|  |  |
| --- | --- |
| **Responsible Officer or** **Temporary Licensed Representative** **(In relation to an application for licence – corporation or a post-licence application by licensed corporation)**Specified under section 402 of the Securities and Futures Ordinance (“Ordinance”) (Cap 571) | **Supplement****C** |

|  |  |
| --- | --- |
| **Name of applicant** |       |
| English |
|       |
| Chinese |
| **CE number (if applicable)** |       |
| **Application for****(you may select more than one item)** | [ ]   **A new licence under section 120(1) of the Ordinance and approval as a responsible officer under section 126(1) of the Ordinance** |
| [ ]  **A temporary licence under section 121(1) of the Ordinance** |
|  |  From (DD/MM/YYYY): |       |  |
|  |  |  |  |
|  |  To (DD/MM/YYYY): |       |  |
|  |
| [ ]  **Transfer of accreditation under section 122(2) of the Ordinance and approval as a responsible officer under section 126(1) of the Ordinance** |
| [ ]  **Addition of accreditation under section 122(1) of the Ordinance and approval as a responsible officer under section 126(1) of the Ordinance** |
| [ ]  **Addition of regulated activity under section 127(1) of the Ordinance and approval as a responsible officer under section 126(1) of the Ordinance** |
| [ ]  **Change of licensing condition under section 134(1) of the Ordinance** |
| **Contact person regarding any queries on this supplement** |       |
| English/Chinese name |
|       |
| Business title/Firm name |
|       |
| Relationship with the applicant |
|       |       |
| Mobile number | E-mail address |

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| **Interpretations**1. “Director” is defined under Part 1 of Schedule 1 to the Ordinance.
2. “Licensed Corporation” in this supplement refers to the corporation licensed under section 116(1) of the Ordinance.
3. Under Part VI of this supplement, “Principal” means an individual that meets the criteria stipulated under the Sponsor Guidelines, in respect of a listing assignment, appointed by a sponsor to supervise the transaction team.
4. “Responsible officer” means a person who is a licensed representative and is approved by the Commission under section 126(1) of the Ordinance to act as a responsible officer. He/she should have sufficient authority to supervise the regulated activity. He/she may or may not be an executive director as defined under section 113 of the Ordinance.
5. “Sponsor Guidelines” refers to the Additional Fit and Proper Guidelines for Corporations and Authorized Financial Institutions applying or continuing to act as Sponsors and Compliance Advisers (i.e. Appendix I of the Fit and Proper Guidelines).
6. “Substantial shareholder” is defined under section 6 of Part 1 of Schedule 1 to the Ordinance.
7. “Takeovers Code” refers to the Codes on Takeovers and Mergers and Shares Buy-backs.
8. Under Part VI of this supplement, “transaction team” means the staff appointed by a sponsor to carry out a listing assignment.
9. “You” in this supplement refers to the applicant.

**Instructions**1. This supplement is to be filled in by an individual (i) applying to be a responsible officer of a corporation applying for a licence under section 116(1) of the Ordinance; (ii) applying for temporary licence to supervise or carry on regulated activities on behalf of a corporation applying for a temporary licence under section 117(1) of the Ordinance; (iii) applying for a new licence/variation of accreditation/addition of regulated activity and approval as a responsible officer; (iv) applying for change of licensing condition; or (v) being appointed as Principal as defined under the Sponsor Guidelines in support of a Licensed Corporation’s application made under Form B.

 1. Please refer to the Completion Guidelines to identify which Part(s) of the supplement to fill in and ensure that (i) your identification document (e.g. Hong Kong identity card); (ii) other documents required in this supplement; and (iii) correct application fee have been enclosed.
2. Incomplete supplement may increase the time taken for the Commission to process your related application or the related application may be returned. Please refer to [Licensing Handbook](https://www.sfc.hk/web/EN/rules-and-standards/codes-and-guidelines/guidelines/?rule=Licensing%20Handbook) on the Commission’s website (www.sfc.hk) for the return policy.
3. If there is not enough space, please use separate sheets of paper and clearly mark each separate sheet of paper with the relevant section number.
4. If you are a licensed person, please ensure your contact information (e.g. email address, address and telephone number) is maintained up-to-date with the Commission. If you need to update your contact information, please submit a notification to the Commission via the SFC Online Portal.
 |

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| 1. If the Commission is satisfied that a person has **substantial practical difficulties** in complying with any of the requirements under this supplement, it may exercise its discretion to dispense with the requirements to such extent as it considers necessary. If you consider that you have **substantial practical difficulties** in complying with any requirements under this supplement, please enclose a separate document setting out your **substantial practical difficulties** for the Commission’s consideration. Please note that the Commission would only exercise its discretion under special circumstances.
2. If there are any changes to the information provided in support of your supplement or appointment before it is concluded, you should notify the Commission in writing immediately after the changes takes place. Any changes in information may result in delay in processing.
 |

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| **Warning****All information and documents submitted to the Commission must be true, accurate and complete.** **Under section 383(1) of the Ordinance, a person commits an offence if –** * **he, in support of any application made to the Commission under or pursuant to any provision of this Ordinance, whether for himself or for another person, makes a representation, whether in writing, orally or otherwise, that is false or misleading in a material particular; and**
* **he knows that, or is reckless as to whether, the representation is false or misleading in a material particular.**
 |

**Index**

|  |  |
| --- | --- |
| **Part** | **Details** |
| I | Application for a New Licence or Temporary Licence  |
| II | Application for Transfer/Addition of Accreditation, Addition of Regulated Activity and Approval as Responsible Officer |
| III | Application for change of Licensing Condition  |
| IV | Proposed Duties and Industry Experience  |
| V | Activities in Connection with Matters Regulated by the Takeovers Code |
| VI | Experience of a Principal as defined under the Sponsor Guidelines |
| VII | Disclosure |
| VIII | Declaration |

**Completion Guidelines**

**Please fill in the relevant parts of this supplement which are applicable to your application/appointment:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Part** | **Application for new licence or temporary licence** | **Application for transfer/addition of accreditation, addition of regulated activity and approval as responsible officer** | **Application for change of licensing condition** | **To be appointed as a Principal\*\*\*****(see note 3 of the Interpretations)** |
| I | ✓ |  |  |  |
| II |  | ✓ |  |  |
| III |  |  | ✓ |  |
| IV | ✓ | ✓ | ✓ |  |
| V | ✓\* | ✓\* | ✓\* |  |
| VI | ✓\*\* | ✓\*\* | ✓\*\* | ✓ |
| VII | ✓ | ✓ | ✓ | ✓ |
| VIII | ✓ | ✓ | ✓ | ✓ |

\* Applicable if you are applying as a responsible officer for Type 6 regulated activity and will undertake activities in connection with matters regulated by the Takeovers Code.

\*\* Applicable if you are applying as a responsible officer for Type 6 regulated activity and will be appointed as a Principal as defined under the Sponsor Guidelines.

