

## Contracts (Right of Third Party) Ordinance Cap 623

### Introduction:

With the Contractual (Right of Third Party) Ordinance Cap 623 (the “Ordinance”) becoming effective on 1 January 2016, it is important to know its impacts for all contractual arrangements, from agency and distribution agreements, sales and purchase agreements, licensing agreements, insurance contracts, to employment contracts etc..

### Highlights:

The speaker, Mr Michael Withington, will cover:

- A brief overview of the legal position in Hong Kong prior to the introduction of the Ordinance
- Key aspects of the Ordinance:
  - when do third parties acquire rights of enforcement against contracting parties?
  - what kinds of rights do third parties acquire?
  - can the operation of the Ordinance be excluded?
  - what limitations does the Ordinance place on the contracting parties?
- A review of caselaw from other jurisdictions to illustrate how this kind of legislation operates
- The implications of the Ordinance for various contractual arrangements in the Hong Kong context (particularly employment relationships, licensing, agency and distribution agreements and insurance contracts)
- Some practical tips on the drafting of contractual documents under the new regime established by the Ordinance

### Target audience:

In-house Lawyers, those drafting the contractual agreements, Heads of the Human Resources department and Administration department, Insurance Personnel, Senior Management in the agency and distribution business, licensing and sublicensing business, and any parties who are interested in this Ordinance

### Details:

- Date:** 26 January 2016 (Tuesday)  
**Time:** 3:00 p.m. – 5:00 p.m.  
**Venue:** Hong Kong Management Association, 4/F, Pico Tower, 66 Gloucester Road, Wan Chai, Hong Kong  
**Medium:** English  
**Seat** Seat confirmation is based on receipt of payment on a first come,  
**Confirmation:** first served basis.  
**Enquiry:** Contact Ms Kokko KO at Tel: 2973 0060 or e-mail to: [publn@icchkcbc.org](mailto:publn@icchkcbc.org)

### **Registration Fee:**

- ❖ *You will enjoy early bird discount if register and pay on or before **15 January, 2016.***
  - **HK\$ 500/person** (regular)
  - **HK\$ 450/person** (“early-bird” for public who register and pay on or before **15 January, 2016.**)
  - **HK\$ 400/person** (for ICC-HK members)

### **Speaker Profile:**

#### **Michael Withington, Partner Howse Williams Bowers**

Michael is experienced in a wide range of commercial litigation, including shareholder disputes involving both listed companies and high-profile private companies (many of which involve a cross-border element). He has also acted in litigation involving financial services institutions (including mis-selling claims and negligence claims), claims involving directors, and disputes over asset acquisitions. He recently led the team which achieved a successful settlement of a trust dispute involving one of Hong Kong's wealthiest families.

A large part of Michael's practice at Howse Williams Bowers involves contentious employment matters (acting for both employers and employees), including claims over termination and remuneration, enforcement of post-termination restrictions, discrimination claims and partnership disputes. He advises employers and statutory bodies on internal investigations and disciplinary proceedings, and has represented a number of individuals in SFC investigations. He also has significant experience in conducting and defending judicial review proceedings.

Michael also has extensive insurance experience, particularly in relation to the defence of professional negligence claims and advising on coverage issues. He has been a panel solicitor for the Hong Kong Solicitors Indemnity Scheme since 1998, and has represented both local and international law firms in connection with a broad range of claims.

### **Registration:**

Interested parties, please complete the registration form and return to Ms Kokko Ko via [publn@icchkcbc.org](mailto:publn@icchkcbc.org) or fax to (852)2869 0360.

### **Cancellation:**

There is no refund for cancellation of booking initiated by the applicant. However, the registration may be transferred to another person from the same company or organization at no extra charge, subject to the prior consent of ICC-HK.

### **Supported by:**

