

Execution of Company Documents Under the Companies Ordinance (Cap. 622) and Proof of Due Execution for Use in Hong Kong & Overseas

by
Mr. Samuel Li,
Solicitor & Notary Public,
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Mr. Samuel Li is the Sole Proprietor of Samuel Li & Co., Solicitors & Notaries. He qualified as a solicitor in Hong Kong in 1983. He passed the Notarial Examination in 1995 and was admitted as a Hong Kong Notary Public.

Samuel now focuses on notarial practices. In the preceding 20+ years as a Hong Kong Notary Public, he has an excellent track record in providing notarial services to clients including overseas government, and world's leading brand companies. More than 70 countries and regions on world's 5 continents have accepted Samuel's notarised documents.

Samuel has presented 40 seminars to professionals to demonstrate notarial practice, with total audience exceeding 3,485.

Samuel is the author of the soon released notarial book named "Notarial Services in Hong Kong: General Principles, Values and Practice".

Samuel has received 14 Pro Bono Legal Services Awards & Professional Volunteer Service Awards respectively from the Home Affairs Bureau of the HKSAR, The Law Society of Hong Kong and Hong Kong Council of Volunteering in recognition of his promoting legal knowledge and professional volunteering services to the public. In 2014, Samuel was nominated by the Hong Kong Law Society to participate in the Second Leadership Bauhinia Volunteer Award competition organized by the Agency for Volunteer Service.



The objective of this course is to minimise the risk to engage in litigation due to non-compliance of execution formalities of company documents.

Case law highlights the risks of protracted litigation if documents are not properly executed.

Mummery L.J. in the case of Williams v Redcard Ltd. [2011] 4 All ER 444 rightly pointed out:

"Expensive and long drawn-out litigation about the execution of a document by a company can be avoided by taking more care over compliance with the formalities at the time of execution..."

Legal practitioners should therefore know the law relating to the execution of company documents and deeds in detail when they deal with the execution of company documents of clients, in commercial transactions or conveyancing cases, so as to minimise such risk.

In this seminar, the speaker provides an insight into the legal and practical aspects of execution, and illustrates with many well selected court cases in which execution of company documents were challenged that the documents were invalid or as a result thereof, the titles of properties are defective.

This course also includes the proof of due execution of company documents for use in Hong Kong and overseas so that transactional documents or otherwise will be accepted and there will be more certainty of transactions in order to avoid litigation in future.

The speaker will share real life examples from his experience.

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Course Outline:

- Company's Contracts
 1. T S Office System Ltd v Wing Kee Produce Ltd [2015] 1 HKLRD 479
- Company Seals and Constitution
 1. Model Articles for Public & Private Companies
 2. Tables C & A
 3. Deeming provision
 4. Common sealing provisions
- Execution of Company Documents
 1. Williams v Redcard Ltd [2011] 4 All ER 444
 2. Lovett and another v Carson Country Homes Ltd [2009] EWHC 1143 (Ch), [2009] 2 BCLC 196
 3. Good Lion Ltd v Chung Sai Wing [2009] 2 HKLRD 25
 4. On Hong Trading Co., Ltd v Bank of Communications, HCMP3099/1999
 5. Knight Frank v Paley Properties [2014] SASFC103
 6. Peking Fur Store Limited v Bank of Communications [1993] HKC 625
 7. Grand Trade Development Ltd v Bonance Int'l Ltd [2001] 3 HKC 137 (CA)
 8. Re Armstrong Brands Ltd (in administration) [2015] EWHC 3303 (Ch); [2015] EWHC 3303 (Ch)
- Distinction between Deeds and Instruments under Hand
 1. Cap. 219 s.4
 2. Cap. 219 s.19
- Authentication of Due Execution of Company Documents
 1. Verification Process
 2. Certification Process
 3. Statute Law (Miscellaneous Provisions) Ordinance 2015 Part 5
 4. Hague Convention 1961
- Speaker's Own Experience Sharing
- Questions & Answers

Scan to Calendar



Code:	EVT000000432	Level:	Intermediate
Date:	25 June 2024 (Tuesday)	Language:	Cantonese (Course Materials in English)
Time:	14:30 - 17:45 (Reception starts at 14:00)	Accreditation(s):	LSHK RME Elective Course Status being applied for LSHK CPD Points being applied for
Venue:	<i>Option of:</i> (1) Online via Zoom; or (2) Kornerstone Institute 15/F, Hip Shing Hong Centre 55 Des Voeux Road Central Central, Hong Kong	Admission:	Standard Fee: HK\$2,280.00 Advanced Booking: HK\$1,980.00 <i>(on or before 11 June 2024)</i> Please call 2116 3328 for details and Group Discount



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Personal Data Collection Statement:

This course is jointly presented by **The Profectional Company Limited** in partnership with **Kornerstone Limited**, when register a course with us, the delegate's personal data collected will be stored in both of our databases which we will NEVER sell, share or otherwise distribute to any third parties other than staffs internally within our companies; or with our subsidiaries and affiliated entities on a need-to-know basis.

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Course Registration Terms and Conditions:

General - Registrations are accepted on a first-come-first-serve basis, priority will be given to those who have settled the admission fee in full. The admission fee includes the payment receipt, course materials, refreshments and the certificate of attendance.

Confirmation - A written confirmation will be issued upon the received of the full payment and the registration form, it will either be sent by facsimile or by email. Delegates are advised to contact us if he/she have not received the confirmation two days prior to the scheduled course.

Cancellation/Transfer Policy - NO cancellation is allowed once we have issued a written confirmation. The admission fee is NOT refundable but nomination of a replacement delegate is allowed, alternatively the delegate can transfer the registration to one of the upcoming courses provided that fourteen days written notice is given.

Incurring Expenses - Any bank charges and/or expenses incurred as a result of bounced cheques/bank transfers will be borne by the delegates. Registrants are advised to pay the sufficient fee.

Attendance Policy - A certificate of attendance will be given to each attendee at the end of the course, additional certificate of attendance/letter of verification of attendance can be issued at price of HK\$50.00 per copy. The certificate of attendance will NOT be issued to the delegate if he/she is absent for more than ten minutes for a course of less than three hours; or more than thirty minutes for a course of three hours or more in duration.

Adverse Weather Arrangement - In event of Typhoon Signal Number Eight or above/Rainstorm Black Warning is in forced or expected to be hoisted within two hours before the course scheduled time, the course will be cancelled. The course will be rescheduled or a credit note valid for twelve months will be issued, NO refunds will be given.

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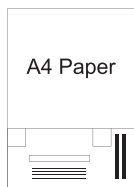
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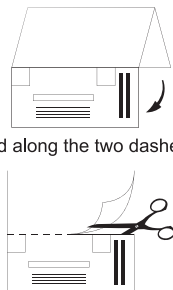
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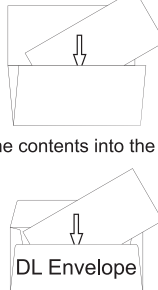
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