



## VICTOR DAWES SC 杜淦堃資深大律師

Call: 1999 (HK)  
Inner Bar: 2015

Accredited as a mediator by CEDR in 2006  
Associate Member of Chartered Institute of Arbitrators

### PROFILE

Victor is a commercial litigator with substantial experience in wide range of commercial and chancery disputes including international arbitration, equity and trusts, probate, company law, and banking and financial disputes.

Since the financial crisis in 2008, he appeared for a large number of financial institutions in the most significant mis-selling cases concerning a wide range of investment products: e.g. *Selina Kwok v HSBC*, *DBS Bank v Sit*, *Chang v Bank of Singapore and Shine Grace v Citibank*.

Victor also has a substantial practice in high value trust disputes, most recently appearing in *Herman Budihardjo v Di Gunawan* and *Yang Foo-oi v Wai-wai Chen*. He is also heavily involved in numerous corporate insolvency and company law disputes. He is currently the Chairman of the Committee on Companies Law of the Hong Kong Bar Association.

As part of his ADR practice, Victor appears regularly as counsel in arbitrations and related court applications, and sits as arbitrator in a wide range of commercial disputes. He is on the HKIAC Panel of Arbitrators and the HKIAC Panel for Financial Services Disputes, and is a member of the Proceedings Committee of the Hong Kong International Arbitration Centre.

In July 2020, Victor was appointed as a Non-Executive Director of the Securities and Futures Commission. Throughout his career, Victor acted regularly as advocate for both regulators and market participants. Recent cases include acting for the Stock Exchange in the judicial review proceedings involving *Brightoil Petroleum (Holdings) Limited and Kong Sun Holdings Ltd* regarding decisions of the Listing Appeals Committee.

### CONTACT

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### SECRETARY

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### PRACTICE AREAS

- Banking / Finance
- Securities & Regulation
- Commercial
- Injunction / Contempt
- Arbitration
- Defamation / Media
- Civil Fraud / Asset Recovery
- Company

- Equity / Trust
- Insolvency
- Mental Health
- Property & Conveyancing
- Probate / Succession
- Professional Liability

## APPOINTMENTS AND PUBLIC OFFICE

- Non-Executive Director of the Securities and Futures Commission
- Member, Working Group on Financial Dispute Resolution Centre (FDRC), Government of the HKSAR
- Member, Law Reform Commission of Hong Kong Sub-Committee on Third Party Funding in Arbitration
- Deputy Judge of the High Court of Hong Kong
- Member, Advisory Body under Part 10A of the Arbitration Ordinance (Cap. 609)

## EDUCATION

1998 LLB – London School of Economics and Political Science  
 1999 PCLL – HKU

## LANGUAGES

English and Chinese (Cantonese and Mandarin)

## SELECTED CASES

### BANKING / FINANCE

- *Shine Grace Investment Ltd v Citibank N. A. & Anor* [2018] HKCFI 1737
- *DBS Bank v Sit Pan Jit* (FAMV 45/2016, CACV91/2015, HCA 382/2009)
- *Chang Pui Yin v Bank of Singapore Ltd* [2017] 4 HKLRD 458
- *Kwok Wai Hing Selina v HSBC Private Bank (Suisse) SA* (HCCL 7/2010, 21 June 2012)

### COMPANY

- *Re Hsin Chong Construction Co Ltd* [2019] HKCFI 1531, [2019] 3 HKLRD 367
- *Maxfortune Trading Ltd v Fung Tin Yau* [2020] HKCFI 252
- *Addchance v Herojoy Trading Ltd* [2019] HKCFI 1147
- *Re China Metal Recycling (Holdings) Ltd* [2015] 2 HKLRD 415

