS

- *DP World Djibouti FZCO & Ors v. China Merchants Port Holdings Co Ltd* [2020] HKCFI 639
- *China Medical Technologies Inc. (in liquidation) v. Paul Weiss, Rifkind, Wharton & Garrison LLP (a firm) & Anor* [2019] HKCFI 2631
- *Tremendous Success Holdings Ltd & Anor v. Sinosoft Technology Group Ltd & Ors* HCA 2345/2013

#### PUBLIC LAW / JUDICIAL REVIEW

- *Lo Ming Yin v. Hong Kong Examinations and Assessment Authority* [2020] HKCFI 1135
- *G & Ors v. Lam Kui-Po William, Deputy Chairperson of the Torture Claims Appeal Board & Anor* [2020] 2 HKLRD 118
- *Sunevision Holdings Ltd v. Hong Kong Science & Technology Parks Corporation* [2019] HKCFI 539
- *AW v. Director of Immigration & Anor* [2016] 2 HKC 393 (CA); [2018] HKCFI 2357
- *SS v. Director of Immigration* [2018] HKCFI 2357
- *HW, MST & Ors v. Director of Immigration*, HCAL 129, 156/2014
- *T v. Torture Claims Appeal Board*, HCAL 80/2015
- *MSSL v. Director of Immigration*, HCAL 211/2015
- *DI & Ors v. Director of Immigration*, HCAL 135/2015
- *Law Wan Tung v. The Director of Legal Aid*, HCAL 122/2015
- *Asia Television Ltd v. Communications Authority*, FAMV 23/2013 (CFA); [2013] 3 HKLRD 618 (CA); [2013] 2 HKLRD 354 (CA)
- *Billboard Advertising Management Ltd & Others v. Building Authority*, HCAL 114, 147, 148/2013
- *Nanik Darwati v. Secretary for Home Affairs*, HCAL 135/2012
- *Lei Chaohui v. Registration of Persons Tribunal & Others*, HCAL 97/2011
- *Bondson Technology Ltd v. Secretary for Justice*, CACV 249/2011 (CA)
- *Chiu Hung Kwan v. The Director of Food & Environmental Hygiene*, HCAL 107/2011
- *Chan Chiu Wah v. The Housing Authority & Anor* [2011] 3 HKLRD 259
- *Mok Charles Peter v. Tam Wai Ho & Anor* (2010) 13 HKCFAR 762 (CFA)
- *Martin Tao Ming Lee v. Secretary for the Civil Service & Anor*, HCAL 82/2010
- *Serge Berthier, Supervisor of Lantau International School v. Noise Control Appeal Board*, HCAL 117/2010
- *Dr. Chan Hei Ling Helen v. The Medical Council of Hong Kong* [2009] 4 HKLRD 174 (CA)
- *King Glare Ltd v. Secretary for Justice* [2008] 6 HKC 450

#### EQUITY / TRUST

- *Tao, Soh Ngun v. HSBC International Trustee Ltd* [2018] HKCA 691; [2018] 1 HKLRD 603
- *Law Shuk Hoi v. Lo Lok Fung Kenneth & Others* [2010] 4 HKLRD 316 (1<sup>st</sup> Instance); [2011] 5 HKLRD 23 (CA)

#### PROPERTY & CONVEYANCING

- *Win Profit Corporation Ltd v. World Orient Investment Ltd* [2012] 2 HKLRD 1053
- *Strong Beauty Ltd v. Gain Legend Industries Ltd* [2008] 1 HKLRD 570 (1<sup>st</sup> Instance); CACV 337/2007(CA)
- *Everwin Inc. Limited & Others v. MTR Corporation Limited*, CACV 218-230/2008 (CA)
- *Forever Business Ltd v. Long Surplus International Investment Ltd* [2007] 2 HKLRD 700 (CA)
- *Minchest Ltd v. Lau Tsui Kwai* [2006] 3 HKLRD 869 (1st Instance); [2007] 2 HKLRD 43 (CA); (2008) 11 HKCFAR 551 (CFA)
- *See To Keung & Anor v. Sunny Way Ltd* [2005] 4 HKC 535 (CA)
- *Nation Group Development Ltd v. Bank of East Asia Ltd* [2006] 2 HKC 486 (CA)
- *Sun Wealthy Ltd v. Galant Motors Ltd* [2006] 2 HKC 239 (CA)

#### PROFESSIONAL LIABILITY

- *Jim Chiu Yuen v. C.L. Chow & Macksion Chan (a firm) & Ors* [2018] HKCFI 215
- *New Century Credit Services Co. Ltd v. Yeung Hung & Ors* [2020] HKCFI 2651

#### DISCIPLINARY

- Acting in various disciplinary proceedings against accountants before the Disciplinary Committee of the Hong Kong Institute of Certified Public Accountants

#### MENTAL HEALTH

- *Re C.G.*, HCMH 44/2012
- *Re L.G.*, HCMH No.78 / 2012
- *Re LLC (statutory will)* [2010] 3 HKLRD 16; [2010] 4 HKLRD 400

#### PROBATE / SUCCESSION

- *Lee Charles v. Lee Yan Chun & Others* [2010] 1 HKLRD 415

#### EMPLOYMENT

- *Ho Chee Sing James v. Secretary for Justice* [2015] 4 HKLRD 311
- *Uferahal Ltd (formerly known as Hasselblad Asia Pacific (HK) Ltd v. Hansen* [2015] 1 HKLRD 683
- *Cantor Fitzgerald (Hong Kong) Capital Markets Ltd & Others v. Ainslie & Others*, HCA 41-44/2012, HCA 1160/2011

#### FAMILY / MATRIMONIAL

- *Hannelore De Lasala-Debring v. Ernest Ferdinand Perez De Lasala* [2014] 2 HKLRD 674
- *H v. W & Others*, HCMC 6/2008
- *HJFG v. KCY* [2012] 1 HKLRD 95 (CA); [2012] HKFLR 27
- *SMSE v. KL* [2009] 4 HKLRD 125 (CA); [2009] 5 HKLRD 770 (CA)
- *W v. H & Anor* [2009] HKFLR 230 (CA); [2008] HKFLR 329; [2008] HKFLR 378
- *H v. T*, FCMC 10524/2006

#### BUILDING / CONSTRUCTION

- *Incorporated Owners of Lee Hang Industrial Building v. Billion Development & Project Management Ltd* [2008] 3 HKC 391
- *Fung Yuet Hing v. Incorporated Owners of Hing Wong Mansion & Others* [2005] 4 HKC 339