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| [**Judicial Review - Review Cases on Tameside, Mistake of Fact, Padfield and Standard of Review**](http://cpd.hk/evt000000355/)  *by*  [Mr. Clemence Yeung](http://www.profectional.com/presenters/idl000010267/),  Barrister-at-Law |  |

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|  | Mr. Yeung was called to the Bar in 1997. Prior to that he was admitted as a solicitor in England and Wales and in Hong Kong and practised as a solicitor in the litigation department of an international firm. He was a contributor to Halsbury's Laws of Hong Kong Volume 18(1) Maritime Law (Butterworths) and has authored a book on the law of unjust enrichment in Hong Kong. |

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| This CPD course will look at recent cases where the Tameside/Padfield ground or the existence of an alleged mistake of fact was relied on to justify an application for judicial review. It also looks at the standards of review which courts have adopted in recent cases to scrutinise restrictions on rights. The cases in question involve a broad spectrum of fact-situations and different decision-makers. They concern town planning appeals with respect to height restrictions in outline zoning plans, disputes over admission to a self-governing professional body, a delisting decision by the Hong Kong Stock Exchange on grounds of prolonged suspension of trading, as well as challenges over the lawfulness of the Food and Environmental Hygiene Department’s approval requirement concerning display of banners in public demonstrations, and of laws providing for public inspection of electors’ information and disqualification of election candidates, and more. |
| **Cases considered will includes:** |
| * **Tameside**   1. The Methodist Church Hong Kong v Town Planning Board (HCAL 55/2011, unreported, 19 April 2021)   2. Hong Kong Resort Company Limited V Town Planning Board [2020] 4 HKLRD 298; CACV 432/2020, unreported, 10 September 2021   3. Royal Billion Investment Limited v Town Planning Board (HCAL 1918/2018, unreported, 30 April 2021)   4. Cheung Yuen Ni v Chief Executive in Council (HCAL 177/2015, unreported, 17 May 2019)   5. Longrun Tea Group Company Limited v The Stock Exchange of Hong Kong Limited (HCAL 3809/2019, unreported, 9 July 2021)   6. Chan Ka Lam v Chief Executive in Council (HCAL 28/2015, unreported, 24 November 2017) |

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| * **Standard of Review**   1. Tung Chun Company Limited v Town Planning Board (CACV 89/2019, unreported, 21 May 2021)   2. U Storage Company Limited v Director of Fire Services and Another (HCAL 490/2019, unreported, 28 August 2020)   3. Junior Police Officers’ Association of the Hong Kong Police Force AA v Electoral Affairs Commission (HCAL 3042/2019, unreported, 8 April 2020)   4. Wong Ho Ming v Secretary of Justice [2020] 3 HKLRD 419   5. Pacific Base Holdings Limited and Others v Lee Hop Biu and Others (CACV 426/2020, unreported, 31 May 2020) * **Mistake of Fact**   1. Fung Man Chee Maggie and Another v Hong Kong Institute of Clinical Psychologists Limited (HCAL 279/2020, unreported, 23 August 2021)   2. Deluxe Ascent Limited v Director of Lands [2021] 2 HKLRD 431 * **Padfield**   1. Chee Fei Ming v Director of Food and Environmental Hygiene [2018] 4 HKLRD 517   2. Television Broadcasts Limited v Takeover and Mergers Panel [2017] 5 JKLRD 541 |

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| Code: | **EVT000000355** | | Level: | **Intermediate** | |
| Date: | **18 February 2022 (Friday)**  **(Amended)** | | Language: | **English** | |
| Time: | **14:30 - 17:45**  (Reception starts at 14:00) | | Accreditation(s): | **LSHK 3.0 CPD Points** | |
| Venue: | *Option of:*  (1) **Online** via Zoom; *or*  (2) **[Kornerstone Institute](http://goo.gl/maps/DKYQ1)**  [15/F, Hip Shing Hong Centre](http://goo.gl/maps/DKYQ1)  [55 Des Voeux Road Central](http://goo.gl/maps/DKYQ1)  [Central, Hong Kong](http://goo.gl/maps/DKYQ1) |  | Request for  Rerun: | **Please** [**Contact Us**](mailto:marketing@profectional.com)  **for Details** |  |