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## SFC Successfully Prosecutes Colliers International Agency Limited, Piers Daniel Carlyle Brunner and Kar-yan Rosaline Lam For Issuance of Unauthorised Investment Advertisements

8 Apr 2003

The SFC has successfully prosecuted Colliers International Agency Limited, its Managing Director Mr Piers Daniel Carlyle Brunner, and its director Ms Kar-yan Rosaline Lam, under the Protection of Investors Ordinance for the issuance of unauthorised advertisements.

The SFC found that between 14 August and 12 September 2002, Colliers had issued advertisements in local newspapers, through postcards, via its website and by an open exhibition, inviting public to invest in a project called "Holiday Inn Wellington", which was based on a pooled investment that claimed to offer an annual return of at least 8%. These advertisements were not authorised by the SFC prior to their issuance to the public. Brunner and Lam consented to the issuance of these advertisements.

Colliers pleaded guilty to seven summonses and Brunner and Lam pleaded guilty to four summonses each before Ms Polly Lo at Western Magistracy today. Colliers was fined \$70,000, Brunner \$24,000, and Lam \$20,000. They were ordered to pay costs totaling \$28,422 to the SFC.

An SFC spokesman reminds promoters and property developers that any document which contained an invitation or offer to the public to take part in a collective investment scheme must be approved by the SFC, and advises them to take adequate legal advice before launching any such scheme. The SFC is willing to assist promoters by discussing in advance the particular terms of any scheme.

Ends

Page last updated : 1 Aug 2012

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## 證監會成功檢控高力國際物業顧問(香港)有限公司、Piers Daniel Carlyle Brunner 及林嘉恩發出未經認可的投資廣告

2003年4月8日

證監會根據《保障投資者條例》成功檢控高力國際物業顧問(香港)有限公司、該公司的董事總經理Piers Daniel Carlyle Brunner及董事林嘉恩發出未經認可的投資廣告。

證監會的調查發現，在2002年8月14日至9月12日期間，高力曾在本港各報章，以及透過明信片、該公司網站和公開展覽會，發出多則廣告，邀請公眾投資在一項稱為“Holiday Inn Wellington”的項目上，該項目以集體投資方式聲稱可提供每年至少8%的回報率。該等廣告在向公眾發出之前，並沒有獲得證監會事先認可，而Brunner及林氏均同意發出該等廣告。

高力今日在西區裁判法院向裁判官盧恒福就票控承認7項控罪，而Brunner 及林氏亦分別就票控各自承認4項控罪。高力被判罰款70,000元，Brunner罰款24,000元，林氏則罰款20,000元。此外，他們亦被下令須向證監會繳付28,422元調查費。

證監會發言人提醒促銷人及房地產發展商，任何文件若載有請公眾參與集體投資計劃的邀請或要約，必須獲得證監會批准認可，並建議他們在推出任何該等計劃之前應充分徵詢有關的法律意見。證監會願意向促銷人提供協助，與他們事先討論任何計劃的條款細則。

完

最後更新日期：2012年8月1日