



THOMAS WONG 王加豪大律師

Call: 2014 (HK)

Fellow of the Hong Kong Institute of Arbitrators

PROFILE

Thomas joined Chambers in 2016 after completing his pupillage with Mr Robert Pang SC, Mr Victor Dawes SC, Mr Bernard Man SC, Mr Edwin Choy SC and Mr Jonathan Winston Ah-Weng. From 2014 to 2015 he was a Judicial Assistant to the Court of Final Appeal and Court of Appeal. In 2020 he was appointed as a Judicial Associate to the Court of Appeal.

Thomas has a broad civil practice and accepts instructions in all areas of Chambers' work. He acts and advises in a wide range of commercial disputes, company matters, defamation claims, winding up and bankruptcy petitions, probate and property cases, and employment disputes. He has experience in urgent matters including obtaining and resisting interlocutory injunctive relief and appointment of provisional liquidators.

Thomas has appeared at all levels from the District Court to the Court of Final Appeal. He has been instructed to conduct civil trials (both as an advocate in his own right and as a junior counsel) in English and Chinese. He has advised on and appeared in arbitrations (including an arbitration conducted in Mandarin) under the UNCITRAL Arbitration Rules and the HKIAC Administered Arbitration Rules.

CONTACT

Email: twong@templechambers.com

Tel: [\(+852\) 2523 2003](tel:+85225232003)

SECRETARY

Name: Marian Lau

Email: marian@templechambers.com

PRACTICE AREAS

- Commercial
- Company
- Defamation / Media
- Injunction / Contempt
- Insolvency
- Property & Conveyancing
- Probate / Succession
- Arbitration
- Employment
- Banking / Finance
- Securities & Regulation
- Confidentiality / Privacy
- Building / Construction
- Professional Liability

- Public Law / Judicial Review

EDUCATION

2013 PCLL, University of Hong Kong
 2012 LLB, University of Hong Kong

PUBLICATIONS AND ARTICLES

- Contributing Editor, Hong Kong Civil Procedure (2015, 2018, 2019, 2020, 2021)
- Contributing Author, Butterworths Hong Kong Stamp Duty Handbook (2nd edition)
- Contributing Author, Tort Law & Practice in Hong Kong (2014)

LANGUAGES

English, Cantonese, Putonghua

FURTHER INFORMATION

2016 – 2019 Member, Standing Committee on Land, Trust and Probate, Hong Kong Bar Association
 2014 – 2015 Judicial Assistant at the Court of Final Appeal and Court of Appeal
 2014 Part-time Lecturer at the University of Hong Kong

SELECTED CASES

COMMERCIAL

- *China Jianxin Credit Services Ltd v IR Resources Ltd* [2021] HKCFI 575 – breach of loan agreement; collateral contract; entire agreement clause; breach of Money Lenders Ordinance (led by Eva Sit SC)
- *Hanson Finance Ltd v Lai Leong* [2021] HKCFI 409 – breach of loan agreement; promissory estoppel (as sole advocate)
- *Yu Man Fung Alice v Chiau Sing Chi Stephen* [2020] HKCFI 2923; [2019] HKCFI 1549 – breach of verbal profit-sharing agreement; striking out without prejudice communications (led by Rimsky Yuen SC and Victor Dawes SC)
- *Convoy Global Holdings Ltd & Others v Cho Kai Chee Roy* (HCA 2922/2017) – breach of duties and conspiracy claims against directors of listed company (led by Paul Shieh SC)
- *International Medical Centre (Hong Kong) Ltd v Trinity Clinicone Ltd* (HCA 87/2019) – claim for breach of contract against IT-system provider; misrepresentation (as sole advocate)
- *Kwok Wai Fung v China Gas Holdings Ltd* (HCA 1964 & 1965/2014) – claim for breach of contract arising from grant of share options; estoppel by representation; estoppel by convention; rectification for unilateral mistake (led by Bernard Man SC)
- *Kasem Narongdej v Golden Music Ltd & Others* [2019] HKCFI 1813 – dispute on costs upon discontinuation of action (led by Linda Chan SC)
- *Power Securities Co Ltd v Sin Kwok Lam & Others* [2019] HKCFI 2920 – strike out application; res judicata; abuse of process (led by Linda Chan SC)
- *Wee Li Choo Julie v Saxo Capital Markets HK Ltd* (HCA 1069/2020) – claim by investor against investment broker (as sole advocate)

