



## Insolvency Practitioners' Personal Liability for Costs in Litigation

Programme code: SCPD19042403

### About the topic

It is quite common for insolvency practitioners initiate proceedings to recover assets or claim compensation on behalf of an insolvent company. However, if the proceedings fail and the insolvent company does not have sufficient funds to settle the related costs, the insolvency practitioner potentially becomes personally liable for the costs of the action.

There has been increasing debate as to whether it is reasonable for insolvency practitioners to have bear personal liability for such costs in the event that a recovery action is unsuccessful. What is the current legal position and what are the options and considerations for insolvency practitioners?

We are pleased to welcome Ms. Linda Chan, Senior Counsel, and Ms. Eva Sit, Barrister, from Temple Chambers, to speak to members and share their knowledge and insights on this topic.

### About the programme

<b>Date &amp; Time</b>	24 April 2019, Wednesday
<b>Venue</b>	HKICPA training centre 27 <sup>th</sup> Floor, Wu Chung House 213 Queen's Road East, Wanchai
<b>Fee</b>	HK\$230 per person for RIF members HK\$330 per person for Non-RIF members
<b>CPD credit</b>	1 hour (subject to actual attendance)
<b>Law Society CPD credit</b>	Being applied for
<b>Language</b>	English
<b>Competency</b>	Insolvency *
<b>Rating</b>	Intermediate level*
<b>Application deadline</b>	<b>22 April 2019</b>

#### Rundown

<b>12:30 pm</b>	Registration (Sandwiches & drinks provided)
<b>1:00 pm</b>	Introduction
<b>1:05 pm</b>	Presentation
<b>1:50 pm</b>	Q&A / Discussion
<b>2:00 pm</b>	Closing remarks

#### Speaker

**Ms. Linda Chan**  
Senior Counsel, Temple Chambers

**Ms. Eva Sit**  
Barrister, Temple Chambers

#### Chair

**Mr. Ludwig Ng**  
Member, RIF Executive Committee; and  
Senior Partner, ONC Lawyers

\* Please refer [here](#) for descriptions of the various ratings and competencies.



## About the speaker

### **Ms. Linda Chan** **Senior Counsel, Temple Chambers**

Ms. Chan is a Senior Counsel and her practice comprises litigation and advisory work in the fields of company law, insolvency law, commercial dispute and professional negligence, with particular focus on applications under the Companies Ordinance, matters relating to directors' duties, shareholders' rights and remedies, corporate restructuring, capital restructuring and schemes of arrangement.

She has been instructed in relation to numerous shareholders disputes, derivative actions, unfair prejudice petitions, "just and equitable" winding up petitions and bankruptcy matters.

She has also been instructed to advise the liquidators in relation to complicated liquidations involving substantial listed companies in Hong Kong including the liquidation of Akai Holdings Limited, Kong Wah Holdings Limited, The New China Hong Kong Group Ltd, Ocean Grand Holdings Ltd, China Metal Recycling (Holdings) Ltd and China Medical Technologies, Inc..

### **Ms. Eva Sit** **Barrister, Temple Chambers**

Ms. Sit is a Barrister and her practice predominantly in company, general commercial and public law areas, with experience in shareholders' disputes, liquidation, commercial disputes, conflict of laws and jurisdictional disputes, and judicial review.

## Registration

### **By post or fax:**

Complete the attached reply slip and return it to the Institute by **22 April 2019**, together with full payment. Cheque should be made payable to "Hong Kong Institute of Certified Public Accountants" or "HKICPA". Fax registration will be accepted for payment by any VISA/ Master card or the BOC HKICPA UnionPay card.

**You may consider your registration to be successful unless you receive notification from us to the contrary.**



Event Code: SCPD19042403

**RIF seminar :  
Insolvency Practitioners' Personal Liabilities for  
Costs in Litigation**

**Finance & Operations  
Department  
Hong Kong Institute of CPAs  
37th Floor, Wu Chung House  
213 Queen's Road East  
Wanchai, Hong Kong  
Fax no: 2893 9853**

**24 April 2019**

*(Reply on or before 22 April 2019)*

**FOR OFFICE USE**

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Handled by: .....

Confirmation of enrolment will be sent to you via email. You can check your enrolment status at "MyCPA" at [www.hkicpa.org.hk](http://www.hkicpa.org.hk).  
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**You may use a separate sheet to list out the name, position and Institute membership no. (if applicable) of additional participant(s) from the same firm/company as the above applicant.**

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**Notes:**

- Enrolments are accepted on a first-come-first-served basis. Telephone reservations will not be accepted.
- Full payment must be made before applications will be processed. Application by fax will ONLY be accepted when payment is made by credit card. Cash is strictly NOT accepted.
- The closing date for enrolment is by 22 April 2019.
- Confirmation of enrolment will be sent to you via email. You can check your enrolment status at "MyCPA" at [www.hkicpa.org.hk](http://www.hkicpa.org.hk). Unsuccessful enrolment will be notified with full refund.
- In normal circumstances, the seminar fee is non-refundable or non-transferrable upon receipt of payment by HKICPA. Should the seminar be cancelled or postponed due to unforeseeable circumstances, refund will be made according to your payment method. For credit card payment, refund will be made directly to your credit card account. For cheque payment, refund will be mailed to your correspondence address.
- Bad weather arrangement: The seminar will be cancelled if typhoon signal no. 8 or above/ black rainstorm warning is hoisted, as announced by the Hong Kong Observatory, at or after 6:30 a.m. on the date of the event. In the event of cancellation due to bad weather, the admission fee will be refunded.

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**Event Information Enquiry:** 2287 7065  
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