

Notes for Completion of the Spreadsheet for the HKMA Register

General information

You should read the HKMA circulars of 5 July and 12 September 2002 for background information about the new supervisory regime under the BAO 2002 and the SFO before completing this spreadsheet. You should also study the definition of individual regulated activities set out in Schedule 5 of the SFO.

This spreadsheet should be completed by every AI which is a licensed bank, an exempt dealer and/or an exempt investment adviser. Nil report is required if the reporting institution does not have any "relevant individual".

Provided below are some illustrative examples used in completing the proforma spreadsheet:

Record no. 1 - CHAN Tai Man

He is a relationship manager who takes orders from clients and provides advice on securities to some of his clients. As the provision of investment advice is carried out incidental to dealing in securities, he is only required to be registered for Type 1 regulated activity.

Record no. 2 - MUNCH Edvard

He is a corporate finance consultant who advises on capital raising by way of private placement. His advising on capital raising involves giving advice concerning compliance with or in respect of rules governing the listing of securities and/or the relevant code published by the SFC. A registration for Type 6 regulated activity is therefore required.

Registration for Type 1 regulated activity is also necessary as he induces others to acquire the shares of public companies by way of private placement or otherwise.

Record no. 3 - SMITH Adam

He is a research analyst who provides advice in relation to a particular stock and is therefore required to be registered for Type 4 regulated activity.

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Record no. 4 - NAKAYAMA Miho

She is a portfolio manager who is also involved in promoting funds to clients and therefore she is required to be registered for Type 1 and Type 9 regulated activities. Registration under both Type 1 and Type 9 is necessary as one is not incidental to the other.

Specific instructions

Note 1 Name in English

This should be identical with the one stated in the Hong Kong Identity ("HKID") Card. If the individual is not a holder of HKID Card, the name in English shown in the individual's passport should be entered.

Note 2 Name in Chinese

This is not a compulsory field but should be filled in, if applicable. It should be identical with the one stated in the HKID Card. If the individual is not a holder of HKID Card, enter the name in Chinese shown in the individual's passport.

Chinese Traditional (Big5) [大五碼(繁體)] is the required code for the Chinese input.

Note 3 HKID Card number and Passport number

"Passport number" should only be entered if the individual is not a holder of HKID Card. *Neither "HKID Card number" nor "Passport number" would be shown on the HKMA Register for public inspection.*

Note 4 Nationality and Date of birth

Neither "Nationality" nor "Date of birth" would be shown on the HKMA Register for public inspection.

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Note 5 Effective date and Ending date of temporary engagement period

These are not applicable to submissions made before the commencement of the BAO 2002 and the SFO, but are shown to indicate the layout of the on-line submission template. For subsequent on-line submissions, they are not compulsory fields but should be filled in if applicable. *They would not be shown on the HKMA Register for public inspection.*

For temporarily engaged staff, there will be indication that the individual is under temporary engagement. Temporary engagement is only available for the following types of regulated activities:

- Type 1 : dealing in securities
- Type 2 : dealing in futures contracts
- Type 4 : advising on securities
- Type 5 : advising on futures contracts
- Type 6 : advising on corporate finance

Note 6 CE number assigned by the SFC

This is not a compulsory field but should be filled in if the individual was previously licensed/registered with the SFC. It is the unique Central Entity Identification number ("CE number") assigned by the SFC. *It would not be shown on the HKMA Register for public inspection.*

Note 7 Capacity

This should be the current function title assigned by the reporting institution. It is not applicable to Types 2 and 5 regulated activities for all submissions made before the commencement of the BAO 2002 and the SFO¹, but is shown to indicate the layout of the on-line submission template.

¹ None of the AIs are now registered as commodity dealers with the SFC. For AIs that are registered as commodity trading advisers under the current Commodities Trading Ordinance, the respective representatives will become deemed licensed representatives, instead of deemed relevant individuals, during the transitional period.

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Note 8 Date on which the relevant individual was first so engaged

This is the date when the individual was first engaged in the particular regulated activity of the reporting institution, which may be a date before the commencement of the BAO 2002 and the SFO. The capacity of the individual in which he was first so engaged may also be different from that currently reported. It is not applicable to Types 2 and 5 regulated activities for all submissions made before the commencement of the BAO 2002 and the SFO¹, but is shown to indicate the layout of the on-line submission template.

Note 9 Effective date of new regulated activity to be engaged in

This applies only to any regulated activity that the individual concerned starts to engage in after the commencement of the BAO 2002 and the SFO, but is shown to indicate the layout of the on-line submission template. *It would not be shown on the HKMA Register for public inspection.*