

## **Curriculum Vitae**

### **Sandy Sabapathy**

Contact: Telephone No: 00852-91939622

E-mail: [sandy.sabapathy@polyu.edu.hk](mailto:sandy.sabapathy@polyu.edu.hk) [yutkes@hotmail.com](mailto:yutkes@hotmail.com)

#### **Academic qualifications**

Bachelor of Laws (University of London) 1986

Post Graduate Diploma in Intellectual Property Law (Queen Mary College, London) 1987

Masters of Law in Information Technology and Telecommunications Law (University of Strathclyde, Glasgow, Scotland) 2003

Doctor of Juridical Science (City University of Hong Kong) 2012

#### **Professional qualifications**

Certificate in Legal Practice, University of Malaya 1991

Advocate & Solicitor, High Court of Malaya

#### **Legal practice experience**

- January 2002 to May 2005: Managing Partner with Fadzilah, Ong Chee Seong & Associates
  - Attending to the overall day to day management and administration of the firm
  - Providing legal advice and representing clients on various commercial and corporate matters including winding up, bankruptcies, incorporation of companies, drafting of joint ventures agreements, turnkey contracts, corporate guarantees, loan documentations, family matters – divorce and adoption of children, intellectual property matters – copyright and trademark issues and employment/labour law issues – constructive dismissal.
- August 1998 to December 2001: Partner, Fadzilah, Ong Chee Seong & Associates
  - Assisting in the management of the legal firm

- Attending to contentious civil matters such as Application for Intervener, Recovery of Debts, Divorce Applications, Application for Summary Judgment, Application to set aside Judgment in Default of Appearance, and Bankruptcy matters. Drafting of Affidavits, Drafting of Wills, Applying for Probate, providing written opinion and advice to the banks, developers, public listed companies and to individuals on various matters such as breach of contract, professional negligence, directors' duties and liabilities, duties and liabilities of the bank and the developers.
- August 1997 to August 1998: Legal Assistant, Messrs. S.N Yap & Associates
  - In charge of both contentious and non-contentious civil matters such as applications for Interim Injunction, Mareva Injunction, Applications for Annulment of Bankruptcy and Family Law and Labour Law.
  - Was in charge of in-depth legal research for civil trials and hearings.
- June 1996 to August 1997: Legal Assistant, Messrs. Kamaruddin, Wee & Co
  - Conveyancing, bank documentation, civil litigation, debt collection, preparation of various agreements - tenancy and lease agreements, and shareholder's agreement.

## Teaching experience

- January 2018 to date: Teaching Fellow in Law, The Hong Kong Polytechnic University
  - School of Accounting and Finance, Faculty of Business

Programmes: Bachelor of Business Administration; Subjects- AF 2504 Introduction to Business Law and AF 3507 Company Law

Administrative Responsibilities:

Co-coordinator of AF 3507 Company Law, Semester One, 2019/2020

March 2015 to November 2016: Assistant Professor in Business and Law, University of Nottingham, Ningbo China

- Programmes - International Business and Management and Finance Accounting and Management; Subjects - Business Law and Company Law
- Administrative Responsibilities - Module Convenor and subject leader for Business Law A and Business Law B (Company Law),
- Academic Director for Basecamp Project; also the academic tutor for about 28 students.
- August 2007 to February 2015: Law Lecturer The Hong Kong Polytechnic University
  - School of Accounting and Finance, Faculty of Business; Subjects:  
AF 2504 Introduction to Business Law

## AF 2505 General Principles of Business Law

### AF 3507 Company Law

- Contribution to teaching:
  - Adopted a new interactive approach to teaching Company Law AF 3507 to non-law students
  - Developed new teaching materials, revised subject learning outcomes and a different mode of coursework assessment for AF 2504 Introduction to Business law.
  - This involved revising the materials for mass lectures, drafting more practical seminar questions, preparing indicative answers for seminar questions and drafting numerous quiz questions and assessment tasks on Company Law. As part of the teaching team, I also contributed significantly towards the analysis on recent Hong Kong cases on company law, which were discussed during seminars. I was also the subject coordinator for Company Law in Semester 1 2014/2015.
- September 2006 to May 2007: Part-time Law Lecturer, University of Hong Kong
  - Programme: Bachelor of Laws; Subjects – Contract Law, Tort Law, and Legal Research & Writing
- January 2002 to August 2006, Full-time Law Lecturer, Taylor's University, Malaysia
  - Programme: Bachelor of Laws, University of Reading, UK
  - Subjects - Law of Tort, Legal Skills, Equity and Trusts
  - Programme: Bachelor of Laws, University of Sheffield, UK
  - Subjects - Law of Contract, Law of Tort, Introduction to Legal System I
  - Administrative and Co-curricular activities
    - Member of the Steering Committee for Teaching and Learning
    - Advisor and coach to the Mooting Society
    - Judge for the inter-school debates organised by Taylors University and various schools
    - Library liaison officer
    - Student advisor and mentor
- February 1991 to June 1996, Full-time Law lecturer, Sunway University, Malaysia
  - Programme: Bachelor of Laws, Monash University, Melbourne
  - Subject - Law of Contract and Legal Process
  - Programme: Bachelor of Laws, University of London, External
  - Subject - Constitutional and Administrative Law