\*\*\* Applicable if you are currently a responsible officer for Type 6 regulated activity and will be appointed as a Principal as defined under the Sponsor Guidelines.

**Part I: Application for New Licence or Temporary Licence**

|  |
| --- |
| **Section 1: Personal Particulars** |

* 1. **Please provide the following information and supporting document(s):**
* A copy of your identification document (e.g. Hong Kong identity card, People’s Republic of China identify card and/or passport).

|  |  |
| --- | --- |
| **Full name (in English)** |       |
| **Full name (in Chinese)** |       |
| **Chinese commercial code** |       |
| Aliases, if any |       |
| Gender | [ ]  Male | [ ]  Female |
| **Date of birth (DD/MM/YYYY)** |       |
| **Place of birth** |       |
| **Nationality** |       |
| **Hong Kong identity card number** |       |
| **People’s Republic of China identity card number, if applicable**  |       |
| **Passport number\*** |       | Date of expiry\* (DD/MM/YYYY) |       |
| **Passport issuing country\*** |       |

\* Only applicable to individuals who are non-Hong Kong permanent residents.

**1.2 Do you require an employment visa to work in Hong Kong?**

[ ]  Yes. Have you obtained or applied for an employment visa to work in Hong Kong?

|  |
| --- |
| [ ]  Yes. |
| Application date (DD/MM/YYYY) |       |  |
| Approval date (DD/MM/YYYY) |       |  |
|  |
| [ ]  No. Under normal circumstances, an individual, other than those who have the right of abode or right to land in Hong Kong, must obtain a visa before coming to Hong Kong for the purpose of taking up employment. Please check with the Immigration Department of the Hong Kong Special Administrative Region if you have any questions on employment visa. |

[ ]  No.

|  |
| --- |
| **Section 2: Contact Information** |

**2.1 Please provide your residential, business, correspondence and e-mail addresses, and contact and facsimile numbers.**

**(If there is not enough space, please copy this section and provide the required information.)**

|  |  |  |
| --- | --- | --- |
| [ ]  **Residential** | [ ]  **Business** | [ ]  **Correspondence** |
| **Flat, floor and block number** |       |
| **Building name** |       |
| **Street number and name** |       |
| **District and city** |       |
| **State and country** |       |
| **Postal code, if any** |       |
| **Contact number** |       |
| **Mobile number**  |       |
| **Facsimile number** |       |
| **E-mail address** |       |
| **Effective date (DD/MM/YYYY)** |       |

|  |  |  |
| --- | --- | --- |
| [ ]  **Residential** | [ ]  **Business** | [ ]  **Correspondence** |
| **Flat, floor and block number** |       |
| **Building name** |       |
| **Street number and name** |       |
| **District and city** |       |
| **State and country** |       |
| **Postal code, if any** |       |
| **Contact number** |       |
| **Mobile number** |       |
| **Facsimile number** |       |
| **E-mail address** |       |
| **Effective date (DD/MM/YYYY)** |       |

**2.2** **If you do not currently have any Hong Kong residential address, please provide the following information (not applicable if you are applying for a temporary licence):**

**2.2.1 Do you intend to reside in Hong Kong?**

|  |  |  |
| --- | --- | --- |
| [ ]  Yes. From (DD/MMYYYY) |       |  |
|  |
| [ ]  No. |

**2.2.2 Do you intend to carry out any regulated activity(ies) in Hong Kong?**

[ ]  Yes.

[ ]  No. Please re-consider whether an application for a licence under the Ordinance is necessary.

**2.2.3 How often do you intend to travel to Hong Kong to carry out regulated activities?**

|  |
| --- |
|       |

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| **Section 3: Proposed Regulated Activity and Principal** |

**3.1 Please provide the following information. This will also serve as an application for approval of accreditation to a licensed corporation(s) under section 122(1) of the Ordinance. No separate application fee is required.**

|  |  |  |  |
| --- | --- | --- | --- |
| **Type(s) of regulated activity\*** | **Name of proposed principal(s)** | **Proposed date of accreditation****(DD/MM/YYYY)** | **Job title** |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |

\* Type 3, Type 7, Type 8 and Type 9 regulated activities are not applicable to temporary licence applicant.

**3.2** **If you have more than one principal, please state the name of your primary principal and its CE number.**

|  |
| --- |
|         |

**3.3 If you have more than one principal, do all your proposed principals belong to the same group of companies?**

[ ]  Yes.

[ ]  No. Please explain how you intend to resolve the possible conflicts of interest and supervision issues arising from working simultaneously for different principals.

|  |
| --- |
|       |

|  |
| --- |
| **Section 4: Additional Information for Temporary Licence Application** |

**4.1 Please indicate the required period for the temporary licence (Maximum 3 months).**

|  |  |  |
| --- | --- | --- |
| From (DD/MM/YYYY) |       |  |
|  |  |  |
| To (DD/MM/YYYY) |       |  |

**4.2 Do you carry on in a place outside Hong Kong an activity which, if carried on in Hong Kong, would constitute carrying on the regulated activity? If so, please give details.**

[ ]  Yes.

|  |
| --- |
|       |

[ ]  No.

**4.3** **Are you licensed by an overseas authority which performs a function similar to the functions of the Commission?**

[ ]  Yes.

[ ]  No.

**4.4**  **Is the overseas corporation(s) you acted for regulated by an authority mentioned in section 4.3 above?**

[ ]  Yes.

[ ]  No.

**4.5** **Does the overseas corporation mentioned in section 4.4 above and your principal belong to the same group of companies?**

[ ]  Yes.

[ ]  No. Please explain how you intend to resolve the possible conflicts of interest and supervision issues arising from working simultaneously for different principals.

|  |
| --- |
|       |

|  |
| --- |
| **Section 5: Qualification and Employment Record** |

**5.1 Please provide information on your highest academic or vocational qualification.**

|  |  |  |
| --- | --- | --- |
| Qualification | Name of institution | Year awarded |
|  |  |      |
|  |       |      |
|  |       |      |
|  |       |      |

**5.2 If you have not obtained any post secondary or vocational qualification, have you obtained passes in English or Chinese, and Mathematics, in the Hong Kong Diploma of Secondary Education Examination (HKDSE), Hong Kong Certificate of Education of Examination (HKCEE) or equivalent?**

[ ]  Yes.

[ ]  No.

