

Mr Benjamin Yu

Honorary Fellow Citation



The rule of law is one of the cornerstones of Hong Kong as an international city. In addition to the principles and precedents that give it strength, it depends on the steady service of those who carry its ideals into practice. Much of this work takes place away from the public limelight: in chambers, in consultation, in close reading and careful judgement. Yet this often-unsung work is essential to the confidence this city places in the law. Across more than four decades, Senior Counsel Mr Benjamin Yu, has given Hong Kong's legal system the full measure of his intellect, integrity and public spirit.

Born in 1957, Mr Yu studied law at the University of Hong Kong, graduating in 1978 with first class honours and the award for Best Mooter – an early sign of the advocacy that would define his career. He completed his Postgraduate Certificate in Laws the following year, taking distinctions in revenue law, commercial law, practice and procedure, and conveyancing and property law. In 1980, he was awarded a master's degree in law by the London School of Economics and Political Science, University of London.

His pupillage placed him, at the start of his career, within one of the most esteemed lineages of the modern Hong Kong Bar. Called to the Hong Kong

Bar on 8 September 1979, he read in the chambers of the future Chief Justice Andrew Li Kwok-nang and Mr Steven Gee, later Queen's Counsel. Immersed from the beginning in a tradition of exceptional advocacy, he inherited a professional legacy that would inform and distinguish his later practice.

Mr Yu took silk on 29 April 1995, at 38 – an early recognition of his standing at the Bar. From his own chambers in Admiralty, he has built a wide-ranging practice as one of Hong Kong's most respected Senior Counsel, with a notable career spanning commercial litigation, public and administrative law, trusts and probate. Across his cases, he has been marked by the breadth of his command and the thoroughness of his preparation, by a willingness to concede where the law requires, and by a temperament that, as one observer has put it, "is not a fighter without reason."

At moments of public reckoning, the city has looked to counsel of this calibre. He served as counsel in three of the most searching

public inquiries Hong Kong has known – the Garley Building Fire Inquiry, the Inquiry into the Opening of the New Airport and the Inquiry on Allegations relating to The Hong Kong Institute of Education. These were moments at which the city looked to the rule of law to account for what had gone wrong. The Bench has called on him in turn: he served as Deputy Judge of the Court of First Instance in 2002 and as Recorder of the Court of First Instance from 2003 to 2012, sitting on civil cases of considerable variety and complexity.

Among Mr Yu's many contributions to Hong Kong, none has had a more enduring impact than his work in law reform – work that has shaped the legal infrastructure on which this city operates as an international commercial and financial centre. In February 2004, he was appointed Chairman of the Standing Committee on Company Law Reform. Under his chairmanship, the Committee contributed materially to the most significant rewrite of Hong Kong's company law in a generation. Over the seven years that followed, and through five successive rounds of public

consultation, his Committee was the standing forum in which the rewrite was tested and refined, before the new Companies Ordinance took effect on 3 March 2014. The Ordinance replaced a framework whose foundations had been laid in the 1930s, bringing Hong Kong's company law into alignment with 21st century international standards.

Mr Yu has lent the same patience to other reform work. From 2002 to 2005, he chaired the Law Reform Commission Sub-committee on Law of Privity. From 2003 to 2007, he chaired the Review Committee on the Trust Fund for SARS, the body charged with hearing review applications under the Fund set up to assist families bereaved by, and those affected by, the 2003 outbreak. The Government of the Hong Kong Special Administrative Region appointed him Justice of the Peace in 2005, and in 2009 conferred on him the Silver Bauhinia Star, citing his exemplary public and community service and, in particular, his major contribution to company law reform, during which he addressed complex issues like corporate governance and Company Ordinance restructuring, influencing legislation

that supports the city's business hub role.

Mr Yu's commitment to the next generation of the profession has found its institutional home at this University. Since his appointment as Visiting Professor (Honorary) at the Faculty of Law in 2021, he has contributed to the academic and institutional life of CUHK with the same seriousness he has brought to a long and distinguished practice. He has delivered public seminars, masterclasses and annual lectures, engaging students, alumni, members of the judiciary and the practising Bar in sustained conversation about the craft of law. His engagement has been neither occasional nor symbolic; it has given students genuine exposure to legal reasoning and professional judgement at the highest levels of practice, and reinforced the Faculty's role as a bridge between scholarship, professional practice and public life.

In each of these chapters of his career – at the Bar, on the Bench, at the council table and in the lecture theatre – Mr Yu has practised a profession in service of a city, with the patience, the discipline and the unwavering

commitment that the rule of law most deeply requires. In each, too, he has given back to the next generation who would carry the work forward.

Mr Vice-Chancellor, it is my great pleasure to present Mr Benjamin Yu for an Honorary Fellowship of the University.
