

Court convicts Chan Chi Kit of unlicensed dealing

22 Mar 2018

The Eastern Magistrates' Court today convicted Mr Chan Chi Kit of unlicensed dealing in securities in a prosecution brought by the Securities and Futures Commission (SFC) (Note 1).

Chan pleaded guilty and was fined \$8,000 and ordered to pay the SFC's investigation costs.

The Court heard that Chan carried on a business and also held himself out as carrying on a business in dealing in securities in the name of Prime Ocean Holdings Limited (Prime Ocean) during or around the period between 19 April 2013 and 10 October 2013 by referring clients to TYG Capital Management to subscribe for TYG Capital Fund in return for commission when neither Prime Ocean nor himself were licensed by the SFC (Notes 2 & 3).

The SFC reminds investors to check the SFC's Public Register of Licensed Persons and Registered Institutions on the SFC's website (www.sfc.hk) to ensure the parties that they deal with are properly licensed.

End

Notes:

1. Dealing in securities is a type of regulated activity under the Securities and Futures Ordinance (SFO). Under sections 114(1)(a) and 114(1)(b) of the SFO, it is an offence to carry on a business and to hold oneself out as carrying on a business in a regulated activity without a licence from the SFC.
2. During the material time, Chan was the sole director and shareholder of Prime Ocean Holdings Limited which was dissolved on 11 September 2015.
3. TYG Capital Fund, an exempted company with limited liability incorporated in the Cayman Islands on 10 August 2012, offered participating shares to private investors for subscription. TYG Capital Management, also an exempted company with limited liability incorporated in the Cayman Islands on 10 August 2012, was the fund's manager.

Page last updated : 22 Mar 2018

法院裁定陳治傑無牌交易罪成

2018年3月22日

東區裁判法院今天在證券及期貨事務監察委員會（證監會）提出的檢控程序中，裁定陳治傑（男）進行無牌證券交易罪名成立（註1）。

陳承認控罪，被罰款8,000元及被命令須繳付證監會的調查費。

案情指，陳在大約2013年4月19日至2013年10月10日期間，曾以讚海股份有限公司（讚海）的名義向卓延資產管理轉介客戶認購卓延資產基金以賺取佣金，從而在讚海及他本人均未以任何身分獲證監會發牌的情況下經營證券交易業務及顯示自己經營該類業務（註2及3）。

證監會提醒投資者應查閱證監會網站（www.sfc.hk）內的持牌人及註冊機構的公眾紀錄冊，以確保為他們進行交易的對手方已領有適當的牌照。

完

備註：

1. 證券交易是《證券及期貨條例》下的其中一類受規管活動。根據該條例第114(1)(a)及114(1)(b)條，凡未獲證監會發出牌照而經營受規管活動的業務或顯示自己經營受規管活動的業務，即屬犯罪。
2. 陳於關鍵時間是讚海股份有限公司（已於2015年9月11日解散）的唯一董事兼股東。
3. 卓延資產基金是一家於2012年8月10日在開曼群島註冊成立的獲豁免有限責任公司，曾向私人投資者發售參與股份以供認購。卓延資產管理是該基金的管理人，同樣是一家於2012年8月10日在開曼群島註冊成立的獲豁免有限責任公司。

最後更新日期：2018年3月22日