Michael Lok

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"Michael is one of the most sought-after junior barristers in town. He is no doubt a guru of company law matters. On top of his superb legal skills, he always keep the client's commercial objectives in mind and is always able to identify the best possible strategy to serve those objectives."

CHAMBERS & PARTNERS GREATER CHINA REGION (2024)

Michael Lok is a member of the Hong Kong Bar, and practises from Des Voeux Chambers as Barrister and Arbitrator.

Michael Lok's practice spans all areas of commercial litigation and arbitration as well as public and administrative proceedings. On the commercial front, Michael particularly focuses on bankruptcy, company and insolvency, regularly acting for financial and banking institutions, listed companies and professional clients. Michael is also experienced in land/property disputes (having acted for e.g. developers as well as the Government). Michael also provides expert opinion on Hong Kong law for listing applications as well as for non-HK proceedings (e.g. in the Shanghai Court and the Singapore Court).

In the public sphere, Michael has advised/appeared for a number of public bodies and government departments, in judicial review and related proceedings as well as death inquests before the Coroner's Court. Michael has appeared for multiple times in the Court of Final Appeal as well as the Judicial Committee of the Privy Council.

In addition to the Hong Kong Bar, Michael is one of the first batches of Hong Kong barristers to have passed the Greater Bay Area Legal Professional Examination. Michael is also granted rights of audience in the Astana International Financial Centre Court as well as a Registered Foreign Lawyer of the Singapore International Commercial Court (SICC).

Michael regularly advises on/participates in arbitration proceedings (including HKIAC and ICC). Michael has been appointed to HKIAC's List of Arbitrators.

Michael has also been appointed by the Chief Justice to sit as a Deputy Judicial Officer at the Labour Tribunal and the Small Claims Tribunal, for multiple periods between 2019 to 2023.

Michael sits on the Hong Kong Bar Association's Committee on Arbitration, one of the specialist practice area committees of the Hong Kong Bar, and is responsible for, amongst others, representing the Hong Kong Bar at international arbitration events and conferences. Michael has also delivered multiple lectures and talks on arbitration-related matters, such as the 8th Lujiazia Legal Forum, delivering a lecture entitled "Internationalization of Legal Services: Cross-Border Arbitration in Hong Kong", and delivering a speech at the Renmin University's 'International Disputes Resolution Along "Belt and Road" Initiative'.

Michael has also been appointed as a Non-Clinical Lecturer as well as Examiner of the University of Hong

Kong's Department of Law (LLB) and Department of Professional and Legal Education (PCLL).

Michael has appeared as Counsel in:-

- *Company/commercial proceedings in respect of/relating to e.g.* Suning International Group Co., Limited (□□□□□□); Fantasia Investment Holdings (□□□□□); Dangdai International Investments Ltd (□□□□);Hsin Chong Construction Company Ltd (□□□□□□); China Properties Group Ltd; Target Insurance Co Ltd (□□□□); GTI Holdings Ltd (□□□□): China Greenfresh Group Co, Ltd (□□□□); Lamtex Holdings Ltd (□□□□); Anxin-China Holdings Ltd (□□□□□□); Hong Kong Mercantile Exchange Ltd (□□□□□□□); Madison Holdings Group Limited (□□□□□□□□□□□); National Arts Entertainment and Culture Group Ltd (□□□□); Convoy Global Holdings Limited (□□□□)
- *Banking/commercial proceedings representing e.g.* Allahabad Bank; Bank of Baroda; Citibank, N.A.; CNCB (Hong Kong) Investment Limited; Credit Suisse AG, Hong Kong; CTBC Bank Co., Ltd; DBS Bank (Hong Kong) Ltd; Export-Import Bank of India; Freeman Securities Ltd; HSBC; Habib Bank Zurich (Hong Kong) Ltd; ICICI Bank; SBM Bank (Mauritius) Ltd; The Bank of New York Mellon, London Branch; Union Bank of India; United Overseas Bank Ltd
- *Public/regulatory proceedings representing e.g.* Chief Executive-in-Council; Secretary for Justice; Secretary for Constitutional and Mainland Affairs; Secretary for Development; Secretary for Security; Commissioner of Police; Director of Fire Services; Director of Immigration; Auxiliary Medical Service; Buildings Authority; Environmental Protection Department; Privacy Commissioner for Personal Data; Securities and Futures Commission

