

黄芷源

大律师

认许年份：2019 | 事务律师(香港)：2017-2018

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在跟随杜淦堃资深大律师、聂心平资深大律师、蔡一鸣资深大律师、黄若锋区域法官及陈志刚大律师实习后，黄芷源大律师于2020年正式执业。他主要从事民事诉讼，亦曾于香港的各级法院出庭。

在获认许为香港执业大律师之前，黄大律师曾在一家国际律师事务所中任职见习律师，并取得香港事务律师资格。他于香港大学取得法学士和法律专业证书，其后于伦敦政治经济学院取得法学硕士（优异），以及于英国剑桥大学取得法学硕士（一级荣誉）。

黄大律师于2019年获得中殿抗辩训练奖学金。

近期案例精选

- Competition Commission v Midland Realty International Ltd & Ors (CTEA 3/2023): acting for one of Hong Kong's leading real estate agencies in enforcement proceedings for alleged breach of the First Conduct Rule by entering into a price-fixing arrangement (led by Norman Nip S.C. and with Catrina Lam)
 - Fong Chak Kwan v Employees Compensation Assistance Fund Board & Ors (2022) 25 HKCFAR 135, [2022] 5 HKC 426: leading decision of the Court of Final Appeal on jurisdictional gateways in service-out applications and interpretation of tort gateway (led by Horace Wong S.C. and with Clark Wang)
 - Defending authorised insurer in proceedings before the Insurance Appeals Tribunal against Insurance Authority's disciplinary action to impose public reprimand and substantial pecuniary penalty (led by Ambrose Ho S.C. and with Isaac Chan)
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其他精选案例

商业及金融

- China Health Group Ltd v Chiu & Partners (a firm) [2024] HKCFI 943: striking-out indorsement/statement of claim and resisting variation of costs order
- Bel International Logistics Ltd v CTS International Logistics Corporation (HK) Ltd [2023] HKCFI 3000: trial of dispute between air freight forwarders involving claim for unpaid invoices and counterclaim for paid invoices (with Isaac Chan)
- Base Media Technology Group Ltd v Cedarwood VFX & Animation Holding (Singapore) Pte Ltd & Ors (HCA 852/2023): resisting application for interim injunction restraining receivers from realising borrower's assets

- Mei-King Engineering v Prizemart Ltd (HCA 283/2023): resisting application to amend pleadings in action for outstanding instalments in relation to delivery and installation of production lines for nut powder
- Wang Yuexian v Xinyang Maojian Group Ltd (HCA 231/2022): resisting partial summary judgment application for sums allegedly due under bond issued by listed company by way of admission
- CMB Wing Lung Bank Ltd v Guang Rong Finance Company Ltd (HCA 419/2021): opposing continuation and discharge of worldwide **Mareva** injunction against subsidiary of state-owned enterprise for breach of banking facilities (with Michael Lok)
- Kenneth Walter Chad v Chow Yin Man (HCA 643/2020): defending action for 'success fees' from sale of multi-national video-conferencing solutions business (with Isaac Chan)
- Bank of Baroda v Goyal Mukesh Kumar & Ors (HCMP 891/2019): resisting mortgage action based on liabilities under banking facilities (with Christopher Chain)
- Incu Global Ltd & Anor v Skybound Capital (HK) Ltd & Anor (HCA 853/2018): dispute between manager and advisors of investment fund over futures/options trading and outstanding fees (led by Norman Nip S.C.)

民事欺诈及资产追讨

- Z v BEA & Ors (HCMP 1656/2022): applications for gagging/anonymity orders and Norwich Pharmacal relief to trace monies totaling around HK\$400 million misappropriated by phone scam (with Isaac Chan)
- Man Shu Fai v Man Shu Kwan (HCA 1662/2021): joinder application by third parties to set aside judgment obtained by fraud
- Euro Cargo Aviation HK Ltd v HK Wing Tat Co., Ltd & Ruifeng Hong Kong Ltd (HCA 836/2021): resisting applications to set aside default judgments for sums misappropriated by email fraud
- NongHyup Bank v Universe Income Builder Fund Series VI LLC & Ors [2021] HKCFI 107 (proprietary injunction), [2021] HKCFI 3519 (interpleader): action based on breaches of trust/contract arising from investment scheme for gold trading worth over USD30 million (with Roger Phang)
- Kot See For v Au Yeung Ho Sum & Ors (HCA 2208/2019): application to strike out claim to recover funds allegedly misappropriated through a massive fraudulent investment scheme