### COMMERCIAL

- *Achieve Goal v Zhong Xin Ore-Material Holding Co Ltd* [2018] HKCFI 2718, [2020] HKCA 51
- *Hu Hung Chiu v Pacific Electric Wire & Cable Co Ltd & Ors* [2018] 5 HKLRD 767
- *Allen & Overy (a firm) v Beijing Tong Gang Da Sheng Trade Co Ltd* (2016) 19 HKCFAR 705
- *China Gas Holdings Ltd. v Li Xiao Yun & Anor.* (2016) 19 HKCFAR 522
- *Komal Patel v Chris Au & Ors* [2016] 1 HKLRD 328

- *Chinachem Financial Services Ltd v. Century Venture Holdings Ltd.* (HCA 410/2013, 21 April 2015)

#### PROPERTY & CONVEYANCING

- *Bright Gold Ltd v Mega Well Development* [2020] HKCA 575
- *Castle Global Ltd v Ip Tai Hoi Paul* [2020] HKCFI 1106
- *Baynard v Secretary of Justice & Ors* [2019] HKCFI 852; [2020] 2 HKC 165

#### EQUITY / TRUST

- *Jong Yat Kit as Sole Administrator of the Estate of Li Chung (Deceased) v Lee Man For also known as Lee Man For Dennis & Ors* [2018] HKCA 235
- *Herman Budihardjo (alias Sim Hok Tjiong) (since deceased) & Ors v Di Gunawan (alias Sim Hok Kui) & Ors* [2018] HKCFI 1450
- *Yang Foo-oi (by Leung Ping Chiu Roy, her next friend) v Wai Wai Chen* (HCA1739/2010, 29 Nov 2016)

#### INJUNCTION / CONTEMPT

- *Airport Authority v Persons Unlawfully and Wilfully Obstructing with the Use of the Hong Kong International Airport* [2019] HKCFI 2104
- *Ming Hsieh v Xu Zhe & Ors* [2019] HKCA 101
- *SJ v Siew Yun Long & Ors* [2018] 4 HKLRD 438
- *China Baoli Technologies Holdings Ltd v Orient Equal International Group Ltd & Anor* (HCA 1399/2016, 12 June 2017)
- *SJ v Cheng Kam Mun* [2017] 2 HKLRD 768
- *XY, LLC v Jesse Zhu & Anor* (HCMP 869/2014, 13 Nov 2015)
- *Chiu Luen Public Light Bus Co Ltd v Persons Unlawfully Occupying or Remaining on the Public Highways & Ors* [2014] 6 HKC 298

#### ARBITRATION

- *Company A & Ors v Company D & Ors* [2019] HKCFI 367
- *China International Fund Ltd v Dennis Lau & Ng Chun Man Architects & Engineers (HK) Ltd.* [2015] 4 HKLRD 609

#### DEFAMATION / MEDIA

- *Regina Ip Lau Suk-Yee v Cheng Albert Jianghan & Anor* (HCA 1458/2014, 28 Nov 2016)
- *Jonathan Lu & Ors v Paul Chan Mo-Po & Anor* (HCA 370/2012, 7 Oct 2015)
- *Pui Kwan Kay v Ming Pao Holdings Ltd & Anor* (FAMV 22/2016, 23 Aug 2016)(CACV 201/2013, 11 April 2015)
- *Centa-City Index Co Ltd & Ors v Hong Kong Economic Journal Co Ltd & Anor.* (CACV 232/2014, 24 Nov 2015)

#### PUBLIC LAW / JUDICIAL REVIEW

- *The Hong Kong Journalist Association v The Commissioner of Police & Anor* [2020] HKCFI 2882
- *Brightoil Petroleum (Holdings) Ltd. v The Stock Exchange of Hong Kong Ltd* [2020] HKCFI 1601
- *Loh Ming Yin v Hong Kong Examination and Assessment Authorities* [2020] HKCFI 1135
- *Miu Hon Kit v. The Stock Exchange of Hong Kong Ltd* [2020] HKCFI 675
- *Sino Bright Enterprises Co. Ltd. v. Secretary for Justice* [2020] 1 HKLRD 446