

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,
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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 39 seminars to professionals to demonstrate notarial practice, with total audience exceeding 3,455.

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.



In March 2014, the Companies Ordinance (Cap.622) came into effect. It has brought with it a number of important changes in relation to execution of company documents.

"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..." per Mummery L.J. in *Williams v Redcard Ltd.* [2011] 4 All ER 444.

Notarial instruments which certify due execution of documents now have evidentiary status in civil proceedings by virtue of the Statute Law (Miscellaneous Provisions) Ordinance 2014, which also came into effect in 2014.

Because of globalization of businesses, the number of company documents executed in Hong Kong and used overseas is ever increasing every year. These documents are often of high value and are required urgently.

This course aims to provide an insight into the legal and practical aspects of execution, authentication and legalisation of company documents by way of recent court cases and real world examples.

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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. Re Armstrong Brands Ltd [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:	EVT000000370	Level:	Intermediate
Date:	16 May 2022 (Monday) (Amended)	Language:	Cantonese (Course Materials in English)
Time:	14:30 - 17:50 (Reception starts at 14:00)	Accreditation(s):	LSHK 3.0 CPD Points
Venue:	<i>Option of:</i> (1) Online via Zoom; <i>or</i> (2) Kornerstone Institute 15/F, Hip Shing Hong Centre 55 Des Voeux Road Central Central, Hong Kong	Request for Rerun:	Please Contact Us for Details



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