

24 November 2017

Launch of online submission of information under section 110(1) of the Securities and Futures Ordinance (SFO)

1. The purpose of this circular is to announce the launch of online submission of information to the Commission under section 110(1) of the SFO via the SFC Online Portal¹ today.

Background

2. Under section 110(1) of the SFO, an authorized financial institution, a bank incorporated outside of Hong Kong and other specified persons are required to submit to the Commission certain prescribed information² (Prescribed Information) within 10 business days³ after the issue of any advertisement, invitation or document referred to in section 103(3)(e), (f) or (g) of the SFO relating to the issue of certificates of deposit or other instruments specified therein.
3. Currently, the Prescribed Information may be submitted to the Commission in paper form only. To improve the efficiency of the submission process and enable the Commission to handle the submissions more effectively, the Prescribed Information may from today onwards be submitted electronically via the SFC Online Portal.

Registration for an SFC Online Portal account and request for an SFC online submission identification code

4. Any issuer (Issuer) of advertisement, invitation or document referred to in section 103(3)(e), (f) or (g) of the SFO who wishes to submit the Prescribed Information electronically to the Commission should:
 - (i) open a self-registered account via the SFC website at <https://portal.sfc.hk/sfcportal/signin?locale=en> if the Issuer currently does not have an SFC Online Portal account; and
 - (ii) make a request in writing to CDCP@sfc.hk for a valid SFC online submission identification code.
5. The request (Request) for a valid SFC online submission identification code should set out the name and capacity⁴ of the Issuer and particulars of the Issuer's personnel or agent responsible for the online submission of the Prescribed Information including his/her English and Chinese name and contact details. Each Issuer will be given a

¹ http://www.sfc.hk/web/html/EN/sfc_online_portal/online_service.html

² Such prescribed information is set out in the Securities and Futures (Exempted Instruments – Information) Rules (Cap 571 sub leg G).

³ Submission of Information to the Commission shall be made within 10 business days or such longer period as is prescribed by rules made under section 397 of the SFO.

⁴ "Capacity of the Issuer" refers to the category of institution the Issuer falls under section 110(1)(a) to (d) of the SFO.



unique identification code for the purpose of the online submission of the Prescribed Information.

6. Generally, an SFC Online Portal account can be set up immediately after registration.
7. Once the Request has been processed, we will send the online submission identification code together with an online submission template and a guidance on online submission of the Prescribed Information via the SFC Online Portal to the Issuer via email within three business days.

General

8. Issuers are encouraged to make use of this new online submission of the Prescribed Information. Should you wish to clarify any aspects of this circular, please contact us at CDCP@sfc.hk.

**Investment Products Division
Securities and Futures Commission**