**5.3 Please provide information on your professional qualification**.

|  |  |  |
| --- | --- | --- |
| Qualification | Name of institution | Year awarded |
|  |       |      |
|  |       |      |
|  |       |      |
|  |       |      |

**5.4 Please provide information on your industry qualification.**

|  |  |  |  |
| --- | --- | --- | --- |
| Course/Examination name | Name of institution | Paper number/series | **Date awarded/ passed/****completed****(DD/MM/YYYY)** |
|  |       |       |       |
|  |       |       |       |
|  |       |       |       |
|  |       |       |       |

**5.5 If you intend to apply for exemption from recognised industry qualification or local regulatory framework paper requirements, please provide the following information.**

|  |  |  |  |
| --- | --- | --- | --- |
| Name of course/examination which you intend to be exempted from taking  | Name of institution | Paper number/series | **Justification on your eligibility for the exemption** |
|  |  |       |       |
|  |       |       |       |
|  |       |       |       |
|  |       |       |       |

**5.6 Please provide information on your employment history for the past 5 years. Please also specify any period in the past 5 years during which you were not employed.**

**(If there is not enough space, please copy this section and provide the required information.)**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **1** | **2** | **3** |
| **Name of employer** |       |       |       |
| **Nature of business**  | [ ]  Financial industry | [ ]  Financial industry | [ ]  Financial industry |
|  [ ]  Banking |  [ ]  Banking |  [ ]  Banking |
|  [ ]  Insurance |  [ ]  Insurance |  [ ]  Insurance |
|  [ ]  Investment service |  [ ]  Investment service |  [ ]  Investment service |
|  [ ]  Securities |  [ ]  Securities |  [ ]  Securities |
|  [ ]  Others  (please specify):  |  [ ]  Others  (please specify):  |  [ ]  Others  (please specify): |
|  |       |  |  |       |  |  |       |  |
| [ ]  Investment holding  company | [ ]  Investment holding  company | [ ]  Investment holding  company |
| [ ]  Trust/Trustee | [ ]  Trust/Trustee | [ ]  Trust/Trustee |
| [ ]  Others (please specify): | [ ]  Others (please specify): | [ ]  Others (please specify): |
|  |       |  |  |       |  |  |       |  |
|  |  |  |
| **Principal place of business** |       |       |       |
| **Job title** |       |       |       |
| **Period of service** | From |       |  | From |       |  | From |       |  |
| (MM/YYYY) |  | (MM/YYYY) |  | (MM/YYYY) |  |
| To |       |  | To |       |  | To |       |  |
| (MM/YYYY) |  | (MM/YYYY) |  | (MM/YYYY) |  |
| **Reason for leaving** |       |       |       |

|  |
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| **Section 6: Other Directorship and Business Interests** |

**6.1 If you are currently a director, partner or sole proprietor of any firm, please provide details of your directorships and business interests:**

**(If there is not enough space, please copy this section and provide the required information.)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Name of the firm** | **Principal business** | **Your relationship with the firm** | **Relationship between your principal and****the firm** | **Effective date****(DD/MM/YYYY)** |
|       |       |       |       |       |
|       |       |       |       |       |
|       |       |       |       |       |
|       |       |       |       |       |

**6.2 Please elaborate on your roles and responsibilities in each of the firm(s) above.**

|  |
| --- |
|       |

**6.3** **Please explain how you intend to resolve the possible conflicts of interest arising from your proposed role as a responsible officer and your other directorship(s) and business interests.**

|  |
| --- |
|       |

**6.4** **Please advise on the time allocation between your proposed duties as a responsible officer and your duties for each of the firm(s) above.**

|  |
| --- |
|       |

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| --- |
| **Section 7: Licence/Registration Record** |

**7.1 Have you ever been licensed by or registered with the Commission, and/or any regulatory body (including any stock or futures exchanges), in Hong Kong or elsewhere, to engage in any regulated or similarly regulated activity?**

[ ]  No.

[ ]  Yes. Please provide details as follows:

|  |
| --- |
| **Licence/Registration** **(If there is not enough space, please copy this section and provide the required information.)** |
| **Name and place of regulatory authority** |       |
| **Type of licence/registration** |       |
| **Date of approval (DD/MM/YYYY)** |       |
| **Licence or registration number (eg. CRD number, firm registration number with Financial Conduct Authority, etc.)** |       |
| **Conditions attached to the licence or registration, if any** |       |
| **Is the licence or registration still valid?** | [ ]  Yes | [ ]  No |
| **Date of expiry, if applicable (DD/MM/YYYY)** |       |

|  |
| --- |
| **Licence/Registration** **(If there is not enough space, please copy this section and provide the required information.)** |
| **Name and place of regulatory authority** |       |
| **Type of licence/registration** |       |
| **Date of approval (DD/MM/YYYY)** |       |
| **Licence or registration number (eg. CRD number, firm registration number with Financial Conduct Authority, etc.)** |       |
| **Conditions attached to the licence or registration, if any** |       |
| **Is the licence or registration still valid?** | [ ]  Yes | [ ]  No |
| **Date of expiry, if applicable (DD/MM/YYYY)** |       |

**Part II: Application for Transfer/Addition of Accreditation, Addition of Regulated Activity and Approval as Responsible Officer**

|  |
| --- |
| **Section 8: Transfer of Accreditation and Approval as a Responsible Officer** |
| **(Please ensure your contact information is maintained up-to-date with the Commission (see note 5 of the Instructions).)** |

* 1. **Please provide the following information on all the regulated activities that are currently licensed for.**

**(If there is not enough space, please copy this section and provide the required information.)**

|  |  |
| --- | --- |
| **Type(s) of regulated activity** |        |
| **Name of current/last principal** |       | **CE Number** |       |
| **Last accreditation date (DD/MM/YYYY)** |       |
| **Reason for leaving** |[ ]  Resignation |
|  |[ ]  Expiry of contract (Expiry date:       | ) |
|  |[ ]  Job rotation (New job title:       | ) |
|  |[ ]  Redundancy |  |
|  |[ ]  Dismissal, please specify date and cause |
|  |  |       |  |
|  |[ ]  Others, please specify details |
|  |  |       |  |
|  |  |  |

|  |  |
| --- | --- |
| **Type(s) of regulated activity** |        |
| **Name of current/last principal** |       | **CE Number** |       |
| **Last accreditation date (DD/MM/YYYY)** |       |
| **Reason for leaving** |[ ]  Resignation |
|  |[ ]  Expiry of contract (Expiry date:       | ) |
|  |[ ]  Job rotation (New job title:       | ) |
|  |[ ]  Redundancy |
|  |[ ]  Dismissal, please specify date and cause |
|  |  |       |  |
|  |[ ]  Others, please specify details |
|  |  |       |  |
|  |  |  |

**8.2 Please indicate the type(s) of regulated activity that you intend to apply for transfer of accreditation and approval as responsible officer and the name of your proposed principal(s).**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Type(s) of regulated activity** | **Name of proposed principal(s)** | **CE number****(if applicable)** | **Proposed date of accreditation****(DD/MM/YYYY)** | **Job title** |
|       |       |       |       |       |
|       |       |       |       |       |
|       |       |       |       |       |
|       |       |       |       |       |

**8.3 If you also intend to apply for transfer of accreditation as representative to any of your proposed principal(s), please provide the following information**.

|  |  |  |  |
| --- | --- | --- | --- |
| **Type(s) of regulated activity** | **Name of proposed principal(s)** | **CE number****(if applicable)** | **Proposed date of accreditation****(DD/MM/YYYY)** |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |

**8.4** **If you have more than one principal, please state the name of your primary principal and its CE number.**

|  |
| --- |
|       |

**8.5 If you have more than one principal, do all your proposed principals belong to the same group of companies?**

[ ]  Yes.

