

Complaint Form

(Complaints related to unauthorised
collective investment schemes and SFC-
authorised investment products)

Please complete this form if you wish to make a complaint to the Securities and Futures Commission (SFC) about intermediaries' conduct, public offerings of securities, market misconduct, listed companies misconduct or takeovers. Please check the applicable boxes below. Upon completion, please return it together with photocopies of all relevant supporting documents to the SFC by:

Email	complaint@sfc.hk
Post	54/F, One Island East, 18 Westlands Road, Quarry Bay, Hong Kong

1. Complainant's details

(please select as appropriate)

☐ Individual complainant[#]

Full name*	
First four digits of identity card/ passport*	
Postal address*	
Telephone number*	
Email address (if any)	

[#]If you wish to appoint an authorised person to handle the complaint, please also complete Part 7 Appointment of representative for individual complainant.

**Mandatory*

*Note: I understand that if I do not provide the information specified in the mandatory fields, including **my full name, first four digits of identity card / passport, postal address and telephone number**, the SFC will treat this complaint as an anonymous complaint and will not provide any response to me.*

☐ Corporate complainant

Company name*	
Place of incorporation*	
BR/CR number*	
Postal address*	
Full name of representative*	
Telephone number of representative*	
Email address of representative	

**Mandatory*

*Note: I understand that if I do not provide the information specified in the mandatory fields, including **the company name, place of incorporation, BR/CR number, postal address, full name and telephone number of representative**, the SFC will treat this complaint as an anonymous complaint and will not provide any response to me.*

2. Who are you complaining against?

Full name of the person / company complained against	
Address	
Email address (if any)	
Telephone number	
SFC Licence number (if any)	

Are you a client of the company complained against?

☐ Yes

Account number	
Account type (eg. securities or futures, etc)	
Name of account holder	

☐ No

Have you made any investment via the company?

☐ Yes

Type of investment	
Transaction date (date / month / year)	
Disputed amount	

☐ No

Did the matter complained of happen in Hong Kong?

☐ Yes

☐ No Please specify: _____

3. Unauthorised collective investment schemes / SFC- authorised products-related matters (eg. disclosure- related, marketing materials, performance-related, breach of regulatory requirements)

Name of the product complained of			
Are you an investor of the product?		Amount of loss you suffered (if any)	
Name of the management company/ product issuer/ trustee/ custodian/ intermediary complained of			
Have you complained to /contacted the management company or product issuer? If yes, please specify the response from management company or product issuer.			

Date, time and key events of the complaint

Please let us know if your complaint concerns the following aspect(s):

- ☐ advertisements or marketing materials
- ☐ disclosure of product-related information
- ☐ fees and charges
- ☐ mis-handling of account by intermediaries
- ☐ mis-selling
- ☐ pecuniary dispute
- ☐ pricing
- ☐ standard of service
- ☐ structure / design of the product
- ☐ others. Please specify: _____

What is your complaint?

- a. If you complain about the selling of unauthorised collective investment scheme/ other unauthorised products (collectively the Arrangement), please specify whether you were solicited to invest in the Arrangement in Hong Kong: ☐ Yes ☐ No

Name and contact information of the marketing agent and/or salesperson who offered the Arrangement to you

Please provide concrete details on how you get to know about the Arrangement

Does the complaint involve real estate property?		If yes, please provide the name and location of the real estate property:
<p>Have you declared or signed any documents to declare that you are a professional investor in relation to the investment in the Arrangement?</p> <p><input type="checkbox"/> Yes. Please provide the relevant document(s) in Part 5 below.</p> <p><input type="checkbox"/> No</p>		
<p>b. If you complain that advertisements or marketing materials of the fund/ Investment-linked assurance scheme/ product/ the Arrangement are misleading:</p>		
<p>Which part of the advertisement or marketing materials you think is misleading</p>		
<div></div>		
<p>Where the marketing materials are/were distributed or how you obtained the marketing materials</p>		
<div></div>		

- c. Please advise whether you identified any breach or non-compliance with SFC's codes, guidelines or rules by the fund and/or the management company or product issuer, if any.

☐ Yes, please elaborate: _____

☐ No

☐ Not sure

- d. Please provide the documents (eg. offering documents, termsheet, agreements, contract notes, advertisements, marketing materials) that you have mentioned in your complaint and other evidence/proof to substantiate your allegations, in Part 5 below.

4. Other details

Please elaborate your allegations in chronological order.^{Note}

If you need more space, please continue on a separate sheet of paper and attach it to this form.

