

[Home](#) ▶ [News & announcements](#) ▶ [News](#) ▶ [Enforcement news](#)

Court sets pre-trial review for unlicensed activities prosecution

18 Jul 2019

The Eastern Magistrates' Court today fixed the pre-trial review date for prosecution against Brilliance Capital Management Limited (BCM) and its director Mr Law Sai Hung after they pleaded not guilty to the charges by the Securities and Futures Commission (SFC) of having held out themselves as carrying on a business in regulated activity without a SFC licence.

The SFC alleges that on or around 8 January 2013, BCM held itself out to a company as carrying on a business in advising on corporate finance while without a licence and reasonable excuse (Note 1).

The SFC also alleges that Law, while acting as an officer of BCM, aided, abetted, counselled, procured or induced the commission of the offence by BCM, which was committed with Law's consent or connivance or was attributable to his recklessness.

The pre-trial review is fixed for 19 September 2019.

End

Note:

1. Under Schedule 5 of the Securities and Futures Ordinance (SFO), "advising on corporate finance" is a type of regulated activity under the SFO. Under section 114(1)(b) of the SFO, it is an offence to hold out as carrying on a business in a regulated activity without a licence from the SFC.

Page last updated : 18 Jul 2019

[主頁](#) ▶ [新聞稿及公布](#) ▶ [新聞稿](#) ▶ [執法消息](#)

法院就無牌活動檢控案件定出審前覆核日期

2019年7月18日

證券及期貨事務監察委員會（證監會）早前起訴百年資本管理有限公司（百年資本）及其董事羅世鴻（男），指他們在未領有證監會牌照的情況下，顯示自己經營某類受規管活動的業務。東區裁判法院今天在他們否認有關控罪後，定下審前覆核日期。

證監會指百年資本曾於或大約於2013年1月8日，在未領有牌照及無合理辯解的情況下向一家公司顯示自己經營一項就機構融資提供意見的業務（註1）。

證監會亦指羅在以百年資本高級人員的身分行事時，曾協助、教唆、慫恿、促致或誘使百年資本觸犯該罪行，而該罪行是在羅同意或縱容下犯的，或是可歸因於他罔顧實情或罔顧後果。

審前覆核定於2019年9月19日進行。

完

備註：

1. 根據《證券及期貨條例》附表5，"就機構融資提供意見"是該條例下的其中一類受規管活動。根據該條例第114(1)(b)條，凡未領有證監會發出的牌照而顯示自己經營某類受規管活動的業務，即屬犯罪。

最後更新日期：2019年7月18日