- Programme: Bachelor of Accounting and Computer Science and Bachelor of Business, Curtin University of Technology, Perth, Western Australia
- Subject - Introduction to Law 104
- Programme: Bachelor of Management, Flinders University, South Australia
- Subjects - Legal Framework of Business 100, Business Law 151, Law of Contract 101, Commercial Law
- Programme: Bachelor of Business, Victoria University of Technology
- Subject - Business Law

### **Research experience**

January 2018- May 2018

Part time Senior Research Fellow, City University of Hong Kong, School of Law

June 2018- August 2018

Part time Senior Research Fellow, City University of Hong Kong, School of Law

January 2017 – May 2017

Part time Research Fellow, City University of Hong Kong, School of Law

June 2017- August 2017

Research Fellow, City University of Hong Kong, School of Law

### **Other work experience**

- August 1990 to February 1991 - Attachment and part-time legal advisor on intellectual property law and company matters to Messrs. Shafee & Co (law firm) and Messrs. Henry Goh & Co (Trademark and Patent agent).
- July 1989 to February 1990 - Para-legal, Messrs. Ram, Rais and Yap.
- July 1987 to April 1989 -Solicitor's clerk with Messrs. Aaronson & Plosker, City Solicitors, London
- July 1985 to March 1986, -Sales assistant and stock controller, Marks & Spencer PLC
- December 1984 to June 1985 -Receptionist, Lee Abbey International Student's House, London

## **Professional Legal Education Activities**

- June 2019 – Conducted a seminar entitled “How HR Leaders Can Deflect The Chance of a Data Breach?” at The Hong Kong Institute Human Resources Management

## **Teaching Development**

- February to May 2014 - Attended and successfully completed a workshop on Certificate in University Teaching conducted by the Education Development Centre, Hong Kong Polytechnic University.
  - Volunteered and underwent a class observation and peer review by the Education Development Center, Hong Kong Polytechnic University in March 2014.
- September to December 2014 - Attended and successfully completed a course known as ‘Become An Online Teacher’ conducted by Education Development Centre, Hong Kong Polytechnic University.
  - Learning and Teaching Enhancement Grant 2018/19, The Hong Kong Polytechnic University  
Project Title: Peer Assessment – Assessing Students’ Learning
  - Project Code: 1.21.XX.8AFD
  - Date of Project: 20 February 2019 – 19 February 2020
  - 29 March 2019 - One of the Facilitators of Teaching and Learning Sharing Workshop entitled: Let’s Discuss The Socratic Method as an Alternative to Traditional Teaching, Educational Development Center, The Hong Kong Polytechnic University

## **University activities**

- ® Academic Advisor of Platinum Award Winner of GSC: PolyU Pre- Challenge March 2012.
- ® Foundation Year student mentor 2010/2011.
- ® Hosted the Five a Live Event held in October 2012.
- ® Participated in the Inauguration Ceremony of Poly U Student Ambassador in October 2013.
- ® Interviewer for Non- JUPAS Group Interviews conducted in March 2014 and March 2019.
- ® Academic Advisor for 28 undergraduate students at The Hong Kong Polytechnic University.

## **Research Interest:**

My research areas are on tort law, data protection and notification of data breach, company law, contract law, intellectual property law and business law.

