

蔡悅兒 大律師



認許年份

2014 (香港)

專業資格

香港調解資歷評審協會有限公司認可調解員

執業範疇

公司法
家事及婚姻法
調解
醫療疏忽 / 人身傷害
財產 / 土地
公法 / 司法覆核

聯絡

秘書：Ms. Suki Wong

sukiwong@bernacchichambers.com

專業經驗簡述

蔡悅兒大律師自2014初開始私人執業後，曾獲委聘處理不同範疇的案件及訴訟，包括公司法 / 商業訴訟、土地 / 財產訴訟、家事 / 婚姻訴訟、司法覆核、刑事案件、誹謗及人身傷亡等。

蔡大律師曾代表當事人出席不同級別的法庭聆訊 – 高等法院上訴庭、高等法院原訟庭、區域法院、家事法庭、土地審裁處及裁判法院。蔡大律師亦曾代表當事人出席由專業團體及法定機構舉行的聆訊。此外，蔡大律師亦為香港調解資歷評審協會有限公司所認可的調解員，並不時以此身分處理不同種類的調解案件。

學歷

- 香港大學社會科學學士 (榮譽) (政治學與法學) (2010)
- 香港大學法學士 (榮譽) (2012)
- 香港大學法律專業證書 (2013)

案件選錄

家事 / 婚姻訴訟

- 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.

人身傷害 / 僱員補償

- 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.

商業訴訟

- 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 / 財產訴訟

- 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.