Marina O. K. Fung

Partner

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> Marina Fung has notable experience in litigation, with particular expertise handling personal injury claims. She is also skilled in handling employee compensation and public liability mandates.
>
> Chambers Asia Pacific

Corporate clients turn to Marina Fung for her experience in handling personal injury and insurance litigation. Marina advises on all aspects of insurance litigation, including policy-related issues and defense of claims involving Motor Liability, Employees' Compensation, Contractors' All Risks and Public Liability. She represents and defends premises' owners and construction companies in cases involving serious personal injury and fatal claims. Corporate clients including banks, power companies and land developers turn to Marina for help handling claims. She also advises on insurance-related mediations and arbitrations.

Experience

- Successfully defended an employees' compensation insurer in a contested appeal against Labour Department's assessment, using strategic sanctioned payments and targeted expert evidence to secure a materially reduced assessment [*Siu Chin Hung v Flora Education Ltd* [2026] HKDC 1480].
- Successfully defended a global insurer in a Court of Appeal case which involved a suspicious work injury claim resulting in dismissal of the claim and substantial recovery of costs against the Applicant [*Wan Jingyi v Hoo Chun Wing t/a Kai Chun Good Well and Another*, CACV No. 105 of 2016] (Court of Appeal's decision on 21 February 2017).

- Acted for an electric company in numerous work injury claims in the Lamma Ferry incident which resulted in multiple fatalities and injuries.

- Acted for a quasi-governmental body in an HK$80 million claim involving a motor vehicle accident that rendered a 16-year-old girl a paraplegic, and achieving an amicable settlement following the landmark decision on new discount rate for multipliers in *Li Ka Wai v Hospital Authority* HCPI 671 of 2007 (following the recent changes in the UK law following the Privy Council's decision of *Dylan Simon v Manuel Paul Helmot by his next friends and guardians* [2012] UKPC 5).
- Successful defence of a motor claim in *Wong Man v Quan Kwok Hing*, DCPI 771/2009 (decision on 14 September 2012) resulting in substantial recovery of costs against the Plaintiff.
- Transferred a High Court claim to the District Court resulting in favourable settlement in *Hung Chor Hung John v Li Kwok Kin and Another*, HCPI 251 of 2009 (decision of Master Marlene Ng on 10 November 2009).
- Struck out a work injury claim based on failure to disclose reasonable cause of action and abuse of the process of the Court in *Wong Hon Pik v Tung Yiu Keung t/a Oi Kwun Fast Food Shop*, DCPI782/2006 (decision on 20 November 2007).
- Provided successful argument of Summons seeking relief to claim repayment of overpaid periodical payments in *Fong Sau Lan v Bureau Veritas Consumer Products Services (HK) Ltd.*, DCEC 957 of 2006 (decision of Deputy District Judge A. Yuen on 1 August 2007), one of the rare cases where the court confirmed its power to order for set-off or repayment where any sum paid is beyond the scope of section 10 of the Employees' Compensation Ordinance.
- Successful defence of Summons to appeal against the Certificate of Assessment out of time in *Chong Hon Sing v Gammon Skanska Ltd.*, DCEC 342 of 2004 (decision of Deputy Judge E. Yip on 4 October 2006), on the ground that there is no reasonable excuse for the delay and that prejudice would be caused to the Respondent by the long lapse of time to warrant meaningful medical examination of the Applicant.
- Successful defence at Court of Appeal in *Ho Wah Kwong v Chiu Hung Construction Co. Ltd. and Others*, CACV 345 of 2004 (decision on 21 March 2007) resulting in substantial recovery of costs against the Plaintiff.
- Successful defence of two Plaintiffs' motor claims resulting in dismissal of the action in *Chan Wai Ling and Another v Tang Chi Ho*, HCPI 428 of 2003 (decision of Suffiad J. on 13 May 2004).
- Advised a number of insurers on the breach of insurance policy issues and implications on insurers' liabilities as well as tactics to be adopted, including advising on joinder of the insurer in the proceedings as compared to that of taking over conduct of the proceedings on a non-waiver basis.
- Handled various high value claims for catastrophic injury cases resulting in expeditious out of Court resolution.

Recognition

- Leading Individual – Insurance: Contentious (International Firms), China – *Chambers Greater China Region* and *Chambers Asia Pacific*
- Recognised Practitioner – Insurance: Contentious (International Firms), China – *Chambers Asia Pacific*

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Qualifications

Education

- University of London, LLM
- The University of Hong Kong, PCLL
- The University of Hong Kong, LLB (Hons)

Admissions

- Hong Kong

Languages

- Cantonese
- English

Professional & community involvement

- Approved Mediator, Hong Kong Mediation Accreditation Association
- Acted as one of the judges of the International ADR Mooting Competition 2013 upon invitation by the School of Law of City University of Hong Kong

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