

SAMPLE for licensed corporations



SECURITIES AND FUTURES COMMISSION

Form 5

**Notification – Licensed Corporation,
Registered Institution, Licensed Representative and
Substantial Shareholder**

Important: You should only complete and submit sections 1 and 18, and other sections relevant to your notification to the Commission.

Name of person making notification

CE number

X	Y	Z	1	2	3
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Name of contact person regarding any queries on this form

Name of designated person and telephone number

Telephone number of the contact person

Warning:

You must fill in this form accurately and truthfully. Section 384(1) of the Securities and Futures Ordinance states:

“A person commits an offence if –

- (a) *he, in purported compliance with a requirement to provide information imposed by or under any of the relevant provisions, provides to a specified recipient any information which is false or misleading in a material particular; and*
- (b) *he knows that, or is reckless as to whether, the information is false or misleading in a material particular.”*

The punishment for this offence is a fine of up to \$1 million and imprisonment for up to 2 years.

SAMPLE

You may "✓" more than one section.

Section 1: Types of notification

1.1 Please tick "✓" the types of notification you would like to make to the Commission.

Types of notification		Section number
<input checked="" type="checkbox"/>	Cessation of business – licensed corporation or registered institution.	2
<input type="checkbox"/>	Ceasing to act as a licensed representative. <i>(Not applicable to registered institutions.)</i>	
<input type="checkbox"/>	Notification by licensed representative.	3A
<input type="checkbox"/>	Notification by licensed corporation.	3B
<input type="checkbox"/>	Ceasing to act as a responsible officer of a licensed corporation. <i>(Not applicable to registered institutions.)</i>	
<input type="checkbox"/>	Notification by responsible officer.	4A
<input type="checkbox"/>	Notification by licensed corporation.	4B
<input type="checkbox"/>	Change in executive officer of a registered institution or his/her particulars. <i>(Applicable to registered institutions only.)</i>	5
<input type="checkbox"/>	Change in director or his/her particulars.	6
<input type="checkbox"/>	Change in complaints officer or his/her particulars.	7
<input type="checkbox"/>	Change in emergency contact person or his/her particulars.	8
<input type="checkbox"/>	Change in share capital.	9
<input type="checkbox"/>	Change in shareholding structure.	10
<input type="checkbox"/>	Change in contact information.	11
<input type="checkbox"/>	Change in bank account. <i>(Applicable to licensed corporations only.)</i>	12
<input type="checkbox"/>	Change in auditor.	13
<input type="checkbox"/>	Change in name.	14
<input type="checkbox"/>	Change in associated entity or its particulars.	15
<input type="checkbox"/>	Change in insurance policy. <i>(Applicable to licensed corporations only.)</i>	16
<input type="checkbox"/>	Other notifications.	17

Section 2: Cessation of business - licensed corporation or registered institution

2.1 When do you intend to cease carrying on your business in regulated activities?

Date (dd/mm/yyyy): 31/10/2003

2.2 Please state the reason for cessation.

<input type="checkbox"/>	Unfavourable business conditions
<input checked="" type="checkbox"/>	Sale of business
<input type="checkbox"/>	Group consolidation
<input type="checkbox"/>	Relocation of business out of Hong Kong
<input type="checkbox"/>	Others (please specify)

2.3 Have you notified your clients of the cessation of business and returned to them the funds and assets held or managed on their behalf, if any?

Yes. Please provide a copy of the notice.

No. Please state the reason for not notifying your clients of the cessation and elaborate on the measures you have taken to safeguard your clients' assets, if any.

Note:
Under section 156(2) of the SFO, a licensed corporation that ceases business shall prepare and submit financial statements, made up to the date of cessation, together with an auditor's report, to the Commission not later than 4 months after the date of the cessation.

If you have no other notifications, please go to Section 18.

Section 18: Declaration

If you are a licensed corporation, registered institution, or corporate substantial shareholder of a licensed corporation, please complete Part A only.

If you are a licensed representative or an individual substantial shareholder of a licensed corporation, please complete Part B only.

Part A

Corporation's declaration

We: Happy Securities Limited
Name of corporation

Please insert the relevant section number and total number of supplements here.

- **Have completed** section xx of this form and attached a total of x supplements and attachments to this form.
- **Declare** that all the information provided in this form (including all supplements and attachments) is complete, true and correct.
- **Understand** that providing false or misleading information is an offence under section 384 of the Securities and Futures Ordinance.
- **Understand** that the Commission may take disciplinary action against a person who has made a false or misleading representation.

(To be signed by a director, responsible officer, executive officer, or chief executive (in the case of an authorized institution).)

<u>CHAN Tai Man</u> Name of director /responsible officer/ executive officer /chief executive*	<u>CHAN Tai Man</u> Signature	<u>02/10/2003</u> Date
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* Delete where not applicable