[ ]  No. Please explain how you intend to resolve the possible conflicts of interest and supervision issues arising from working simultaneously for different principals.

|  |
| --- |
|       |

|  |
| --- |
| **Section 9: Addition of Accreditation and Approval as a Responsible Officer** |

**9.1 Please indicate the type(s) of regulated activity that you intend to apply for addition of accreditation and approval as responsible officer and the name of your proposed principal(s).**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Type(s) of regulated activity** | **Name of proposed principal(s)** | **CE number****(if applicable)** | **Proposed date of accreditation(DD/MM/YYYY)** | **Job title** |
|       |       |       |       |       |
|       |       |       |       |       |
|       |       |       |       |       |
|       |       |       |       |       |

**9.2 If you also intend to apply for addition of accreditation as representative to any of your proposed principal(s), please provide the following information**.

|  |  |  |  |
| --- | --- | --- | --- |
| **Type(s) of regulated activity** | **Name of proposed principal(s)** | **CE number****(if applicable)** | **Proposed date of accreditation(DD/MM/YYYY)** |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |

**9.3** **Please state the name of your primary principal and its CE number.**

|  |
| --- |
|       |

**9.4 Do all your proposed principals belong to the same group of companies?**

[ ]  Yes.

[ ]  No. Please explain how you intend to resolve the possible conflicts of interest and supervision issues arising from working simultaneously for different principals.

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|       |
| **Section 10: Addition of Regulated Activity and Approval as a Responsible Officer** |

**10.1 Please indicate the type(s) of regulated activity you intend to apply for addition of regulated activity and approval as responsible officer and the name of your proposed principal(s). This will also serve as an application for approval of accreditation to a licensed corporation(s) under section 122(1) of the Ordinance. No separate application fee is required.**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Type(s) of regulated activity** | **Name of proposed principal(s)** | **CE number****(if applicable)** | **Proposed date of accreditation****(DD/MM/YYYY)** | **Job title** |
|       |       |       |       |       |
|       |       |       |       |       |
|       |       |       |       |       |
|       |       |       |       |       |

**10.2 If you also intend to apply for addition of regulated activity as representative of any of your proposed principal(s), please provide the following information**.

|  |  |  |  |
| --- | --- | --- | --- |
| **Type(s) of regulated activity** | **Name of proposed principal(s)** | **CE number****(if applicable)** | **Proposed date of accreditation****(DD/MM/YYYY)** |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |

**10.3 If you have more than one principal, please state the name of your primary principal and its CE number.**

|  |
| --- |
|       |

**10.4 If you have more than one principal, do all your proposed principals belong to the same group of companies?**

[ ]  Yes.

[ ]  No. Please explain how you intend to resolve the possible conflicts of interest and supervision issues arising from working simultaneously for different principals.

|  |
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|       |
| **Section 11: Qualification** |

**11.1 Please set out any new qualifications (academic, vocational, professional or industry qualifications) you have obtained in support of your application.**

|  |  |  |  |
| --- | --- | --- | --- |
| Qualification/Course/Examination name | Name of institution | Paper number/series | **Date awarded/passed/****completed****(DD/MM/YYYY)** |
|  |       |       |       |
|  |       |       |       |
|  |       |       |       |
|  |       |       |       |

**11.2 If you intend to apply for exemption from recognised industry qualification or local regulatory framework paper requirements, please provide the following information.**

|  |  |  |  |
| --- | --- | --- | --- |
| Name of course/examination which you intend to be exempted from taking  | Name of institution | Paper number/series | **Justification on your eligibility for the exemption** |
|  |       |       |       |
|  |       |       |       |
|  |       |       |       |
|  |       |       |       |

**Part III: Change of Licensing Condition**

|  |
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| **Section 12: Details about the Change of Licensing Condition** |

**12.1 Please set out the proposed change and reason for the change in light of your principal’s application for change of licensing condition as specified in Form B. Please provide in Part IV your proposed duties and your recent relevant industry experience that may be relevant to your application.**

**(If there is not enough space, please copy this section and provide the required information.)**

|  |  |
| --- | --- |
| **Type(s) of regulated activity** |       |
| **Licensing condition to be changed** |       |
| **Nature of the proposed change** | [ ]  Cancellation |
| [ ]  Modification (please specify): |
|  |       |
| **Reason for the change** |       |

|  |  |
| --- | --- |
| **Type(s) of regulated activity** |       |
| **Licensing condition to be changed** |       |
| **Nature of the proposed change** | [ ]  Cancellation |
| [ ]  Modification (please specify): |
|  |       |
| **Reason for the change** |       |

**Part IV: Proposed Duties and Industry Experience**

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| **Section 13: Duties and Experience of Responsible Officer** **(Not applicable if you are applying for a temporary licence)** |

**13.1** **Please state the proposed duties and details of your relevant industry experience with respect to each type of regulated activity you propose to carry on:**

**(If there is not enough space, please copy this section and provide the required information.)**

|  |  |
| --- | --- |
| **Type(s) of regulated activity** |       |
| **Proposed Duties** |
|       |
| **Relevant Industry Experience** | **Period****(MM/YYYY)** |
|       |       |

|  |  |
| --- | --- |
| **Type(s) of regulated activity** |       |
| **Proposed Duties** |
|       |
| **Relevant Industry Experience** | **Period****(MM/YYYY)** |
|       |       |

**13.2 If you propose to carry on Type 3 regulated activity (leveraged foreign exchange trading), will you offer discretionary account services to your clients?**

[ ]  Yes.

[ ]  No.

[ ]  I do not propose to carry on Type 3 regulated activity.

**13.3 If you propose to be a responsible officer for Type 6 regulated activity (advising on corporate finance), will you undertake activities in connection with matters regulated by the Takeovers Code?**

[ ]  Yes. Please complete Part V of this form – Activities in Connection with Matters Regulated by the Takeovers Code.

[ ]  No.

[ ]  I do not propose to be a responsible officer for Type 6 regulated activity.

**13.4 If you propose to be a responsible officer for Type 6 regulated activity (advising on corporate finance), will you become a Principal?**

[ ]  Yes. Please complete Part VI of this form – Experience of a Principal.

[ ]  No.

[ ]  I do not propose to be a responsible officer for Type 6 regulated activity.

**If you are not applying as a responsible officer for Type 6 regulated activity or you will not undertake activities in connection with matters regulated by the Takeovers Code and will not become a Principal, please go to Part VII.**

**Part V: Activities in Connection with Matters Regulated by the Takeovers Code**

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| **Section 14: Hong Kong Takeovers and Mergers Panel** |

**14.1 Have you ever been a member of the Hong Kong Takeovers and Mergers Panel?**

[ ]  Yes. Please complete section 14.2 and go to section 17. (You may also choose to additionally answer sections 15 and 16)

[ ]  No. Please go to section 15.