Banking/Company/Commercial Cases

New Castle Investments Ltd v. WFC Holding Ltd and Others [2021] HKCFA 5 (led by Edward Chan SC)

Sun Min and Others v. Chu Kong (06/12/2022, FACV6/2022) (2022) 25 HKCFAR 318 *(led by Johnny Mok SC)*

Secretary for Justice v. Global Merchant Funding Ltd (2016) 19 HKCFAR 192 *(led by Simon Westbrook SC, and with Derek Chan, as he then was)*

Re Ocean Sino Limited [2020] 1 WLR 4656 *(led by Richard Hacker KC, John Carrington KC and William Wong SC)*

Re Dangdai International Investments Ltd [2023] HKCFI 1347 *(led by Eva Sit SC)*

Frank Lee and Another v. The Hongkong and Shanghai Banking Corporation Ltd [2022] HKCFI 3680 *(led by Eva Sit SC)*

Re Wang Huimin [2022] HKCFI 2271 *(led by Benjamin Yu SC)*

China Construction Bank (Asia) Corporation Ltd v. Zhang Kangyang [2022] HKCFI 2135 *(led by Audrey Eu SC, and with Alan Kwong)*

Ng Yan Kit Alfred and Another v. Ever Honest Industries Ltd and Another [2022] 3 HKLRD 174

Li Yiqing v. Lamtex Holdings Ltd [2021] 2 HKLRD 177

Re Convoy Global Holdings Ltd [2020] 3 HKC 403 *(led by William Wong SC)*

Chung Keng v. Pearl Oriental Oil Ltd [2019] 3 HKLRD 715; [2018] 5 HKLRD 567 *(led by William Wong, SC)*

Lau Yu also known as Jaffe Lau v. The Hongkong and Shanghai Banking Corporation Ltd [2019] 2 HKC 18 (led by Linda Chan, SC, as she then was)

Chu Kong v. Lau Wing Yan and Others [2019] 1 HKLRD 589, [2018] HKCA 1010 *(led by Jose-Antonio Maurellet, SC)*

Re Enice Holding Co Ltd [2018] 4 HKLRD 736 *(led by William Wong SC)*

Yu Hing Tong Ltd v. Fung Hing Chiu Cyril [2016] 5 HKLRD 567

Yip Wai Kwok Gabriel v. Hong Kong Society of Congenital & Structural Heart Disease Ltd [2016] 5 HKLRD 117

Crane World Asia Pte Ltd v. Hontrade Engineering Ltd [2016] 3 HKLRD 640 *(led by Gerard McCoy SC, and with Derek Chan, as he then was)*

Cornhill Enterprises Ltd v. Leung Chun Sang and Others [2016] 2 HKLRD 1525

Chan Sang v. Chan Kwok [2015] 3 HKLRD 131 *(with Jose-Antonio Maurellet, as he then was)*

Public Law/Judicial Review/Inquest Cases

Kwok Cheuk Kin v. Chief Executive in Council [2023] HKCFI 3074 (District Council elections) (*led by Jenkin Suen SC)*

Akram Muhammad v. Director of Immigration and Another [2023] HKCFI 595

Lai Chee Ying v. Commissioner of Police [2022] 5 HKLRD 205; [2022] 5 HKLRD 617; [2022] 4 HKLRD 582 *(led by Jenkin Suen SC)*

Competition Commission v. Kam Kwong Engineering Company Ltd and Others [2022] 3 HKLRD 786; [2020] 4 HKLRD 61

803 Funds Ltd v. Secretary for Education [2021] 4 HKLRD 735 *(led by Douglas Lam SC)*

Tong Ying Kit v. Secretary for Justice [2021] 3 HKLRD 350; [2021] 2 HKLRD 1036 *(led by Jenkin Suen SC)*

Re Next Digital Ltd [2021] 2 HKLRD 857 *(with Jonathan Man and Leona Cheung)*

Charteryard Industrial Ltd v. Appeal Tribunal (Buildings) [2021] HKCA 1164

Death Inquest re: Leung Kin-fai CCDI-555/2021

Death Inquest re: Li Man-tak CCDI-932/2019

Death Inquest re: Alex Chow-Tsz Lok CCDI-932/2019

□□□ □ □□□□□□□ [2021] HKCFI 230

Death Inquest re: Alex Chow-Tsz Lok CCDI-932/2019

Family/Matrimonial Cases

LKY v. YLP FCMC 4352/2013; FCMC 18284/2013 *(led by Robert Pang SC and with Anny Chak, as she then was)*

