

Exclusive Jurisdiction Clauses – What’s the effect on Bankruptcy and Insolvency Proceedings?

Event code: SCPD23092601

About the topic

In *Re Guy Kwok-Hung Lam v. Tor Asia Credit Master Fund LP* [2023] HKCFA 9, the Court of Final Appeal (CFA) handed down a decision in an appeal concerning the appropriate exercise, by the Court of First Instance (CFI), of the discretion to decline the exercise of jurisdiction in bankruptcy and insolvency matters on forum grounds, specifically, where the underlying dispute regarding the petition debt is the subject of an exclusive jurisdiction clause. The CFA also made some comments on a similar and often-debated topic: the interplay between arbitration clauses and winding up/ bankruptcy petitions.

Counsels from Des Voeux Chambers, who acted for the respondent of the case, would share their experience and insights on this case and related issues in this seminar.

About the programme

Date & Time	Tuesday, 26 September 2023 1:00 p.m. – 2:00 p.m.
Venue	HKICPA training centre, 27th Floor, Wu Chung House, 213 Queen’s Road East, Wanchai
Fee	HK\$270 per person for RIF members HK\$400 per person for non-RIF members
CPD credit	1 hour (subject to actual attendance)
Law Society CPD credit	Being applied for
Language	English
Competency	Insolvency *
Rating	Intermediate level*
Application Deadline	24 September 2023 (offline enrolment by 21 September 2023)

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

Rundown

12:30 pm	Registration (Note)
1:00 pm	Introduction
1:05 pm	Presentation
1:50 pm	Q&A / Discussion
2:00 pm	Closing

Note: Refreshment or drinks will be provided during the seminar

Speakers

Terrence Tai
Barrister, Des Voeux Chambers

Clara Wong
Barrister, Des Voeux Chambers

Chair

Ludwig Ng
Member of RIF Executive Committee,
and Senior Partner, ONC Lawyers



About the speakers

Terrence Tai

Barrister, Des Voeux Chambers

Terrence joined chambers in 2016 after completing his juris doctor degree at the University Hong Kong (with First Class Honours, ranking second in his year) and his Bachelor of Civil Law degree at the University of Oxford (with Distinction). Terrence was awarded the Bar Scholarship and the Charles Ching Memorial Scholarship in 2015 and 2016 respectively.

Terrence maintains a broad civil and commercial practice, and has an interest in company and insolvency matters. He has also been involved in cases concerning land, probate, trust as well as securities and regulatory matters. Terrence is also experienced in handling contentious and non-contentious mental health applications and has dealt with applications concerning enduring powers of attorney.

Clara Wong

Barrister, Des Voeux Chambers

Clara is a Bar Scholar. She joined Chambers after completing her pupillage with Ms. Rachel Lam SC, Mr. Giles Surman, Mr. Calvin Cheuk and Ms. Sabrina Ho.

Clara graduated with First Class Honours (ranked 2nd overall) in her LLB degree at the University of Hong Kong. She then pursued the BCL at the University of Oxford as a Hong Kong Scholar, where she obtained overall distinction and was awarded the Oxford Law Faculty Prize in Commercial Remedies for ranking first in the paper. Academic studies aside, Clara has captured championships and best speaker awards in both international and local mooted competitions over the years.

Clara is developing a broad civil practice and accepts instructions in all areas of Chambers' work. She has been involved in cases concerning company and insolvency law, securities and commercial law, trusts and probate, construction law and family law. She has appeared before the CFA, the Court of Appeal and the CFI.

Registration

- **Online enrolment by 24 September 2023; offline enrolment by post or e-mail also by 21 September 2023:**

Complete the enrolment form and return it to the Institute by 21 September 2023, together with full payment. Cheque should be made payable to "Hong Kong Institute of Certified Public Accountants" or "HKICPA". E-mail 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.

- **Contact Ms. Zita Cheung at 2287-7057 for enquiry.**



Remarks

- Participants shall maintain good personal hygiene and pay attention to their health condition. If you have any respiratory symptoms, please avoid attending this event and consult a doctor.
- To ensure the health of fellow participants, sanitizing gel is provided for disinfection of hands at the venue.

Disclaimer

- The opinions expressed by external guest speakers are, by their nature, those of the speaker. They are not necessarily endorsed by the Institute or reflect the official policies and views of the Institute or its members.
- The Institute does not endorse or recommend any products or services and is not responsible to any loss or damage arising from using such products or services.
- Participants are reminded that there is a wide range of products or services available in the market. Participants should carry out their own research and obtain independent advice before subscribing any products or services.
- The Institute also takes no responsibility for any loss associated to any person acting or refraining from acting as a result of participation in the event.