

Complaints statistics concerning Lehman-related investment products (Up to 21 May 2009)

	No. of complaints received	Stage 1 & 2 Registration and establishment of allegations completed ¹	Stage 3 Preliminary assessment completed ²	Stage 4 Actions following preliminary assessment						Stage 5 Actions following detailed investigation		
				Insufficient prima facie evidence	Seeking further information ³	Preliminary investigation in progress ⁴	Preliminary investigation completed	Detailed investigation in progress ⁶	Cases with no further action ⁷	Cases under disciplinary consideration	Disciplinary action taken	
												Of which referred to SFC ⁵
Products arranged / issued by Lehman Brothers		16,628	16,588	617	10,679	1,475	3,817	433	3,566	150	101	-
- Minibonds		13,925	13,888	510	9,017	1,389	2,972	343	2,843	115	14	-
- Others		2,703	2,700	107	1,662	86	845	90	723	35	87	-
Products referenced to Lehman Brothers		4,042	4,029	199	2,740	196	894	24	837	47	10	-
Product type to be confirmed		224	217	42	175	-	-	-	-	-	-	-
Total:	20,999	20,894	20,834	858	13,594	1,671	4,711	457	4,403	197	111	-
			(a)= (b)+(c)+(d)+(e)	(b)	(c)	(d)	(e)= (f)+(g)+(h)+(i)		(f)	(g)	(h)	(i)

(For details on the various stages under the enforcement process, please refer to the flowchart at http://www.info.gov.hk/hkma/eng/new/lehman/enforcement_process.pdf)

Note

- ¹ The Hong Kong Monetary Authority (HKMA) formally registers each complaint and writes to each complainant to confirm receipt of his/her complaint, assigns a complaint number to facilitate subsequent communication and makes follow-up contact with each complainant (mainly by phone) to obtain or clarify details of allegations.
- ² The HKMA reviews and decides for each case (a) whether there is a lack of prima facie evidence for investigation, (b) whether further information should be sought or (c) whether there is prima facie evidence to open a case for investigation.
- ³ These are cases where additional information is being obtained from the complainant and the registered institution to facilitate the HKMA's consideration of whether to open a case for investigation. There are 3,651 cases in which it has, so far, proved impossible to obtain one or more types of necessary information from the complainants.
- ⁴ These are cases considered to have sufficient grounds for opening cases for investigation. The relevant registered institution will be required to provide, where necessary, additional information to facilitate investigation.
- ⁵ These are cases where the HKMA has decided, after a preliminary investigation, that there is prima facie evidence to support a referral to the Securities and Futures Commission for consideration of whether there has been a failure at the bank level. The HKMA will continue its investigation into these cases to establish if there has been a failure by the relevant individuals concerned.
- ⁶ These are cases which have gone through preliminary investigation but further information from the complainant and the registered institution is considered necessary to enable the HKMA to take the matter further.
- ⁷ These are closed cases where the HKMA's investigation has not found sufficient evidence or grounds to proceed with the relevant individuals concerned. However, investigations at the bank level, if any, will continue. These also include cases where investigations are unable to proceed further because the complainants have declined to provide further information to the HKMA. Investigation into these cases may be re-opened if more information is received.