

## 蔡悅兒 大律師



### 认许年份

2014 (香港)

### 专业资格

香港调解资历评审协会有限公司认可调解员

### 执业范畴

公司法  
家事及婚姻法  
调解  
医疗疏忽 / 人身伤害  
财产 / 土地  
公法 / 司法覆核

### 联络

秘书：Ms. Suki Wong

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### 专业经验简述

蔡悅兒大律師自2014初开始私人执业后，曾获委聘处理不同范畴的案件及诉讼，包括公司法 / 商业诉讼、土地 / 财产诉讼、家事 / 婚姻诉讼、司法覆核、刑事案件、诽谤及人身伤亡等。

蔡大律師曾代表当事人出席不同级别的法庭聆讯 – 高等法院上诉庭、高等法院原讼庭、区域法院、家事法庭、土地审裁处及裁判法院。蔡大律師亦曾代表当事人出席由专业团体及法定机构举行的聆讯。此外，蔡大律師亦为香港调解资历评审协会有限公司所认可的调解员，并不时以此身分处理不同种类的调解案件。

### 学历

- 香港大学社会科学学士 (荣誉) (政治学与法学) (2010)
- 香港大学法学士 (荣誉) (2012)
- 香港大学法律专业证书 (2013)

## 案件选录

### 家事 / 婚姻诉讼

- T & L (Parental Order: s.12 Parent and Child Ordinance (Cap.429)) [2022] 2 HKLRD 685, [2022] HKCFI 747; [2022] HKCFI 2150 – appeared for the Applicants to seek parental orders relating to children born out of a Georgian surrogacy arrangement; successfully argued that the word ‘home’ in the Ordinance could mean two physical homes in two different countries as long as the family relationship is maintained via online communications.
- Z v. Y [2023] 3 HKC 1, [2022] HKCFI 3695 – appeared for the Applicant (a minor) to seek an order that the Respondent was not his father in a case where the CFI was asked to invoke, for the first time, its parens patriae jurisdiction, as well as its power under RHC Order 15 rule 16, to grant a declaration of non-parentage.
- ZFY v. SCHC [2022] HKCA 794 – appeared for the Applicant father (led by Robert Pang SC) in an application for leave to appeal against the trial judge’s decision to grant leave to the mother to relocate the child out of Hong Kong permanently.
- FH & MH v. WB, HB, B & G [2019] 5 HKC 99, [2019] HKCFI 1748 – appeared for the Applicants (led by Anita Yip SC) in an application for (i) parental orders in favour of parents to children born out of a Californian surrogacy arrangement; (ii) declarations regarding the constitutionality and interpretation of certain provisions in the Parent and Child Ordinance (Cap. 429) and the Human Reproductive Technology Ordinance (Cap. 561).
- CCM v. KPH [2022] HKCFI 918 – appeared for the Applicant (the maternal uncle of the minor) to obtain an order appointing him as the minor’s guardian following the mother’s death.
- Re D (Parental Order: s.12 of the Parent and Child Ordinance (Cap. 429)) [2015] 1 HKLRD 229 – appeared for the Applicants (led by Johannes Chan SC) to seek a parental order in favour of parents to a child born out of a Californian surrogacy arrangement.
- CD & Anor v. TKH & Anor [2021] HKFC 296 – acted for the 1st Applicant to resist the 2nd Respondent’s application to stay the proceedings (in which the Applicants applied for inter alia directions for the 2nd Respondent to take a DNA test to determine his parentage of a minor) on grounds of want of jurisdiction and forum non convenience.
- CCL v. JRC [2021] HKFC 21 – appeared for the Respondent Husband (led by Anita Yip SC & with Eugene Yim) to resist the Petitioner wife’s application for maintenance pending suit.
- 胡對陳及另一人 [2021] HKFC 73; [2021] HKFC 146 – acted for the third parties (parents of the Petitioner husband) in a preliminary issue trial concerning the beneficial ownership of a landed property.

### 人身伤害 / 雇员补偿

- Wong Oi Kwok v. Yau Yuet Man t/a Wu So Chai Building Materials & Anor [2023] HKDC 98 – acted for the Applicant in a trial to recover employees’ compensation following an accident which caused personal injuries to the Applicant.
- Yan Jiancheng v. Sung King Leung & Anor [2020] HKDC 512 – acted for the Applicant in a trial

to recover employees' compensation following an accident which caused personal injuries to the Applicant.

### 商业诉讼

- Tsang Kin Chung Terry v. Wong Chung Mang Jonah & Anor [2022] HKCA 377; [2022] HKCA 1080 – appeared on behalf of the Plaintiff in an application for security for costs of the Defendants' appeal; and thereafter in the unsuccessful Defendants' leave application to appeal the decision to the CFA.
- Tien Sau Tong Medicine Co (Hong Kong) Ltd v. Cheung Po Ling & Anor [2021] HKCA 1997 – appeared on behalf of the Respondent to oppose the Appellant's appeal in a case concerning misappropriation of company's funds by an employee.
- Dah Sing Bank v. Dynasty Management Ltd & Ors [2020] HKCFI 1695 – appeared for the Plaintiff to oppose the Defendants' appeal against Master's decision to grant summary judgment.
- 張鵬舉 v. 原翠美 [2022] HKCFI 1630 – appeared for the Plaintiff to resist the Defendant's appeal against Master's decision to grant summary judgment.
- Yuen Tak Sung v. Sea Dragon Food Ltd [2018] HKCFI 2471 – appeared on behalf of the Applicant in an application for leave to commence a statutory derivative action on behalf of the Respondent company.

### 土地 / 财产诉讼

- To Yung Sing Herman v. Szeto Chak Mei & Ors [2018] 3 HKLRD 370; [2018] HKCFI 1506 – acted for the Plaintiff in an application by vendor-purchaser summons regarding the issues of vacant possession and whether certain requisitions in a sale and purchase had been satisfactorily answered.
- Hau Cho Sing v. Hau Chi Wing & Ors [2018] HKCFI 686; [2018] HKCFI 1385 – appeared on behalf of the Defendants (with Michael Liu) in a striking-out application in a case involving easement, dedication and acceptance of a piece of New Territories land.
- To Hu Sing v. Cheung Kwai Chuen & Ors [2020] HKCFI 2747 – acted for the Plaintiff in a trial to defend the Defendants' application for specific performance of a sale and purchase agreement of two landed properties.
- Zheng Ruoting v. Chan Hoi Ting [2020] HKCFI 2360 – represented the purchaser in a land transaction in seeking declarations as to whether certain requisitions had been satisfactorily answered by the vendor.
- 中僑貨倉大廈業主立案法團 對 新旺參茸藥業行有限公司 [2022] HKLdT 39 – acted for the Applicant in a trial to recover damages following the Respondent's obstructions to the repair works carried out by the Applicant.

### 司法覆核



- Re: Hong Kong Journalists Association [2017] 2 HKLRD 756 – appeared on behalf of the Applicant (led by Prof. Johannes Chan SC) for leave to judicial review regarding the Government’s policy towards online-only media journalists and in particular, whether online-only media journalists should be allowed access to the press events relating to the Chief Executive Election 2017.