- *Ng Kin Nam v Mak Shiu Tong* (HCA 2888/2018) – breach of oral contract for sale and purchase of listed shares (led by Victor Dawes SC)

COMPANY

- *Poon Ka Man Jason v Cheng Wai Tao & Others* [2019] HKCFI 1141 – common law derivative action; whether defendant-company can accept sanctioned payment under RHC Order 22 (led by Linda Chan SC)
- *Re China Sonangol International Limited* [2019] HKCFI 1443 – interlocutory injunction in unfair prejudice petition in respect of substantial multinational business group (led by Linda Chan SC)
- *Trophy Gold Investments Ltd v Modern City Development Ltd & Another* (HCMP 2161/2014) – unfair prejudice petition; accounting irregularity; misappropriation of company assets (as sole advocate)
- *Co. A & Others v Co. D & Others* [2018] HKCFI 2240 – application for receivership in aid of arbitration (led by Linda Chan SC)
- *Pacific Fertility Institutes Holding Co Ltd v Xu Zhongping & Others* (HCCW 238/2019) – unfair prejudice petition in respect of listed company; misappropriation of company assets (led by Bernard Man SC)
- *Re Masterwise International Ltd and Foster Industries Co Ltd* (HCMP 2055 & 2056/2019) – unfair prejudice petition; non-payment of dividends; excessive remuneration to directors; exclusion from management (led by Bernard Man SC)
- *Ge Qingfu & Others v L & A International Holdings Limited & Others* [2018] HKCFI 2742 – damages against directors of listed company under ss.728-730 of Companies Ordinance (led by Linda Chan SC)
- *Xu Liu Chun v Wu Chang Jiang & Another* [2018] HKCFI 1575 – unfair prejudice petition; breach of shareholders' agreement; misappropriation of company assets (with Elizabeth Cheung)
- *Lilly Nederland Holding BV v China Animal Healthcare Limited & Others* (HCCW 156/2017) – resisting unfair prejudice petition and just and equitable winding up (led by Bernard Man SC on 6.7.2017 and 18.9.2017, Victor Dawes SC on 12.9.2017, Eugene Fung SC on 12.10.2017)
- *Grandom Asia Holding Ltd & Others v Fung Yue Company Ltd & Others* (HCCW 161/2016) – striking out winding up petition (led by Victor Dawes SC)

DEFAMATION / MEDIA

- *China Innovation Investment Ltd & Others v Apple Daily Ltd & Others* (HCA 2424/2019) – defence of reportage (led by Victor Dawes SC)
- *Leung Chun-Ying v Chung Kim-Wah & Best Pencil (Hong Kong) Limited* (HCA 1993/2018) – fair comment (led by Paul Shieh SC and Victor Dawes SC)
- *Cheung Chun Kit v Yeung Long Marco* (HCA 1517/2020) – libel claim against ex-employee over defamatory article published in book (as sole advocate)
- *Ip Yan Ming v Wong Suet Sau* (DCCJ 1164/2020) – libel claim against ex-patient over defamatory posters (as sole advocate)
- *Pui Kwan Kay v Ming Pao Holdings Ltd & Others* (FAMV 22/2016, 23.8.2016) – Reynolds privilege (led by Jason Pow SC and Victor Dawes SC)
- *Regina Ip Lau Suk Yee v Cheng Albert Jianghan & Yuen Mi-Ming Erica* (HCA 1458/2014) – libel dispute concerning the by-election of the Southern District Council (led by Jason Pow SC)

INJUNCTION / CONTEMPT

- *Mega Pacific Pty Ltd v TCL Home Appliances (HK) Co Ltd* (HCA 1306/2019) – setting aside Mareva injunction (as sole advocate)
- *Smart Focus Inc Ltd v Caroline-Fargo Capital Ltd* (HCA 221/2019) – release of undertaking in lieu of injunction (as sole advocate)
- *Jessop & Baird (Hong Kong) Limited v Neo Hwee Khim & Others* [2019] HKCFI 2583 – acted for defendant in civil contempt proceedings (as sole advocate)
- *Prestige Medical Imaging Centre Limited & Another v To Man Chi* (HCA 2023/2018) – interlocutory injunction against ex-employee; springboard relief; breach of non-compete covenant and confidentiality clause (as sole advocate)
- *Birmingham International Holdings Ltd (Receivers Appointed) v Hui Ho Luek, Vico* (HCMP 1429/2016) – injunction to restrain presentation of winding up petition (as sole advocate)
- *Co. A & Others v Co. D & Others* [2019] HKCFI 367 – Mareva injunction in aid of arbitration; discharge on ground of material non-disclosures (led by Linda Chan SC)
- *Symphony Partners Ltd & Others v Fullerton Bay Investment Ltd & Others* [2018] 4 HKLRD 264 – scope of Order 59 rule 14(3) (led by Linda Chan SC)

