

黃芷源

大律師

認許年份：2019 | 事務律師 (香港)：2017-2018

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黃芷源大律師於2020年正式執業。他主要從事民事訴訟，亦曾於香港的各級法院及專門監管審裁處出庭。身為英國皇家特許仲裁員協會的會員，黃大律師正在發展國際仲裁業務，亦完成了香港國際仲裁中心的仲裁庭秘書培訓計劃。

在獲認許為香港執業大律師之前，黃大律師曾在一家國際律師事務所中任職見習律師，並取得香港事務律師的資格。他於香港大學取得法學士和法律專業證書，其後亦於倫敦政治經濟學院取得法學碩士（優異），以及於英國劍橋大學取得法學碩士（一級榮譽）。

黃大律師於2019年獲得中殿抗辯訓練獎學金。

近期案例精選

- Competition Commission v Midland Realty International Ltd & Ors (CTEA 3/2023): defending one of Hong Kong's leading real estate agencies in the Commission's 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: acted for the Board in leading case on jurisdictional gateways in service-out applications and interpretation of tort gateway (led by Horace Wong S.C. and with Clark Wang)
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其他精選案例

商業及金融

- Mei-King Engineering v Prizemart Ltd [2024] HKCFI 2428: appeal against master's decision to allow amendment of pleadings in action for outstanding instalments in relation to delivery and installation of production lines for nut powder
- 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

- 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)
- Bank of Baroda v Goyal Mukesh Kumar & Ors (HCMP 891/2019): resisting mortgage action based on liabilities under banking facilities (with Christopher Chain)

民事欺詐及資產追討

- Tong Xin v Great Bay Securities Ltd & Ors (HCA 482/2024): action for breach of contract and conversion against brokerage firm for unauthorised disposal of listed shares worth over HK\$95 million (with Alexander Wong)
- 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 default judgment obtained by 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 and conspiracy arising from fraudulent 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 involving hundreds of millions of dollars

監管及公法

- 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)

- 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)

公司糾紛

- 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
- Rayben Technologies (HK) Ltd v Lam Wai Kin Raymond (HCA 1775/2022): action against ex-director and beneficial owner for breach of duties, debts and economic torts
- 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): trial of business dispute over chain of medical practices held through corporate structure (led by Victor Dawes S.C. and with Michael Lok)

破產及清盤訴訟

- Re Centre Rise Trading Ltd [2024] HKCFI 2315: 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)
- 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)

私人客戶

- 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.)

僱員補償及民事侵權

- Hui Kin Hung v Cheer Prospect Services Ltd & Ors (DCEC 781/2020): representing Employees Compensation Assistance Fund Board ("Fund Board") in trial of claim for employees' compensation where both liability and quantum are disputed
- Advising Fund Board on issues relating to interaction between relief payment and Director of Legal Aid' s first charge
- Advising Fund Board on coverage of Bullock orders within scope of s. 23 Employees Compensation Assistance Ordinance (with Horace Wong S.C.)

僱傭糾紛

- 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.)

物業及業主/租客糾紛

- 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 鄧盛炳 & Anor (HCA 222/2018): defending against claim for vacant possession of land, injunction and mesne profits

建築

- 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)

仲裁及相關程序

- Techteryx Ltd v Crossbridge Capital Asia Pte Ltd & Ors (HCA 1906/2023): application to set aside order granting leave to serve out or stay proceedings on basis of Singapore arbitration agreement (led by Norman Nip S.C.)
- 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

學歷

- 香港大學法學士

- 香港大學法學專業證書
- 倫敦政治經濟學院取法學碩士 (優異)
- 劍橋大學法學碩士 (一級榮譽)

獎學金及獎項

- 中殿抗辯訓練獎學金
- 英國劍橋大學莫德林學院邦迪獎學金
- 英國劍橋大學莫德林學院法學獎項
- 香港特別行政區政府獎學金
- 香港大學何敦律師行刑法模擬法庭比賽冠軍
- 香港大學海外交流獎學金
- 院長嘉許名單

會員資格及任命

- 英國特許仲裁員學會會員
- 香港國際仲裁中心認可仲裁庭秘書

講座及研討會

- International Commercial Mediation Course at the University of International Business and Economics (Autumn 2024) on the topic of “Tomlin Orders: Enforcement of Settlement Agreements” (with Norman Nip S.C.)
- “Breaking Down Boundaries: Unlocking Jurisdictional Complexities and Deciphering Enforcement Dilemmas in International Arbitration” (June 2024), joint seminar with HFW supported by the Shenzhen Court of International Arbitration
- 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)

語言

- 英語 (流利)
- 廣東話 (母語)
- 普通話 (專業程度)

領英 / LINKEDIN

可按此[網上連結](#)瀏覽黃大律師的領英檔案。