**14.2 Please state your period of service as a member of the Hong Kong Takeovers and Mergers Panel.**

|  |  |  |  |
| --- | --- | --- | --- |
| From |       | To |       |
|  | (DD/MM/YYYY) |  | (DD/MM/YYYY) |

|  |
| --- |
| **Section 15: London Takeovers Panel or Takeovers Team of the Commission** |

**15.1 Have you ever been a member, executive or secondee of the London Takeovers Panel or an executive of the Takeovers Team of the Corporate Finance Division of the Commission?**

[ ]  Yes. Please complete sections 15.2 and 15.3 and go to section 17. (You may choose to additionally answer section 16)

[ ]  No. Please go to section 16.

**15.2 Please provide the following information.**

|  |  |
| --- | --- |
| **Name of regulatory body** |       |
| **Period of service in such body (DD/MM/YYYY)** | From |       | To |       |
| **Your title and a brief description of your role and responsibilities** |       |

**15.3 In a separate document, please provide several examples of transactions under the Takeovers Code handled by you, and the Takeovers Code issues involved in these transactions.**

|  |
| --- |
| **Section 16: Experience Relating to the Takeovers Code** |

**16.1 Do you have experience relating to the Takeovers Code?**

[ ]  Yes.

[ ]  No. Please go to section 17.

**16.2** **In a separate document, please provide a list showing your experience of supervising complete transactions under the Takeovers Code (a transaction aborted prior to the issue of the relevant document is not recognised as a complete transaction) which involved the issue of an offer document, offeree board circular, whitewash document, share buy-backs offer document or off-market share buy-backs circular after 1 April 1992. Please provide the dates of the transactions, names of the target companies and other relevant parties, and a brief description of the transactions. Your experience under the London Takeover Code may also be recognised. If you were only involved in giving an independent financial adviser’s opinion, such experience would not be considered relevant.**

**16.3 From the above list, select one or more of the transactions to illustrate that you have the experience of supervising a complete transaction under the Takeovers Code, and provide the following in connection with the transaction(s).**

1. Detailed description of the transaction, the steps and Takeovers Code issues involved and the advice provided or solutions suggested by you.
2. Detailed description of any advice given by you to the clients under the Takeovers Code.
3. Names of all team members involved in the transaction identifying those under your supervision.
4. Detailed description as to how you supervised your team members and how you ensured that the team members and the clients understood and complied with the Takeovers Code.
5. Estimated number of working hours spent by you in the transaction and estimated total number of working hours spent by the whole team in the transaction.

|  |
| --- |
| **Section 17: Other Information Relating to the Takeovers Code** |

**17.1 Have you ever been involved in any transaction where you or your firm committed a breach of the Takeovers Code?**

[ ]  Yes. In a separate document, please disclose the details of the transaction and your involvement in such breach, if any.

[ ]  No.

**17.2 Has the Executive (as defined under the Takeovers Code) ever raised any concerns that your conduct or your firm’s conduct fell below the standard expected or required by the Takeovers Code?**

[ ]  Yes. In a separate document, please disclose the details.

[ ]  No.

**Part VI: Experience of a Principal**

|  |
| --- |
| **Section 18: Eligibility** |

**18.1 Please indicate below the option referred to in paragraph 1.4.1 of the Sponsor Guidelines under which you are eligible to act as a Principal:**

[ ]  Option 1 (please complete sections 19, 20, 22, 25 to 27)

[ ]  Option 2 (please complete sections 21, 22, 23 or 24, 26 to 27)

[ ]  Option 3 (please complete sections 19, 20, 22, 24 to 27)

|  |
| --- |
| **Section 19: Experience in Sponsor Work** |

**19.1 Have you ever been appointed as a Principal for an approved sponsor firm?**

[ ]  Yes. Please indicate the option referred to in paragraph 1.4.1 of the Sponsor Guidelines under which you were eligible:

[ ]  Option 1

[ ]  Option 2

[ ]  Option 3

[ ]  No. Please go to section 19.4.

**19.2 If you are/were formerly a Principal, please indicate whether:**

[ ]  you now seek to be eligible as a Principal under a different option. Please go to section 19.4.

[ ]  you now seek to be eligible as a Principal under the same option. Please go to section 19.3.

**19.3 Are you currently a Principal of an approved sponsor?**

[ ]  Yes. Please skip sections 19.4 and 20.

|  |  |  |
| --- | --- | --- |
| [ ]  No. Ceased to act as a Principal within 3 years on |       | (cessation date).  |
| Please skip sections 19.4 and 20. |  |  |

|  |
| --- |
| [ ]  No. Ceased to act as a Principal more than 3 years prior to the submission of this supplement  |
| on |       | (cessation date). |  |  |

**19.4 Please provide details of your experience in playing a substantial role in advising a listing applicant as a sponsor in completed initial public offering (“IPO”) transactions on the Main Board or the GEM Board of the Stock Exchange of Hong Kong Limited during the 5 year period prior to the submission of this supplement to the Commission (most recent years first), in the table below.**

**(If there is not enough space, please copy this page and provide the required information.)**

|  |  |
| --- | --- |
| **Listing Date (DD/MM/YYYY)** |       |
| **Name of company listed (specify Main Board/GEM Board)** |       |
| **Stock Code** |       |
| **Named sponsor on the transaction\*** |       |
| **Your role and details of experience\*\*** |       |

\* Please specify whether role undertaken as lead sponsor, joint-sponsor or co-sponsor.

\*\* In respect of each IPO listed in this table, please provide:

1. a team structure chart in respect of the IPO illustrating the names, reporting line and business titles of all team members within the transaction team; and
2. details of your role and responsibilities in the IPO.

|  |
| --- |
| **Section 20: Relevant Corporate Finance Experience** |

**20.1 Please provide details of your experience in relevant corporate finance experience derived in respect of companies listed on the Main Board and/or GEM Board of the Stock Exchange of Hong Kong Limited over the 5 year period prior to the submission of this supplement to the Commission in the table below.**

**(If there is not enough space, please copy this section and provide the required information.)**

|  |  |
| --- | --- |
| **Local/overseas market\*** |       |
| **Announcement and completion date** |       |
| **Name of listed issuer and stock code** |       |
| **Nature of transaction\*\*** |       |
| **Named advisers on the transaction** |       |
| **Role undertaken** |       |
| **Details of experience** |       |

\* Please (i) include the name of the relevant regulatory authority that had oversight of the transaction; and (ii) specify the market where such corporate finance experience was acquired by you. In considering this supplement, the Commission may take into account, without limitation, experience in markets other than Hong Kong provided that these markets have comparable legal and regulatory standards for the listing of companies and public offers of securities, the conduct regulation of sponsors (or their functional equivalents) and the enforcement of rules and regulations governing these areas.

