

[Newsletter] It's not really about the goose - it's about the jurisdiction of the Hong Kong courts to wind up an overseas holding company

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On Wednesday, the Court of Final Appeal ("**CFA**") reversed the lower courts' decision in the Yung Kee case¹, holding that the Hong Kong court has jurisdiction to order the winding up of Yung Kee Holdings Limited (the "Company"), a holding company incorporated in the British Virgin Islands and not registered in Hong Kong.

The CFA found that there was sufficient connection between the Company and Hong Kong for the purposes of s.327(3)(c) of the Companies (Winding Up and Miscellaneous Provisions) Ordinance (the "**C(WUMPO)**"). The Company is the ultimate holding company of Yung Kee restaurant and other group companies operating and incorporated in Hong Kong.

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