- *Ming Hsieh v Xu Zhe & Others* [2018] HKCA 390 – enforcement of undertaking as to damages (led by Victor Dawes SC)
- *Co. A & Others v Co. D & Others* [2018] HKCFI 2240 – application for receivership in aid of arbitration (led by Linda Chan SC)
- *Golden Miles Group Holdings Ltd v Jacob & Co Ltd* [2018] HKCFI 441 – interlocutory injunction against supplier for breach of exclusive distributorship agreement (led by Horace Wong SC and with Norman Nip)
- *Wong Man Hon Frederick v China Times Securities Limited* (HCA 2715/2016, 15.2.2017) – resisted interlocutory injunction against securities brokerage firm (led by Charles Manzoni SC)

INSOLVENCY

- *Marina Bay Sands Pte Ltd v Lin Quanxiang* (HCA 1155/2016; HCB 3714/2017) – setting aside default judgment and annulment of bankruptcy order (as sole advocate)
- *China Joy Shipping Inc v HNA Group Co Ltd* (HCCW 143/2020) – winding up petition against unregistered company incorporated in PRC (led by Charles Manzoni SC)
- *The Hongkong and Shanghai Banking Corporation Ltd v Cai Sui Rong* (HCB 2859/2018) – opposing bankruptcy petition on jurisdictional grounds (as sole advocate)
- *Re China Environmental Technology Holdings Ltd* (HCCW 238/2019) – winding up petition against listed company on insolvency ground (led by Bernard Man SC)
- *Lau Kam Sing Dickie v Lo Hon Kwong* (CACV 330/2019) – appeal against bankruptcy order; breach of Money Lenders Ordinance (led by Bernard Man SC)
- *Re Wu Chun Kwan* [2019] HKCFI 2802 – appointment of interim trustee (as sole advocate)
- *Birmingham International Holdings Ltd (Receivers Appointed) v Hui Ho Luek, Vico* (HCMP 1429/2016) – injunction to restrain presentation of winding up petition (as sole advocate)
- *Sun Koo Kwan v China Galaxy International Securities (Hong Kong) Co Ltd* (HCSD 12/2018) – setting aside statutory demand (as sole advocate)
- *Grandom Asia Holding Ltd & Others v Fung Yue Company Ltd & Others* (HCCW 161/2016) – striking out winding up petition (led by Victor Dawes SC)

ARBITRATION

- Representing a sovereign State to set aside an award on jurisdiction made in an investor-State arbitration (led by Charles Hollander QC)
- Representing PRC companies against former employees in a dispute relating to grant of share options (led by Bernard Man SC)
- *Co. A & Others v Co. D & Others* [2018] HKCFI 2240 – application for receivership in aid of arbitration (led by Linda Chan SC)
- Represented a PRC-based company to defend a US\$26 million claim brought by a private equity fund (as sole advocate)
- Represented an investment company in a RMB 100 million claim arising out of a share purchase agreement (as sole advocate)
- Represented an international manufacturer of electronic components to seek a declaration of indemnity against its distributor (led by Alex Stock SC)
- Resisted application to set aside arbitration award under s.81 of Arbitration Ordinance (led by Alex Stock SC)

PROPERTY & CONVEYANCING

- *Hammer Capital Private Investments Ltd v Industrial and Commercial Bank of China (Asia) Ltd & Others* [2018] HKCFI 2603 – injunction to restrain sale of mortgaged properties (led by Linda Chan SC)
- *Re Hoi Yin Association of Hong Kong Ltd* (HCMP 788/2020) – vesting order of properties paid for by unincorporated association (as sole advocate)
- *Cheung Kei Center Ltd v Mount Kelly International Ltd* (HCA 1383 & 1668/2019) – tenancy dispute; common mistake; misrepresentation (as sole advocate)
- *Cho Shiu Yee v The Personal Representative of the Estate of Kwok Cheong* (DCCJ 5514/2019) – ownership dispute over land in New Territories (as sole advocate)
- *Soshila Keswani v Motiram Keswani* [2019] HKDC 135 – setting aside deed of family arrangement and vesting assignment; *non est factum* (as sole advocate)