\*\* The transactions completed must have an element of equity-fund raising from the public by the listed issuers.

|  |
| --- |
| **Section 21: IPO Due Diligence and Corporate Finance Experience\*****(for individuals seeking to be a Principal under Option2)** |

**21.1 Please provide details of your experience to demonstrate that you are highly experienced in the area of due diligence as a result of leading IPO transactions in Australia, the United Kingdom, or the United States of America.**

**(If there is not enough space, please copy this section and provide the required information.)**

|  |
| --- |
|       |

**21.2 Please provide details of your experience to demonstrate that you are highly experienced in the area of corporate finance in respect of companies listed in Australia, the United Kingdom, or the United States of America.**

**(If there is not enough space, please copy this section and provide the required information.)**

|  |
| --- |
|       |

\* Please provide details such as the role undertaken, business title and the name of the entity of which you were accredited at the time of undertaking the transaction, the name of the listed issuer, the name of the stock exchange and the respective jurisdiction, and the number of years of corporate finance experience in respect of companies listed in Australia, the United Kingdom, or the United States of America.

|  |
| --- |
| **Section 22: Current Job Duties as Responsible Officer** **(Not applicable if you are not a current responsible officer)**  |

**(If there is not enough space, please copy this section and provide the required information.)**

|  |  |
| --- | --- |
| **Type(s) of regulated activity licensed** |       |
| **Accreditation\*** |       |
| **Effective date (DD/MM/YYYY)** |       |
| **Job duties** |       |

\* Name of licensed corporation to which you are accredited to.

|  |
| --- |
| **Section 23: Refresher Course** |

###### 23.1 Have you completed the refresher course on ethics, sponsor work, and the legal and regulatory requirements governing the conduct of IPO transactions in Hong Kong within the 6 months preceding your appointment as a Principal?

[ ]  Yes.

[ ]  No.

|  |
| --- |
| **Section 24: Examination** |

**24.1 Have you passed the examination on ethics, sponsor work, and the legal and regulatory requirements governing the conduct of IPO transactions in Hong Kong within the 6 months preceding your appointment as a Principal?**

[ ]  Yes.

[ ]  No.

|  |
| --- |
| **Section 25: Supporting Documentation** |

**25.1 For each of the transactions listed in section 19.4 above, please include a copy of the front page of, and an extract from, the relevant document that states the date of the document and name of the firm that acted as sponsor (if the front page does not describe this information) and submit it with this supplement.**

|  |
| --- |
| **Section 26: Compliance History** |

**26.1 Have you ever been involved in any IPO transaction where you or your firm committed a breach of your/its obligations as an advisor in respect of the IPO transaction?**

[ ]  Yes. In a separate document, please disclose the details of the transaction and the breach, and your involvement in the breach, if any.

[ ]  No.

|  |
| --- |
| **Section 27: Other Information** |

**27.1 Please provide any other information (other than information which you have otherwise disclosed to the Commission) you think will be relevant to us in considering this supplement, including information which may materially affect your eligibility to act as a Principal of a sponsor.**

|  |
| --- |
|       |

**Part VII: Disclosure**

Sections 28.1 to 31.1 are about your activities both in **Hong Kong and elsewhere**. If there are ongoing investigations which you cannot lawfully disclose, you should notify the Commission of the results within seven business days after the completion of the investigations.

|  |
| --- |
| **Section 28: Disciplinary Actions and Investigations** |

|  |  |  |  |
| --- | --- | --- | --- |
| **28.1** | Have—* you;
* a company of which you are or were a director;
* a company of which you are or were involved in the management; or
* a company of which you are or were a substantial shareholder,

ever been refused or restricted from the right to carry on any trade, business or profession for which a specific licence, registration or other authorisation is required by law by— 1. the Commission[[1]](#footnote-1); or
2. any professional or regulatory body (including a stock or futures exchange)?
 | [ ]  Yes | [ ]  No |
| [ ]  Yes | [ ]  No |
|  |  |  |  |
| **28.2** | In the past five years, have—* you;
* a company of which you are or were a director;
* a company of which you are or were involved in the management; or
* a company of which you are or were a substantial shareholder,

been— * censured, disciplined or disqualified by—
1. the Commission1; or
2. any professional or regulatory body (including a stock or futures exchange) in relation to any trade, business or profession; or
* the subject of an investigation conducted by—
1. the Commission1; or
2. any regulatory, criminal investigatory or professional body (e.g. disciplinary tribunal, examination authority, inspector appointed under any enactment)[[2]](#footnote-2)?
 | [ ]  Yes | [ ]  No |
| [ ]  Yes | [ ]  No |
| [ ]  Yes | [ ]  No |
| [ ]  Yes | [ ]  No |
|  |  |  |  |
| **28.3** | Are there any disciplinary actions or proceedings pending against— * you;
* a company of which you are or were a director;
* a company of which you are or were involved in the management; or
* a company of which you are or were a substantial shareholder,

in relation to any trade, business or profession? | [ ]  Yes | [ ]  No |
|  |  |  |  |
| **28.4** | Have—* you;
* a company of which you are or were a director;
* a company of which you are or were involved in the management; or
* a company of which you are or were a substantial shareholder,

ever been—1. investigated about any offence involving fraud or dishonesty[[3]](#footnote-3); or
2. adjudged by a court to be civilly liable for fraud, dishonesty or misfeasance?
 | [ ]  Yes | [ ]  No |
| [ ]  Yes | [ ]  No |
|  |  |  |  |
| **28.5** | Have you ever been disqualified by a court from being a director of a corporation, or the equivalent in another jurisdiction? | [ ]  Yes | [ ]  No |
|  |  |  |  |
| If you answer “Yes” to any of the questions in sections 28.1 to 28.5, please provide the following information in a tabular format in a separate document:-* date of event
* name of regulatory, criminal investigatory or professional body
* description of the case
* your role or involvement in the case
* outcome or current status (e.g. ongoing, settled, etc.)
* contingent liability (if any)
 |
|  |  |  |  |

|  |
| --- |
| Section 29: Financial Status |
|  |
| **29.1**  | In the past five years, have you been a defendant or respondent[[4]](#footnote-4) to— 1. any dispute, civil litigation, arbitration or mediation, the nature of which involves fraud, dishonesty or misfeasance; or
2. any dispute, civil litigation, arbitration or mediation with any person(s) in relation to the provision of financial services and such dispute, civil litigation, arbitration or mediation involves claim(s), liability or contingent liability of an amount in excess of HK$100,000 or equivalent?
 | [ ]  Yes | [ ]  No |
| [ ]  Yes | [ ]  No |
|  |  |  |  |
| **29.2** | In the past five years, have you— 1. been a party to a scheme of arrangement; or
2. entered into any form of compromise with your creditor,

