

Alison Choy



Call

2014 (Hong Kong)

Professional Qualifications

HKMAAL Accredited Mediator
(General), Hong Kong Mediation
Accreditation Association Limited

Areas of Practice

Companies
Family & Matrimonial Law
Mediation
Medical Negligence & Personal
Injury
Property & Land
Public Law & Judicial Review

Contact

Secretary: **Ms. Suki Wong**

sukiwong@bernacchichambers.com

Practice Profile

Alison has a broad civil practice which includes family/matrimonial law, commercial law, company law, land law, building management, personal injuries, public law, and defamation. In her family law practice, she often advises clients on surrogacy law.

Fluent in both English and Cantonese, Alison is regularly instructed to conduct trials and civil appeals, concentrating particularly on the following areas: family, personal injuries and land. She also has experience in dealing with urgent matters, such as including obtaining and resisting injunctive relief, prohibition orders, etc.

She is regularly appointed as a mediator in a wide range of matters, such as family, personal injuries and general civil disputes.

She was a contributor (or co-contributor) of various chapters of the Annotated Ordinances, and the chapter on

“Right to Family” in *Law of the Hong Kong Constitution* (3rd Edn., 2021), as well as editor of *Constitutional and Human Rights Law in Hong Kong (Halsbury’s Special Edition)* (2015).

Education

The University of Hong Kong: BSocSc (Govt & Laws) LLB, PCLL

Selected Cases

Family & Matrimonial

- *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.

Personal Injuries & Employees' Compensation

- *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.

Commercial

- *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.

Land & Property

- *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.

Public Law



- *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.