PROBATE / SUCCESSION

- *Chan Sze Mann Samantha v Chan Ka Pui* (HCA 523/2020) – derivative action by beneficiary against personal representative (as sole advocate)
- *Ng, Rose Kai Ching & Others v Liang Yum Shing Howard & Another* (HCMP 2013/2018) – removal of executor; claim for inventory and account (led by Bernard Man SC)
- *Tsang Wing Kwai v Tsang Wing Fai* [2019] 1 HKLRD 1300; [2018] 5 HKLRD 350 – removal of executor; stay of execution (led by Bernard Man SC)
- *Soshila Keswani v Motiram Keswani* [2019] HKDC 135 – setting aside deed of family arrangement and vesting assignment; non est factum (as sole advocate)
- *Ah Pin Say Nai v Tam Mee Ling* [2019] HKCFI 2856 – determination of an intestate’s domicile under the Domicile Ordinance (led by Jason Pow SC)
- Acted for a professional executor to seek a *Beddoe* order (as sole advocate)

EMPLOYMENT

- *Tsang Wing Wai Michael v Sunlink Commercial Ltd* (HCA 2407/2019) – claim by ex-employee against former employer for breach of incentive agreement and bonus payment; rescission for misrepresentation (led by Paul Shieh SC)
- *Prestige Medical Imaging Centre Limited & Another v To Man Chi* (HCA 2023/2018) - interlocutory injunction against ex-employee; springboard relief; breach of non-compete covenant and confidentiality clause (as sole advocate)
- *Qihoo 360 Technology Co Ltd v Fu Sheng* (HCA 1637/2011) – breach of non-compete clause and non-employment clause (led by Bernard Man SC)

BANKING / FINANCE

- *Taishin International Bank Co Ltd v QFI Ltd* [2020] HKCFI 2116 – dispute between bank and customer over foreign exchange transactions; conclusive evidence clause (led by Bernard Man SC)
- *Liming Capital Ltd v CLSA Ltd* (HCA 2055/2008, 27.12.2017) – dispute between investment bank and consultant over service fees (led by Charles Manzoni SC)
- *Fubon Bank (Hong Kong) Ltd v On Hing Paper Company Ltd & Others* (HCA 1132/2016) – dispute between bank and customer over foreign exchange transactions; contractual estoppel (led by Victor Dawes SC)

SECURITIES & REGULATION

- *Zhi Charles v The Stock Exchange of Hong Kong Limited & Others* [2017] 2 HKLRD 35 – acted for Hong Kong Stock Exchange to resist interlocutory injunction (led by Bernard Man SC)
- *Re Freeman Fintech Corporation Ltd; Securities and Futures Commission v Andrew Liu & Others* (HCMP 2653/2016) – disqualification order under s.214 of Securities and Futures Ordinance (led by Jat Sew Tong SC, Victor Dawes SC and with Jonathan Chang, now Jonathan Chang SC)

CONFIDENTIALITY / PRIVACY

- *Prestige Medical Imaging Centre Limited & Another v To Man Chi* (HCA 2023/2018) – interlocutory injunction against ex-employee to enforce non-compete covenant and confidentiality clause (as sole advocate)
- *Qihoo 360 Technology Co Ltd v Fu Sheng* (HCA 1637/2011) – breach of confidence against ex-employee (led by Bernard Man SC)

BUILDING / CONSTRUCTION

- *The Getz Corporation (Hong Kong) Ltd v Sau Gwan Engineering Co.* (HCA 1790/2020) – construction dispute between building contractors at government complex (as sole advocate)
- *Chun Yip Construction Company Ltd v Sun Kong Hing Mason Engineering Ltd* (HCA 1304/2019) – construction dispute between building contractors at residential development site (as sole advocate)

PROFESSIONAL LIABILITY

- *Matsushima Electric (HK) Co Ltd v Benny Kong & Tsai* (DCCJ 4152/2019) – negligence claim against law firm by former client (as sole advocate)

PUBLIC LAW / JUDICIAL REVIEW

- *Cheung Tak Wing v Communications Authority & Director of Information Services Department* [2018] 5 HKLRD 515 – judicial review regarding broadcast materials concerning Government’s constitutional reform

proposals on method for selecting Chief Executive (with Abraham Chan, now Abraham Chan SC)

- *Re Feng Hongyan* (HCAL 165/2017) – leave to apply for judicial review; refund of stamp duty under s.29DF of Stamp Duty Ordinance (with Elizabeth Cheung)