involving an amount in excess of HK$100,000 or equivalent? | [ ]  Yes | [ ]  No |
| [ ]  Yes | [ ]  No |
|  |  |  |  |
| **29.3** | Are there any judgments or court orders with which you have not complied?  | [ ]  Yes | [ ]  No |
|  |  |  |  |
| **29.4** | Have you ever been bankrupt, or served with a bankruptcy petition? | [ ]  Yes | [ ]  No |
|  |  |  |  |
| **29.5**  | Have you ever been a director, substantial shareholder, or involved in the management of a corporation which was wound up other than by amembers’ voluntary wind up?  | [ ]  Yes | [ ]  No |
|  |  |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **29.6** | Have you ever been a partner of a firm which was dissolved other than with the consent of all the partners? | [ ]  Yes | [ ]  No |
|  |  |  |  |
| If you answer “Yes” to the question in section 29.1, please provide the following information in a tabular format in a separate document:* date of event
* description of the case
* amount or estimated amount involved
* financial implication of the claims, liabilities or contingent liabilities (amount or estimated amount involved as a % of your personal wealth)
* outcome or current status of the case (e.g. dismissed, settled, under appeal, etc.)
 |
|  |
| If you answer “Yes” to the question in section 29.2, please provide the following information in a tabular format in a separate document:* the nature and purpose of scheme of arrangement
* party(ies) in the arrangement
* date of arrangement
* total amount
* outstanding amount
* repayment schedule or details
 |
|  |
| If you answer “Yes” to any of the questions in sections 29.3 to 29.6, please provide details of the case or matter in a separate document. |
|  |

|  |
| --- |
| Section 30: Character |
|  |
| **30.1**  | Have you ever been charged with any criminal offence other than a minor offence (as defined under section 2 of the Securities and Futures (Licensing and Registration) (Information) Rules (“**Information Rules**”))[[5]](#footnote-5)? | [ ]  Yes | [ ]  No |
|  |
| **30.2**  | Have you ever been convicted of any criminal offence other than a minor offence (as defined under section 2 of the Information Rules)[[6]](#footnote-6)? | [ ]  Yes | [ ]  No |
|  |
| **30.3** | Have you ever been subject to any order of the court or other competent authority for fraud, dishonesty or misfeasance? | [ ]  Yes | [ ]  No |
|  |  |  |  |
| If you answer “Yes” to any of the questions in sections 30.1 to 30.3, please provide details of the case or matter in a separate document. |
|  |
|  |
| Section 31: Mental Health |
|  |
| **31.1**  | Have you ever been a patient as defined in section 2 of the Mental Health Ordinance? | [ ]  Yes | [ ]  No |
|  |  |  |  |

|  |
| --- |
| **Section 32: Additional Information** |

Under the Ordinance, you are required to satisfy the Commission that you are a fit and proper person to be licensed.

**32.1 Have you answered “Yes” to any of sections 28.1 to 31.1?**

[ ]  Yes. Please explain why you are fit and proper to be licensed/remain licensed in the light of your “Yes” answer(s). You may wish to refer to the Fit and Proper Guidelines.

|  |
| --- |
|       |

[ ]  No.

**32.2 Please provide any information you consider relevant to your application that we would reasonably expect you to give which you have not provided elsewhere.**

|  |
| --- |
|       |

**Part VIII: Declaration**

|  |
| --- |
| **Section 33: Applicant’s Declaration** |

|  |  |  |
| --- | --- | --- |
| **I**, |       |  |
|  | Name of applicant |  |

|  |  |  |
| --- | --- | --- |
| * **Have completed** Part(s)
 |       | of this application. |

* **Declare** that all the information provided in this application form and any associated documentation is complete, true and correct.
* **Understand** that providing false or misleading information in support of this application/supplement is an offence under section 383 of the Ordinance.
* **Understand** that the Commission may take criminal and/or disciplinary action against a person who has made a false or misleading representation in, or in support of, this application/ supplement.
* **Understand** that if any information contained in this application/ supplement, or any associated documentation changes prior to the Commission making a decision in respect of this application/supplement, I should notify the Commission in writing immediately of the changes.
* **Confirm** that I have read and understood the attached Personal Information Collection Statement.
* **Consent** to the Commission using any personal information I have provided in this application/supplement, or any associated documentation, and any personal information I may provide in the future, for the purposes described in the Personal Information Collection Statement.
* **Understand** that the Commission may make such enquiries and seek such further information as it thinks appropriate.
* **Declare** that the Board of Directors has passed a board resolution appointing me as the corporation’s:

[ ]  Principal as defined under the Sponsor Guidelines.

[ ]  Director and responsible officer to supervise the regulated activities for which I will be responsible (where the applicant is a director).

[ ]  Responsible officer and granting me sufficient authority to supervise the regulated activities for which I will be responsible (where the applicant is not a director).

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  |       |
|  | Signature |  | Date |

|  |
| --- |
| **Section 34: Declaration of corporation/licensed corporation in respect of the Application** |

**Each of the corporations/licensed corporations in respect of the Application should separately complete the declaration section and attach the signed declaration page to this supplement.**

**We:**

* **Have reviewed:**

[ ]  The information provided in this supplement (including all associated documentation).

[ ]  The documents evidencing the applicant’s academic, professional and industry qualifications in this

supplement (including all associated documentation).

* **For an applicant who will act as a Principal:**
* Are satisfied that this individual is qualified as a Principal for the purpose of the Sponsor Guidelines, and endorse this supplement and its associated documentation, and their accuracy.
* Confirm that the Principal nominated in this supplement will discharge his/her role in supervising the transaction team handling initial public offerings in a full-time capacity.
* Confirm that the firm has/will have at least one individual who is eligible to act as a Principal pursuant to Option 1 of paragraph 1.4.1 of the Sponsor Guidelines.
* **Believe** that the applicant is a fit and proper person to be licensed as our representative and endorse this application.

|  |  |
| --- | --- |
| **For and on behalf of:** |       |
|  | Name of corporation/licensed corporation |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|       |  |  |  |       |
| Name of director/responsible officer/person authorised by the board of directors\* |  | Signature |  | Date |

\* Delete where not applicable.

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| **Vetting Authorisation** |

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| I,  |       | , hereby authorise the Commissioner of Police/any local or overseas criminal  |

investigatory body or regulatory authority, or their representatives, to release full particulars of any pertinent information and materials including all criminal convictions recorded against me to the Securities and Futures Commission. My personal particulars are as follows:

|  |  |
| --- | --- |
| **Name** |       |
| **Date of birth (DD/MM/YYYY)** |       |
| **Hong Kong identity card number** |       |
| **Chinese Commercial Code** |       |
| **People’s Republic of China identity card number, if applicable** |       |
| **Passport number\*** |       |
| **Country of issue\*** |       |
| **Place of birth** |       |

|  |  |  |
| --- | --- | --- |
|  |  |       |
| Signature of individual |  | Date |

|  |  |
| --- | --- |
| **Witness by\*\*:** |  |
|  |  |
| **Signature of witness** |  |
| **Name of witness** |       |
| **Designation** |       |
| **Company name** |       |
| **Notary public number, if applicable** |       |
| **Hong Kong identity card number** |       |
| **Passport number\*** |       |
| **Country of issue\*** |       |

\* Only applicable to individuals who are non-Hong Kong permanent residents.