T v. P FCMC 14290/2016 *(with Eugene Yim)*

LCT v. CHY and others FCMC 15794/2015 (with Christopher Chain, as he then was)

Land/Property Cases

WFC Holding Ltd v. New Castle Investments Ltd [2021] HKCFA 5 (led by Edward Chan SC)

Re Urban Renewal Authority Development Project at Queen's Road West/Kwai Heung Street (Urban Renewal Authority Appeal Board) Appeal Case No. 2023-001; 2023-002

Polyline Development Ltd (in liq) v. Ching Lin Chuen and Others [2023] HKCFI 3049

Oriental Moon Ltd v. Golden Sino Link Ltd and Others [2023] HKCA 608 (led by Patrick Fung SC)

Re Mei Wah Building (Buildings Appeal Tribunal) (Case No. 20/2019)

Charteryard Industrial Ltd v. Appeal Tribunal (Buildings) [2021] HKCA 1164

New Castle Investments Ltd v. WFC Holding Ltd and Others [2020] HKCA 755 (led by Edward Chan SC)

Chan Sang v. Chan Kwok [2015] 3 HKLRD 131 (led by Jose-Antonio Maurellet SC)

Scholarships and Awards

- Bar Scholarship
- Charles Ching Memorial Scholarship
- Sir Roy Goode Prize for BCL, St. John's College, Oxford
- Slaughter & May Prize for Best Overall Degree, LSE
- Slaughter & May Prize for Best Performance in final year, LSE
- Hogan Lovells Prize in Business Associations, LSE

Memberships & Appointments

- 2019-2022: Deputy Presiding Officer, Labour Tribunal (which exercises unlimited jurisdiction over employment disputes)
- 2017-2022: Chairman, School Council, ESF Island School
- Co-Founder, Company and Insolvency Law Society
- Member, Committee on Company Law, Hong Kong Bar Association
- Member, Committee on Arbitration, Hong Kong Bar Association
- Former Member, Standing Committee on Civic Education, Hong Kong Bar Association
- Former Honorary Secretary and Member, Standing Committee on China Practice Development, Hong Kong Bar Association
- Former Member, Standing Committee on Young Barristers' Committee, Hong Kong Bar Association
- Non-Clinical Lecturer, Faculty of Law, University of Hong Kong
- Former President, Island School Alumni Association
- Former Associate Editor, Oxford University Commonwealth Law Journal
- Former Head Boy, Island School

Publications / Lecture / Talks

- Bullen & Leake & Jacob's Hong Kong Precedents of Pleadings, 3rd Edition – published in December 2020
- Contributing Editor to Hong Kong Company Law Cases (2008 – 2019) – published in 2020 by DVC in collaboration with Kluwer
- Contributing Editor of Hong Kong Civil Procedure (the "White Book") (Sweet & Maxwell)
- Research Assistant, 'Sealy and Worthington's Text, Cases and Materials on Company Law' and 'Gower and Davies' Principles of Modern Company Law'
- Guest Speaker at the 8th Lujiazia Legal Forum, delivering a lecture entitled "Internationalization of Legal Services: Cross-Border Arbitration in Hong Kong" (December 2016)
- Guest Speaker at International Disputes Resolution Along "Belt and Road" Initiative, Renmin University of China) (November 2016)
- Schemes of Arrangement under the Companies Ordinance: Recent Updates and Practical Pointers (CPD seminar, with Terrence Tai) (October 2018)
- Cross-border insolvency and Restructuring – Latest Developments (CPD seminar, with Jason Yu) (September 2018)
- Cross-border insolvency and related shareholders disputes' (CPD seminar, with Jose-Antonio Maurellet SC) (August 2017)
- Updates on Cross-Jurisdictional Company and Insolvency Litigation (CPD seminar, with Vincent Chiu and Stephanie Wong) (April 2017)
- Hong Kong Companies and Insolvency Law from Litigation Perspective – a lecture delivered to

the Pudong Lawyers Association (with Alexander Tang and David Chen) (June 2016)
- ‘Ring-fencing Domestic Property: Is there a solution?’ (CPD seminar, with Martin Kok and Jacqueline Law) (December 2014)
- ‘Demystifying the Law of Unjust Enrichment’ (CPD seminar, with Martin Kok, Martin Ho and Jacqueline Law) (October 2014)