Note: eg, if you complain about redemption proceeds calculation, please state the date and price of the redemption order; or if you complain about an ETF price (e.g. not tracking the underlying index), please state the relevant period.

5. List of documents in support of your complaint

Are you able to give us any documents supporting the events that you describe (eg, client agreement, contract notes, account statements, correspondence, marketing materials, brochure, leaflet)? **(Please enclose photocopies of all relevant documents.)**

☐ Yes, please specify:

	Document
1.	
2.	
3.	
4.	

☐ The documents will be emailed to the SFC at complaint@sfc.hk.

☐ The documents will be sent to the SFC by post at
54/F, One Island East, 18 Westlands Road, Quarry Bay, Hong Kong.

☒ No, I do not have any supporting document.

6. Actions you have taken

Have you lodged a complaint with the SFC before, which is related to the current one?

☐ **Yes**

Date of previous complaint Day Month Year

Reference number (if known)

☐ **No**

Have you complained to the entities complained against in Part 2 above, other regulators/organisations or the police? If yes, please provide the relevant information below:

Name of the entities complained against , other regulators/ organisations, or the police you have lodged the same complaint with	Date of complaint	Reference number of your complaint (if any)	Investigation result, if any

Please enclose a photocopy of your complaint letter and where appropriate the reply of the entities complained against, other regulators/organisations or the police.

7. Appointment of representative for individual complainant

If you wish to appoint a representative to handle your complaint on your behalf, please complete the following:

I authorise _____ (Name)
to handle my complaint on my behalf, including submitting information, enquiring about the progress of my complaint, and receiving information and documents (which may include personal information and data) from the SFC.

Representative's correspondence/email address:

Representative's telephone number:

8. Important information

Consent to the SFC

For the purpose of handling this complaint, I (please tick as appropriate)

☐ agree

to the SFC disclosing this complaint and my personal information contained herein to:
(please tick as appropriate)

☐ the subject(s) of the complaint and their related entities.

☐ law enforcement agencies (eg. police) and other regulators if the complaint relates to their remit.

I understand that if I do not select "agree", the SFC may not be able to take the complaint further.

I understand that normally the SFC will not disclose this complaint and my personal information unless I have granted my consent. However, I also understand that, the SFC is exempt from certain principles in the Personal Data (Privacy) Ordinance if the information I provide to the SFC is used for certain purposes related to law enforcement and regulation. The information can then be used for these purposes whether or not a complainant gives consent. For details, please read our [Privacy policy statement](https://www.sfc.hk/privacy-policy) on our website at www.sfc.hk

Personal Information Collection Statement of the SFC in respect of Use of Personal Data Collected in Complaints

I acknowledge and understand that:

Data Collection and Use

1. All information and Personal Data submitted in making a complaint to the SFC (whether in the SFC's prescribed complaint form or in any document(s) supplied or to be supplied or in any subsequent telephone conversations with the SFC) will be used, disclosed or transferred only for those purposes related to the complaint, for discharging the SFC's statutory functions, or where permitted or required by law. The provision of my personal data is voluntary. If the information provided is inaccurate or incomplete, consideration of my complaint may be affected.
2. All information and Personal Data provided to the SFC may be disclosed to relevant courts, panels, tribunals and committees, and/or other local and/or overseas regulatory / government / judicial bodies as permitted or required under the law, pursuant to any regulatory / supervisory / investigatory assistance arrangements between the SFC and other regulators (local / overseas), or persons engaged by the SFC to assist the SFC in the performance of its statutory functions.

Access and Correction

3. Should I wish to request access to and/or correction of my Personal Data held by the SFC, I may do so by completing a Data Access Request Form, which can be downloaded from the SFC's website at www.sfc.hk, and sending it to the Data Privacy Officer of the SFC at 54th Floor, One Island East, 18 Westlands Road, Quarry Bay, Hong Kong.

9. Signature

I confirm that:

- 1) the information provided in this Complaint Form is true, complete and accurate.
- 2) I understand that if I do not provide the information specified in the mandatory fields in Part 1 Complainant's details, the SFC will treat this complaint as an anonymous complaint and will not provide any response to me.
- 3) I understand that in order to handle my complaint, any subsequent telephone conversations with the SFC will be recorded.

Signature* of the complainant / authorised representative

Date

*The SFC may not be able to process your complaint if this Complaint Form is not signed.

This document must be saved in your computer or electronic device before you send the document to the SFC.