\*\* The witness must be one of the following persons:

1. a practicing solicitor, notary public or Justice of the Peace; or
2. a director or responsible officer of the licensed corporation/corporation applying for a licence.

# Personal Information Collection Statement

1. The Personal Information Collection Statement (“PICS”) is made in accordance with the guidelines issued by the Office of the Privacy Commissioner for Personal Data. The PICS sets out the policies and
practices of the Securities and Futures Commission (“SFC”) with regard to your Personal Data[[7]](#footnote-7) and what you are agreeing to with respect to the SFC’s use of your Personal Data for the purposes identified below.

# Purpose of Collection

1. The Personal Data provided in this application form/statement of personal information/annual return/notification on change of information/any other form of request for information (as the case may be) will be used by the SFC for one or more of the following purposes:
	* + to administer the relevant Ordinances, rules, regulations, codes and guidelines made or promulgated pursuant to the powers vested in the SFC as in force at the relevant time, including:

the Securities and Futures Ordinance (“SFO”);

the Fit and Proper Guidelines;

the Code of Conduct for Persons Licensed by or Registered with the Securities and Futures Commission;

the Management, Supervision and Internal Control Guidelines;

the Codes on Takeovers and Mergers and Share Buy-backs; and

the Code on Unit Trusts and Mutual Funds.

* + - to process any application you may make under the relevant Ordinances;
		- to assess your fitness and properness in relation to any of your applications for licence/registration
		under the SFO, as the case may be;
		- to monitor your fitness and properness to remain licensed under the relevant Ordinances as an
		ongoing compliance process;
		- to consider any application under the relevant Ordinances where you are named as a referee or may otherwise have a connection;
		- for the purposes of performing the SFC’s statutory functions under the relevant Ordinances, including surveillance, investigation, inspection or enforcement/disciplinary action;
		- for research or statistical purposes; and
		- other purposes as permitted by law.
1. Failure to provide the requested Personal Data may result in the SFC being unable to process your application or perform its statutory functions under the relevant Ordinances.

# Transfer/Matching of Personal Data

1. Personal Data may be disclosed by the SFC to other financial regulators in Hong Kong (including the Hong Kong Exchanges and Clearing Limited and the Hong Kong Monetary Authority), the Hong Kong Police
Force, the Customs and Excise Department, overseas regulatory bodies and other government bodies as required under the law or pursuant to any regulatory/investigatory assistance arrangements between the SFC and other regulators (local/overseas).
2. Personal Data may be disclosed by the SFC to other financial regulators, the Hong Kong Police Force, the Customs and Excise Department, other government bodies, corporations, organisations or individuals in Hong Kong, the People’s Republic of China or overseas for the purposes of verifying/matching[[8]](#footnote-8) those data.

**Public Registers**

1. The SFC is required to maintain public registers containing specified data relating to licensed or registered persons and to publish such specified data in the Gazette (or in such manner as it considers appropriate), pursuant to the relevant provisions of the SFO or any rules or regulations made thereunder. Any member of the public may inspect the public registers for the purposes of ascertaining whether he is dealing with a licensed or registered person in matters of or connected with any regulated activity, and the particulars of the licence or registration of such persons.

# Access to Data

1. You have the right to request access to and correction of your Personal Data in accordance with the provisions of the PDPO. Your right of access includes the right to obtain a copy of your Personal Data provided in the application form/statement of personal information/annual return/notification on change of information/any other form of request for information (as the case may be). The SFC has the right to
charge a reasonable fee for processing of any data access request.

# Enquiries

1. Any enquiries regarding the Personal Data provided in the application form/statement of personal information/annual return/notification on change of information/any other form of request for information (as the case may be), or requests for access to Personal Data or correction of Personal Data, should be addressed in writing to:

The Data Privacy Officer

Securities and Futures Commission

**54/F, One Island East
18 Westlands Road**

**Quarry Bay**

**Hong Kong**

A copy of the Privacy Policy Statement adopted by the SFC is available upon request.

1. You must answer this question and there is no need to seek the Commission’s specific consent. Please refer to <https://www.sfc.hk/web/EN/regulatory-functions/enforcement/secrecy-provision.html> for more information or seek independent legal advice. [↑](#footnote-ref-1)
2. Where:

there has been no further disciplinary or enforcement action taken by the regulatory, criminal investigatory or professional body as a result of the investigation for a prolonged period, or you (or the company) have been informed by the regulatory, criminal investigatory or professional body that no such action would be taken, **and**

where you wish to maintain confidentiality in relation to such investigation,

you may do so by checking “No”. However you are obliged to disclose details of the investigation to the Commission in a separate submission, which you must sign, date and send directly to the Commission, within two business days of the date when this application is submitted. [↑](#footnote-ref-2)
3. Where:

you (or the company) have been investigated about any such offence but no prosecution has been instituted as a result of the investigation for a prolonged period, or you (or the company) have been informed that such prosecution would not be instituted, or the investigation of any such offence resulted in a conviction which was subsequently spent or quashed, **and**

you wish to maintain confidentiality in relation to such investigation or conviction,

you may do so by checking “No”. However, you are obliged to disclose details of the offence involved and the relevant conviction (if any) to the Commission. It should be noted that the protection under the Rehabilitation of Offenders Ordinance (Cap. 297) does not apply to proceedings relating to a person’s suitability to be granted a licence. You are therefore required to provide the relevant details in a separate submission, which you must sign, date and send directly to the Commission, within two business days of the date when this application is submitted. [↑](#footnote-ref-3)
4. This includes a claim or counterclaim. [↑](#footnote-ref-4)
5. Where:

you have been charged with any such offence but not convicted, or the offence charged resulted in a conviction which was subsequently spent (see Footnote 3 above) or quashed, **and**

you wish to maintain confidentiality in relation to such prosecution or conviction,

you may do so by checking “No”. However, you are obliged to disclose details of the offence involved and the relevant conviction (if any) to the Commission in a separate submission, which you must sign, date and send directly to the Commission, within two business days of the date when this application is submitted. [↑](#footnote-ref-5)
6. Where:

the conviction of any such offence was subsequently spent (see Footnote 3 above) or quashed, **and**

you wish to maintain confidentiality in relation to such conviction,

you may do so by checking “No”. However, you are obliged to disclose details of the offence involved and the relevant conviction to the Commission in a separate submission, which you must sign, date and send directly to the Commission, within two business days of the date when this application is submitted. [↑](#footnote-ref-6)
7. Personal Data means personal data as defined in the Personal Data (Privacy) Ordinance, Cap 486 (“PDPO”) [↑](#footnote-ref-7)
8. “Matching procedure” is defined in section 2 of the PDPO. [↑](#footnote-ref-8)