公司纠纷

- Lam Shu Chung v Hyperlink International Real Estate Development Company Ltd (HCMP 303/2023): application for orders for delivery of share certificates and calling of annual general meetings under ss. 145 and 610 Companies Ordinance
- Lui Lai Yan v Nova Entertainment Ltd & Ors (HCA 1286/2022): interlocutory proprietary and prohibitory injunctions restraining disposal of company's share transferred by fraud and dissipation of company's assets (led by Norman Nip S.C.)
- Yuen Chun Max v Chong Man Yuk & Anor (HCA 1740/2015): business dispute over chain of medical practices held through corporate structure (led by Victor Dawes S.C. and with Michael Lok)

破产及清盘诉讼

- Re Centre Rise Trading Ltd (HCMP 709/2023): application under s. 290 Companies (Winding Up and Miscellaneous Provisions) Ordinance for Lazarus order to revive dissolved company with substantial assets based on the Mainland
- Re Wu Ming Fat Simon, ex p. Zhongtai Financial Investment Ltd (HCB 5397/2023): petition for bankruptcy order for non-compliance with statutory demand for sums due under cost order
- Joint and Several Trustees in Bankruptcy of the Property of Yeung Chun Wai Anthony v Yannie Investment Ltd (HCA 1644/2022): defending against bankruptcy trustees' claims over beneficial interest in residential property (led by Norman Nip S.C.)
- The Joint and Several Trustees of the Property of Yeung Wing Sing v Yeung Wing Sing [2021] HKCFI 2018: application to set aside transaction at undervalue under s. 49 Bankruptcy Ordinance (with Norman Nip)
- Grand T G Gold Holdings Ltd v Lee Sing Leung Robin (HCMP 859/2020): interim injunction restraining presentation of winding-up petition
- Acting for various petitioners or supporting creditors in compulsory winding-up of listed companies, state-owned enterprises or their subsidiaries, including Forever Winner International Development Ltd (HCCW 80/2021), North Mining Shares Company Ltd (HCCW 452/2021) and Carnival Group International Holdings Ltd (HCCW 48/2020)

监管及公法

- China Wood Optimization (Holding) Ltd v The Stock Exchange of Hong Kong Ltd [2023] HKCFI 1000: application for leave for judicial review against Stock Exchange's decision to delist trading of listed company's shares (led by Norman Nip S.C.)
- Competition Commission v Kam Kwong Engineering Co Ltd & Ors [2020] 4 HKLRD 61, [2020] 5 HKC 470: representing the Commission in landmark case where the Tribunal adopted the Carecraft procedure in the competition context (led by Victor Dawes S.C. and with Isaac Chan)

信托及遗产纠纷

- In the Matter of NKS (HCMH 31/2022): representing next of kin of mentally incapacitated person to oppose applications for intervention and discharge of committee appointed under Part II Mental Health Ordinance
- Tam Miu Chi (in her capacity as the Executrix of the Estate of Ho Hiu Kwing) v Ho Man Che Peter (HCA 1309/2021): defending against action claiming life interests in shares held on trust for the deceased (led by Edward Chan S.C.)
- Ho Man Che Peter v Tam Miu Chi (HCAP 1/2021): probate action to propound will of the late founder of the 'Hsin Kuang' restaurants (led by Edward Chan S.C.)
- Advising on application for sanction of family arrangement involving an infant beneficiary under a will and compromise of litigation (with Horace Wong S.C.)