## **Teaching Interest**

Tort law, Contract Law, Company Law, Commercial Law, Business Law, Equity and Trust, Commercial Writing and Drafting, Legal Research & Writing, Wills and Probate Practice and Family Law & Matrimonial Practice

## **Publications**

- Allocation of Risks in a Pre – Incorporation Contract International Journal of Private Law 2009 Vol. 2, Issue 2.
- Tort Recovery of Pure Economic Loss for Defective Premises: A Comparative Analysis International Journal of Liability and Scientific Enquiry 2009 Vol. 2 No.1.
- Looking Beyond the Existing Property Rights in Tort Law, International Journal of Private Law 2012 Vol. 5, Issue 3.
- An Examination and Critical Analysis of the Transfer of Business (Protection of Creditors) Ordinance (co-authored) Common Law World Review, Volume 41 No.3 2012.
- The Way Forward to Tort Recovery of Pure Economic Loss for Defective Premises in the UK, International Journal of Private Law, Vol.6, No.3, 2013.
- Mind The Gap: Hong Kong’s Sexual Conviction Record Scheme (co-authored) Asian Journal of Comparative Law, Vol.10, Issue 2 2015, Cambridge University Press

## **Research Grant**

Co-Investigator of GRF 2016/2017 (project number: 9042433) entitled Enhancing Corporate and Organizational Information Security Practices with a Framework for Data Breach Notification  
Date of Project: 1 January 2017 – 31 December 2019

The main aim of this project is to recommend a framework which will assist in the implementation of a data breach reporting scheme for Hong Kong.

## **Publications in International Refereed Conference Proceedings**

- Extension of Liability for Psychiatric Damage, 2<sup>nd</sup> Asian Law Institute (ASLI)

Conference, 2005.

- Overworked Floodgate Arguments and Tort Recovery for Pure Economic Loss, 3<sup>rd</sup> ASLI Conference, 2006.

- Allocation of Risks in a Pre-Incorporation Contract, 7th International Business Research Conference, 2007.

- Tort Recovery of Pure Economic Loss for Defective Premises: A Comparative Analysis, 2<sup>nd</sup> International Law and Trade Conference, 2008.

- I Can't Be Liable, Can I? : A Transferee's Woe under the Transfer of Business (Protection of Creditors) Ordinance at the Global Business and Social Science Research Conference, 2011.

- Looking Beyond the Existing Property Rights in Tort Law at the 2<sup>nd</sup> International Conference on Private Law, 2011.

### **Conference Paper**

- Liability of Internet Service Providers for Copyright Infringement: The Hong Kong Perspective, British and Irish Law, Education and Technology Association (BILETA) Conference, 2012.

- The Current Position of Parody under the Copyright Regime: The Hong Kong Perspective, BILETA Conference, 2014.

- Electronic Health Record Sharing System and Patient Privacy Protection in Hong Kong, British and Irish Law, Education and Technology Association (BILETA) Conference, 2017.

- Cyber-Security: A Wake Up Call for Hong Kong Companies, British and Irish Law, Education and Technology Association (BILETA) Conference 2019.

- Extending The Liabilities of Personal Data Breach to Psychological Impacts, 36 th International Congress on Law and Mental Health, 2019.

### **• Papers in final draft stage**

- Criminalisation of Parodies: The Hong Kong Perspective

- Contract, Tort and Pure Economic Loss for Defective Dwellings

- Duty of Care and Pure Economic Loss for Defective Dwellings in the United Kingdom
  
- **Forthcoming**
  - Enhancing Patient Privacy Protection under Hong Kong's Electronic Health Record Sharing System (co-authored)
  
- **Other activities**
  - Past Treasurer (for 3 years) and past Secretary of Self-Realization Fellowship, Kuala Lumpur Centre.
  - Past Corresponding Secretary of Self-Realization Fellowship, Hong Kong Meditation Circle.
  - Ad Hoc reviewer for Asia – Pacific Journal of Taxation
  - Treasurer of Self-realization Fellowship, Hong Kong Meditation Circle

## **REFEREES**

Professor Zhao Yun

Head, Department of Law

Faculty of Law

CCT 306

The University of Hong Kong

Pokfulam Road

Hong Kong

Email: [zhaoy@hku.hk](mailto:zhaoy@hku.hk)

Telephone: 39172928

Dr. Vernon Nase

Associate Professor, Head of Department

Curtin University of Technology, Faculty of Business, Department of Law



Bentley Campus, Perth, Western Australia (Retired)

Current Correspondence Address:

20V/154 Musgrave Avenue

Southport

Queensland

Australia 4215

E-mail: vnase@hotmail.com

Mobile Telephone: 0423674637

Dr. Robert Wright

Associate Professor

Department of Management and Marketing

M906, Li Ka Shing Tower

The Hong Kong Polytechnic University

Hung Hom, Kowloon

Hong Kong

Email: [robert.wright@polyu.edu.hk](mailto:robert.wright@polyu.edu.hk)

Telephone: 27667378

Dr. Surya Deva

Associate Professor

City University of Hong Kong, School of Law

Tat Chee Avenue, Kowloon, Hong Kong

E-mail: suryad@cityu.edu.hk

Telephone: 34427370

