

Return of Application for Migration – Form 1(x) 退回過渡申請表 – 表格 1(x)

Name of applicant (Corporation) : _____
申請人名稱 (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 it 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 it has been deemed licensed, and the applicant does not indicate that it 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。

Note: Applicant may refer to the Public Register of Licensed Persons and Registered Institutions available on the SFC website (<http://www.hksfc.org.hk/eng/licensing/html/persons/lpfl.htm>) to view its 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.hksfc.org.hk/chi/licensing/html/persons/lpfl.htm>) 查閱其牌照資料。

The applicant does not submit **Supplement 14** or **Supplement 8** for the proposed new regulated activity (as required in Question 1.1).

申請人未有就擬新增的受規管活動呈交問題 1.1 所要求的補充文件 14 或補充文件 8。

The applicant does not propose in Section 2 at least 2 individuals to become its **responsible officers** for each type of regulated activity that it 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提名至少兩人為其負責人員。

Note: In respect of each type of regulated activity that the applicant applies, it should appoint at least 2 responsible officers to directly supervise the proposed business. The same individual may be approved as a responsible officer in respect of more than one type of regulated activity if he is fit and proper and there is no conflict of interest arising from such arrangement.

附註：就申請人擬申請進行的每類受規管活動而言，申請人必須委任至少兩名負責人員直接監督其擬進行的業務。同一名人士亦可獲核准為多於一類受規管活動的負責人員，但其必須具備適當人選的資格，且有關的安排不會構成利益衝突。

- The SFC has been notified that the following individual(s) proposed as a responsible officer(s) in Section 2 is a member of the board of directors of the applicant. That individual shall hence be regarded as an executive director as defined under the Securities and Futures Ordinance (“SFO”)(See Note below). However, the applicant’s response under the “**Executive director**” column in Section 2 does not reflect this accordingly.

證監會得悉下述在第 2 部所表明擬為負責人員的人士是申請人的董事局成員。因此，該人士會被視為《證券及期貨條例》所界定的執行董事（見以下附註）。然而，申請人在第 2 部的“執行董事”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.*

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。

- Form 3(x)** of the following individual(s) proposed as a responsible officer(s) of the applicant is not attached with this application.

下述擬為申請人的負責人員的人士未有隨本申請表呈交表格 **3(x)**。

- The applicant indicates its intention to apply for new type(s) of regulated activity in Section 1, but it does not accompany the necessary **application fee**.

申請人在第 1 部表示擬申請進行新增的受規管活動，但卻沒有附上所需的申請費。

Note: \$4,740 for adding each type of regulated activity other than Type 3
\$129,730 for adding Type 3 regulated activity

附註：每類新增的受規管活動（第 3 類除外）的申請費為 4,740 元。
新增第 3 類受規管活動的申請費為 129,730 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 application form is not duly **signed by 2 directors** of the applicant.
申請表未有妥當地經申請人的兩名董事簽署。

The applicant does not **return its 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。