

Return of Application for Migration – Form 3(x)

退回過渡申請表 – 表格 3(x)

Name of applicant (Individual) : _____

申請人名稱 (個人)

Name of primary principal (Corporation) : _____

主要主事人名稱 (法團)

Return date : _____

退回表格日期

This application is returned to the applicant due to the following reason(s):-

鑑於以下原因，本申請表現退回予申請人： -

- The applicant does not indicate which type(s) of regulated activity he/she intends to apply (by marking “✓” in the appropriate box(es) under the “**Apply**” column in Section 1).

申請人未有在第 1 部的“申請”欄中適當的空格內加上“✓”號，以表明其擬申請進行的受規管活動類別。

- The type(s) of regulated activity that the applicant applies (as indicated under the “**Apply**” column in Section 1) is inconsistent with the type(s) of regulated activity that he/she has been deemed licensed, and the applicant does not indicate that he/she wishes to apply for new type(s) of regulated activity in Question 1.1.

申請人在第 1 部的“申請”欄中表明擬申請進行的受規管活動類別，與其視作已獲發牌進行的受規管活動類別不符，而申請人亦未有在問題 1.1 內表明其希望申請進行新增的受規管活動。

- The capacity as responsible officer or representative that the applicant applies (as indicated under the “**Apply**” column in Section 1) is inconsistent with the capacity that he/she has been deemed licensed, and the applicant does not indicate that he/she wishes to upgrade from the capacity as representative to the capacity as responsible officer in Question 1.3.

申請人在第 1 部的“申請”欄中表明擬申請出任的負責人員或代表的職位與其視作已獲發牌的職位不符，而申請人亦未有在問題 1.3 內表示希望從代表的職位晉升至負責人員的職位。

Note: Applicant may refer to the Public Register of Licensed Persons and Registered Institutions available on the SFC website (<http://www.hksec.org.hk/eng/licensing/html/persons/lpfl.htm>) to view his/her licence information.

附註：申請人可在證監會網站內的“持牌人及註冊機構的公眾紀錄冊” (<http://www.hksec.org.hk/chi/licensing/html/persons/lpft.htm>) 查閱其牌照資料。

- The applicant does not submit **Supplement 3(x)** for the proposed new regulated activity and/or the proposed capacity as responsible officer (as required in Questions 1.1, 1.2 and 1.3 where appropriate).

申請人未有就擬新增的受規管活動及 / 或擬出任負責人員的職位一事呈交問題 1.1、1.2 及 1.3 (視乎何者適用) 所需的補充文件 3(x)。

- The applicant does not submit **Supplement 11** for applying to become a responsible officer to conduct Type 6 regulated activity (as required in Question 1.4).

申請人未有就擬申請成為進行第 6 類受規管活動的負責人員呈交問題 1.4 所需的補充文件 11。

- The applicant does not indicate his/her **principal** in Section 2 in respect of each type of regulated activity that he/she applies.

申請人未有在第2部就其擬申請進行的每類受規管活動，表明其主事人的名稱。

- The type(s) of regulated activity / capacity that the applicant applies in Section 1 is inconsistent with what is indicated in Section 2.

申請人在第 1 部所表明擬進行的受規管活動類別及職位與在第 2 部所表明的不符。

Note: The applicant should circle under the "Regulated activity" column in Section 2 such type(s) of regulated activity that he/she applies (rather than all type(s) of regulated activity that his/her principal is licensed).

附註：申請人應在第 2 部的“受規管活動”欄中圈出其擬進行的受規管活動的類別（而並非圈出其主事人獲發牌進行的全部受規管活動的類別）。

- The SFC has been notified that the applicant is a member of the board of directors of his/her proposed principal. That individual is therefore an executive director (see Note below) as defined under the Securities and Futures Ordinance (“SFO”) and he/she shall apply to become a responsible officer of his/her principal pursuant to section 125(1)(a) of the SFO. However, the applicant’s response under the “**Executive director**” and “**Responsible officer**” columns in Section 2 does not reflect this.

證監會得悉申請人是其擬隸屬的主事人的董事局成員。因此，申請人屬於《證券及期貨條例》所界定的執行董事（見以下附註），及其亦必須依據《證券及期貨條例》第 125(1)(a)條申請成為其主事人的負責人員。然而，申請人在第 2 部的“執行董事”及“負責人員”欄內的回應並沒有反映這點。

Note: Under section 113 of the SFO, “executive director”, in relation to a licensed corporation, means a director of the corporation who –
(a) *actively participates in;* or
(b) *is responsible for directly supervising,*
the business of a regulated activity for which the corporation is licensed.

Under section 125(1)(a) of the SFO, every executive director of a licensed corporation who is an individual shall be approved as a responsible officer of the corporation in relation to the regulated activity concerned.

附註：根據《證券及期貨條例》第 113 條，就持牌法團而言，“執行董事”指 –

(a) 積極參與；或

(b) 負責直接監管

該法團獲發牌經營的受規管活動的業務的該法團的董事。

根據《證券及期貨條例》第 125(1)(a)條，持牌法團每名屬個人的執行董事必須就有關的受規管活動獲核准為該法團的負責人員。

- The applicant indicates in Section 1 his/her intention to apply for new type(s) of regulated activity and/or to upgrade his/her capacity as representative to the capacity as responsible officer. However, the necessary **application fee** is not accompanied with this application.

申請人在第 1 部表示擬申請進行新增的受規管活動，或將其職位由代表提升為負責人員，但卻沒有隨本申請表附上所需的申請費。

*Note: \$1,790 for adding each type of regulated activity other than Type 3 (as representative)
\$2,420 for adding Type 3 regulated activity (as representative)
\$4,740 for adding each type of regulated activity other than Type 3 (as responsible officer)
\$5,370 for adding Type 3 regulated activity (as responsible officer)
\$2,950 for upgrading the applicant’s existing capacity of representative to responsible officer (per type of regulated activity)*

附註：每類新增的受規管活動（第 3 類除外）（作為代表）的申請費為 1,790 元。

新增第 3 類受規管活動（作為代表）的申請費為 2,420 元。

每類新增的受規管活動（第 3 類除外）（作為負責人員）的申請費為 4,740 元。

新增第 3 類受規管活動（作為負責人員）的申請費為 5,370 元。

將申請人從原來的代表職位提升至負責人員職位的申請費（按每類受規管活動計算）為 2,950 元。

The applicant does not respond to the following question(s) in the Application Form or Supplement(s) as required.

申請人未有在申請表或補充文件內回應以下須要回答的問題。

The applicant does not tick “√” the appropriate box(es) in the “**Declaration**” section.

申請人未有在“聲明”部分適當的空格內加上“√”號。

The applicant's primary principal does not tick “√” the appropriate box(es) in the “**Declaration**” section.

申請人的主事人未有在“聲明”部分適當的空格內加上“√”號。

The application form is not duly **signed** by the applicant.

申請人未有妥當地簽署申請表。

The application form is not duly **signed** by the applicant's primary principal.

申請人的主事人未有妥當地簽署申請表。

The applicant does not **return his/her old certificate of registration** together with this application.

申請人未有隨本申請表一併交回其舊的註冊證。

Others (specified below)

其他（說明如下）

For enquiries, please contact _____ at _____ .

如有查詢，請致電 _____ 與 _____ 聯絡。