Specific Areas of Expertise

Administrative Review, Commercial Judicial Review, Constitutional Review, Inquiries and Inquests, Statutory Tribunals, Adjudication, Arbitration as counsel, Arbitration as arbitrator, Enforcement of Arbitral Award, Expert Determination, Bankers’ Duties, Credit Financing, Financial Mis-selling, Moneylenders’ Actions, Securities Law, SFC Enforcement Actions, Contract, Conflict of Laws, Equity, Tort, Unjust Enrichment, Insurance Law, Negotiable Instruments, Partnerships, Sale of Goods, Corporate Governance, Compliance with Listing and Other Regulatory Rules, Derivative Action, Unfair Prejudice Petition, Enforcement, Follow-on Action, Investigation, Leniency, Divorce and Dissolution, Matrimonial Finance, Bankruptcy, Restructuring, Schemes of Arrangement, Winding-Up, Breach of Confidence, Copyright, Patents, Passing Off, Trademarks, Aviation, Letters of Credit, Sale and Carriage of Goods, Shipping, Anti-Discrimination, Breach of Confidence, Employment, Restraint of Trade, Auditors’ Negligence, Disciplinary Proceedings, Medical Negligence, Solicitors’ Negligence, Surveyors’ Negligence, Trusts, Wills, Probate and Administration of Estates, Charities, Anton Piller Relief, Asset Tracing, Bankers’ Books Orders, Discovery, Injunction, Norwich Pharmacal Orders, Adverse Possession, Building Management, Charities, Conveyancing, Easements, Landlord & Tenants Disputes, New Territories Law

Education and Qualification

2024 – Registered Foreign Lawyer, Singapore International Commercial Court

2022 – Guangdong-Hong Kong-Macao Greater Bay Area (GBA) Legal Professional Examination

2022 – Rights of Audience, Court of the Astana International Financial Centre

2014 – Called to the Hong Kong Bar

2012-2013 – BCL (St John’s College, Oxford), Distinction

2011-2012 – PCLL (University of Hong Kong)

2008-2011 – LLB (London School of Economics & Political Science), First Class Honours, Top of Year

Recommendations

Michael Lok was ranked by Chambers and Partners Greater China Region 2024 in the field of Commercial Dispute Resolution.

Chambers Review shared that "*Michael Lok acts prominently on company law issues, maintaining a noted specialisation in the areas of insolvency and bankruptcy and regularly representing public authorities and agencies, including the Secretary for Justice and the SFC*."

Clients commented that "*Michael is one of the most sought-after junior barristers in town. He is no doubt a guru of company law matters. On top of his superb legal skills, he always keep the client's commercial objectives in mind and is always able to identify the best possible strategy to serve those objectives*.", "*He's very smooth and a very good advocate.*" and "*Michael is very responsive and diligent. He is a capable junior counsel to work with*."

– CHAMBERS & PARTNERS GREATER CHINA REGION (2024)

"*Michael Lok of Des Voeux Chambers acts prominently on company law issues, maintaining a noted specialisation in the areas of insolvency and bankruptcy and regularly representing public authorities and agencies, including the Secretary for Justice and the SFC*."

"*Michael Lok is very effective and impressive junior. He punches above his weight, and can give senior counsel a run for their money*."

"*He's a very solid junior with a very busy practice and first-rate written work*."

– CHAMBERS & PARTNERS GREATER CHINA REGION (2023)

Michael is "*well experienced in general company law matters" and "very strong in insolvency*", and lauded for being "*a very practical, sensible and commercial guy who punches above his weight" and "a very smooth operator who's fantastic with clients*."

– CHAMBERS & PARTNERS GREATER CHINA REGION (2022)

"*A source of responsive, solid and practical advice, he is a good advocate who thinks outside the box*." Michael Lok is singled out as a Rising Star for Commercial Disputes.

– LEGAL 500 ASIA PACIFIC HK BAR (2021)

"*Sarah Worthington would like to thank Michael Lok for his significant research assistance in the updating of particular parts of this edition; that he managed to provide this help while also conducting an increasingly busy and successful practice in Hong Kong is testament to his energy and organisation.*"

– GOWER'S PRINCIPLES OF MODERN COMPANY LAW (10TH ED.)

"*Michael Lok has once again provided unparalleled research assistance on all the areas addressed in this book, and managed to do that while conducting an increasingly busy and successful practice in Hong Kong.*"

– SEALY & WORTHINGTON’S TEXT, CASES, AND MATERIALS IN COMPANY LAW (11TH ED.)