物业及业主/租客纠纷

- Kafayat Khan (trading as "Oriental Rugs") v Au-Yeung Lun & Ors (HCA 522/2023): claim against bailiffs and landlord for wrongful distress for rent in arrears
- Cheung Kei Center Ltd v Mount Kelly International Ltd (HCA 1383/2019 & HCA 1668/2019): defending claim in relation to early termination of commercial lease
- Tang Ling Choa Tso (with Tang Ho Fai Allan, Tang Kwok Kuen, Tang Ying Kim Kenn and Tang Ching Cheung Carol as the Managers) v 邓盛炳 & Anor (HCA 222/2018): defending against claim for vacant possession of land, injunction and mesne profits

雇佣纠纷

- Acting for insurers in various claims against ex-insurance agents for signing fees and bonuses pursuant to contractual post-termination ‘clawback’ provisions, including FWD Life Insurance Company (Bermuda) Ltd v Cheung Lik Keung (HCA 705/2020)
- UPFitness Ltd v Daniel Dubois (HCA 1531/2020): resisting interim injunction enforcing restrictive covenants under an employment contract
- Wong Ka Yick v AXA China Region Insurance Co Ltd (HCA 421/2017): dispute involving breach of contract and misrepresentations in relation to setup and operation of a ‘general agency’ model (led by Norman Nip S.C.)

雇员补偿及民事侵权

- Advising Employees Compensation Assistance Fund Board (“ECAFB”) on issues relating to interaction between relief payment and Director of Legal Aid’s first charge
- Advising ECAFB on coverage of Bullock orders within scope of s. 23 Employees Compensation Assistance Ordinance (with Horace Wong S.C.)
- Advising ECAFB on issues relating to scope of an employees’ compensation insurance policy (with Horace Wong S.C.)
- Wong Sui Ling v Lee Ting Yee (HCA 1074/2022): defending against claims of harassment and intimidation arising out of debt collection dispute

建筑

- Baosteel Engineering & Technology Group Co Ltd v Xinyang Maojian Group Ltd [2022] HKCFI 2343: resisting enforcement of arbitral award relating to contractual dispute over construction project on the Mainland
- Converge Design and Construction Co Ltd v Mount Kelly International Ltd [2020] HKCFI 2433 (evidence), [2021] HKCFI 1591 (trial), [2021] HKCFI 1908 (interest): dispute over outstanding sums due under renovation contracts (with Desmond Leung)

仲裁及执法

- Lo Ngar Mi v Man Shu Kwan (HCCT 3/2022): oral examination of judgment debtor to facilitate enforcement of SCIA arbitral award (with Lau Ka Kin)

- Wen Yuzhou & Ors v Man Shu Kwan [2021] HKCFI 2510: application for and extension of worldwide Mareva injunction in aid of SCIA arbitration proceedings in Shenzhen relating to dispute over refund agreements for purchase price of Mainland properties
- HKIAC Arbitration involving a USD45 million claim for breach of software licensing agreements, copyright infringement, fraud/deceit and unfair competition

学历

- 香港大学法学士
- 香港大学法学专业证书
- 伦敦政治经济学院取法学硕士（优异）
- 剑桥大学法学硕士（一级荣誉）

奖学金及奖项

- 中殿抗辩训练奖学金
- 英国剑桥大学莫德林学院邦迪奖学金
- 英国剑桥大学莫德林学院法学奖项
- 香港特别行政区政府奖学金
- 香港大学何敦律师行刑法模拟法庭比赛冠军
- 香港大学海外交流奖学金
- 院长嘉许名单

会员资格及任命

- 英国特许仲裁员学会会员

讲座及研讨会

- Essentials of Common Law Lecture Series at Peking University (May 2024) on the topic of “Oral and Written Submissions” (with Horace Wong S.C., Clark Wang and Jiang Zixin)

- International Commercial Mediation Course at the University of International Business and Economics (Autumn 2023) on the topic of “Drafting Settlement Correspondence”
- Essentials of Common Law Lecture Series at Peking University (April 2023) on the topic of “Common Law and Equity. Historical Development, Chancellor’s Foot and A Brief Introduction to the Concept of Trusts” (with Horace Wong S.C. and Clark Wang)

语言

- 英语 (流利)
- 广东话 (母语)
- 普通话 (专业程度)

领英 / LINKEDIN

可按此[网上连结](#)浏览黄大律师的领英档案。