



SECURITIES AND FUTURES COMMISSION 證券及期貨事務監察委員會

12th Floor, Edinburgh Tower, The Landmark, 15 Queen's Road Central, Hong Kong

香港中環皇后大道中十五號置地廣場公爵大廈十二樓

Our ref: 250/LC/24

22 January 2003

To: Licensed banks who are not exempt dealers
or exempt investment advisers

Dear Sirs,

Registration matters pertaining to the Securities and Futures Ordinance ('SFO')

Under the current licensing regime, licensed banks are not required to be registered with the SFC in order to carry on securities investment advisory business. However, this exclusion will no longer be available upon the commencement of the SFO, which is targeted to be operational on 1 April 2003. As required under the SFO, such licensed banks will need to be registered with the SFC to become "registered institutions" in order to carry on any regulated activity including advising on securities.

For the purpose of transitional arrangements, section 32 of Schedule 10 to the SFO provides that a licensed bank providing investment advisory services immediately before the commencement of the SFO will be deemed to be registered with the SFC for Type 4, Type 6 and Type 9 regulated activities¹ for a period of 2 years ("transitional period"). Section 33 of that Schedule also provides that an individual engaged by such licensed bank will be deemed to be a person whose name has been entered in the register maintained by the Monetary Authority under section 20 of the Banking Ordinance in relation to the regulated activity concerned during the transitional period.

If you are a licensed bank currently carrying on investment advisory activities and not being an exempt person, wishes to continue such regulated activity after the commencement of the SFO, **you must submit the attached *Information Sheet* on or before 14 February 2003** so your particulars can be entered in the public register pursuant to the requirements of the SFO. **You are not required to take any action with respect to this letter if you are not engaging in investment advisory activity and will not be deemed registered under the SFO.**

If you wish to continue carrying on any regulated activity after the transitional period, you must apply with the SFC for a new registration under the SFO during the transitional period. Related application forms can be obtained from the SFC office at 12/F, Edinburgh Tower, The Landmark, 15 Queen's Road Central, Hong Kong.

¹ Type 4: advising on securities; Type 6: advising on corporate finance; Type 9: asset management (subject to the condition of not providing a service of managing a portfolio of futures contracts for another person)



For details of the transitional arrangements and the type(s) of regulated activity that you will be deemed registered when the SFO commences, please refer to the *Guidelines on Transitional Arrangements* which will soon be made available.

Enquiry

Should you have any queries, please contact the Licensing Department at 2842-7755.

Yours faithfully,

Licensing Department

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SECURITIES AND FUTURES COMMISSION

Deemed Registered Institution
under the Securities and Futures Ordinance ('SFO')

Information Sheet for Transitional Arrangements

Are you a/an:

- Exempt person being an Authorised Financial Institution
- Licensed bank other than exempt person engaging in investment advisory activities

Name of authorised institution	
CE number (if any)	
Contact person for this form	
Contact person's telephone number	

Section 1: Complaints officer and emergency contact person

1.1 You must appoint a complaints officer to handle complaints received by you. Please provide the following information on your complaints officer.

Name in English		CE No. (if any)	
Name in Chinese (if any)			
Job title			
Telephone number			
Facsimile number			
Correspondence address			
E-mail address			

1.2 You must also appoint a contact person whom the SFC may contact in the event of an emergency or other urgent need. Please provide the following information on your emergency contact person. [Note: For group companies, it is preferable that this person should have sufficient authority and be familiar with the overall affairs of the group.]

Name in English		CE No. (if any)	
Name in Chinese (if any)			
Job title			
Telephone number	Office		Residential
Mobile phone number			
Facsimile number			
Correspondence address			
E-mail address			

Note: If there is insufficient space to complete your answer to any question, please continue on a photocopy of the relevant page.

Section 2: Electronic and main business addresses

E-mail and website addresses	(e-mail)	(website)
Main business address in Hong Kong		
Flat, floor and block no.		
Building name		
Street no. & name		
District		
Telephone and facsimile numbers	(telephone)	(facsimile)

Section 3: Associated entities

“Associated entity” is a company which is in a controlling entity relationship with you, and receives or holds in Hong Kong your client assets. Controlling entity and controlling entity relationship are defined in Part 1 of Schedule 1 to the SFO.

3.1 Do you have any associated entity?

- Yes.
- No.

3.2 Please provide the following information on your associated entities.

Name of associated entity	Is it a deemed licensed corporation or a deemed registered institution?		Effective date of becoming an associated entity (dd/mm/yyyy)
	<input type="checkbox"/> Yes. CE No: ()	<input type="checkbox"/> No*	/ /
	<input type="checkbox"/> Yes. CE No: ()	<input type="checkbox"/> No*	/ /
	<input type="checkbox"/> Yes. CE No: ()	<input type="checkbox"/> No*	/ /

* If you tick NO to any of the above, please complete Question 3.5.

3.3 Are you currently acting as an associated entity of a deemed licensed corporation and/or deemed registered institution?

- Yes.
- No.

3.4 Please provide the names of the deemed licensed corporations or deemed registered institutions for which you act as their associated entity.

Name of deemed licensed corporation or deemed registered institution	CE No.

- 3.5** Please provide the following information on an associated entity.
 [Note: The following basic information is collected for the purpose of identifying your associated entity.
 We will obtain further details from the associated entity when the SFO commences.]

Corporate information			
Name in English			
Name in Chinese (if any)			
Business name (if applicable)			
Place of incorporation			
Date of incorporation	(dd)	(mm)	(yyyy)
Financial year end	(dd)	(mm)	
Name of auditor			
Addresses, telephone and facsimile numbers of principal place of business in Hong Kong			
Flat, floor and block no.			
Building name			
Street no. & name			
District			
Telephone and facsimile numbers	(telephone)	(facsimile)	
Email address			
Website address			
Information of executive officers			
Note: "Executive officer" in the context of an associated entity means any director of the associated entity who is responsible for directly supervising the receiving or holding of the intermediaries' client assets.			
Name of executive officers in English (and Chinese, if any)	HKID/ Passport No.^	Passport details^	
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()		/	/
()		/	/
()		/	/
()		/	/

^ Only applicable to persons who are non-Hong Kong permanent residents.

Section 4: Other corporate information

Financial year end	_____ / _____ <i>dd mm</i>
Auditor and appointment date	_____ <i>(Name of auditor)</i>
	_____/_____/_____ <i>dd mm yyyy</i>

Section 5: Regulated Activity (For exempt dealer only)

5.1 Are you carrying on Type 7 regulated activity on providing automated trading services, e.g. internet trading services?

- Yes.
- advised the SFC.
 - not yet advise the SFC.
- No.

Section 6: Reviewed by

Signature	
Name of signatory	Chief Executive
Date	