



# Tackling Costs and Settlement in Employees Compensation Proceedings

5 November 2020 (Thursday)

1:00pm – 2:00pm

*CPD accreditation is being applied for*

## Speakers



Richard Yip



Patrick Szeto



Flora Lam

The Court of Final Appeal's breakthrough decision in *Wo Chun Wah v Employees Compensation Assistance Fund Board* (2019) 22 HKCFAR 495 has necessitated a deeper grasp of the relevant principles and strategic considerations for parties in employee compensation proceedings, including the Employees Compensation Assistance Fund Board if it applies to join as a party.

In this seminar/webinar, Patrick Szeto (junior counsel in the *Wo Chun Wah* case), Richard Yip and Flora Lam will provide insights on:

- The practical significance of the CFA's judgment in *Wo Chun Wah*
- Scenarios and relevant factors in the recovery of costs
- Drafting settlement orders under section 29 of the Employees Compensation Assistance Ordinance (Cap 365) and more.

## Two ways to join the event:

- **In person\*** – at Denis Chang's Chambers, 9/F, One Lippo Centre, 89 Queensway, Admiralty, Hong Kong. To maintain safe social distancing, the number of physical attendees will be limited to 15. Email [events@dcc.law](mailto:events@dcc.law) to register your place.
- **Zoom webinar** – sign up via our [webinar registration form](#).

*For enquiries, please contact our Practice Development Managers Sonia Chan ([soniachan@dcc.law](mailto:soniachan@dcc.law)) or Taylor Goodwin ([tgoodwin@dcc.law](mailto:tgoodwin@dcc.law)).*

\*DCC reserves the right to cancel the physical attendance arrangement in response to developments in the Covid-19 situation. In that case, confirmed physical attendees will be provided with the webinar link to join the event virtually. Please note that any interaction with the general public poses an elevated risk of being exposed to Covid-19 and DCC cannot guarantee that participants will not be exposed while in attendance at the event.

# Tackling Costs and Settlement in Employees Compensation Proceedings

## *Programme*

- 1:00pm - 1:05pm**      **Overview: Employees compensation proceedings and the role of the Employee Compensation Assistance Fund Board**
- 1:05pm - 1:15pm**      **The Court of Final Appeal's decision in *Wo Chun Wah v Employees Compensation Assistance Fund Board* [2019] HKCFA 48; (2019) 22 HKCFAR 495**
- 1:15pm - 1:30pm**      **Recovery of costs - scenarios and relevant factors**
- 1:30pm - 1:45pm**      **Considerations in drafting settlement orders under section 29 of the Employees Compensation Assistance Ordinance (Cap 365)**
- 1:45pm - 1:50pm**      **Practical tips**
- 1:50pm - 2:00pm**      **Quiz and Q&A**



# Speaker Biographies



## Patrick Szeto

Barrister-at-law  
Denis Chang's Chambers

Patrick studied law at the University of Hong Kong and was admitted to the Hong Kong Bar in 1995. He served pupillage in Denis Chang's Chambers and joined as a tenant in 1996. Patrick has developed a general mixed practice in both civil and criminal matters.

In the civil sphere, his work has an emphasis on commercial law, land and property law, as well as tort and personal injuries. Patrick appeared as junior counsel in *Wo Chun Wah v Employees Compensation Assistance Fund Board* [2019] HKCFA 48; (2019) 22 HKCFAR 495, where the Court of Final Appeal made a significant breakthrough by holding that - among others - the Employees Compensation Assistance Fund (ECAAF) Board have power to settle potential claims for relief payments before claimants have secured a judgment against the employer.



## Richard Yip

Barrister-at-law  
Denis Chang's Chambers

Richard has a broad civil practice with a focus on shareholder disputes, commercial litigation, financial regulation, competition law and personal injuries. He joined Denis Chang's Chambers in 2011. Prior to joining the Bar, Richard was a corporate finance solicitor at Herbert Smith Freehills.

Richard represented four respondents in the second case before the Hong Kong Competition Tribunal, where the economic efficiency defence was raised for the very first time in Hong Kong. He was also involved in a number of substantial shareholder disputes, including *Acropolis Ltd v W&Q Investment Ltd*, 2018 HKCA 379 (appeal against an interlocutory injunction concerning the EGM voting results of a listed company) and *Waddington Ltd v Chan Chun Hoo Thomas* HCA 3291/2003 (trial of a double derivative action).

Richard is also actively involved in the community and academia. He has been an elected member of the Election Committee of the Chief Executive of HKSAR since 2011 and a part-time lecturer at the University of Hong Kong.



## Flora Lam

Barrister-at-law  
Denis Chang's Chambers

Flora joined Denis Chang's Chambers in 2018 upon completion of her pupillage with Mr. Derek Chan SC, Mr. Frederick Chan, Mr. Robin D'Souza and Mr. Jeffrey Tam.

She is developing a broad civil and criminal practice, and has experience in areas such as company law, commercial disputes, defamation, probate, trusts, adverse possession, personal injuries, and public law. She is also experienced in handling legal aid appeals.

Highlights of Flora's experience include *Kan Che Shing v Hop On Management Company Limited & Anor.*, DCPI 393/2016, in which she successfully defended the defendant against the plaintiff's claim for personal injuries arising out of the work place and successfully claim for contribution against the third-party (with Mr. Gary Chung).