

IN THE MATTER OF
CMBC CAPITAL HOLDINGS LIMITED
(FORMERLY KNOWN AS MISSION CAPITAL HOLDINGS LIMITED)
(STOCK CODE: 1141)

MARKET MISCONDUCT TRIBUNAL PROCEEDINGS
PURSUANT TO SECTION 307I(2) OF AND SCHEDULE 9 TO THE
SECURITIES AND FUTURES ORDINANCE CAP. 571

IN THE MATTER OF the Market Misconduct
Tribunal Proceedings under section 307I(2) and
Orders made by the Market Misconduct
Tribunal on 12 October 2020 under section
307N(1) of the Securities and Futures
Ordinance, Cap. 571

AND

IN THE MATTER OF Sections 307S and 264
of the Securities and Futures Ordinance, Cap.
571

ORDER

WHEREAS it appears to the Securities and Futures Commission (the
“**Commission**”) that a breach of the disclosure requirement within the meaning of
sections 307A, 307B and 307G of Part XIVA of the Securities and Futures Ordinance,
Cap. 571 (the “**SFO**”) has or may have taken place in relation to the securities of CMBC
Capital Holdings Limited (formerly known as Mission Capital Holdings Limited)
(Stock Code: 1141) (“**CMBC Capital**”) listed on the Stock Exchange of Hong Kong
Limited

AND WHEREAS by the Notice dated 26 November 2018 issued by the Commission requiring the Market Misconduct Tribunal (the “**Tribunal**”) to conduct proceedings to determine:-

- (a) whether a breach of a disclosure requirement has taken place; and
- (b) the identity of any person who is in breach of the disclosure requirement.

UPON reading the Statement of Agreed and Admitted Facts signed by the Commission, CMBC Capital (1st specified person), Suen Yik Lun Philip (2nd specified person), Suen Cho Hung Paul (3rd specified person), Lau King Hang (4th specified person), Huang Zhencheng (5th specified person), Weng Yixiang (6th specified person) and Wong Kwok Tai (7th specified person) (collectively, the “**Specified Persons**”)

AND UPON HEARING the Presenting Officer appointed by the Commission and the respective Counsel for the Specified Persons

AND UPON the Tribunal having come to the finding that the 1st specified person was in breach of the disclosure requirement under section 307B(1) of Part XIVA of the SFO; and the 2nd and 3rd specified persons were in breach of the disclosure requirement under sections 307G(2)(a) and 307G(2)(b) of Part XIVA of the SFO; and that the 4th to 7th specified persons were in breach of disclosure requirement pursuant to section 307G(2)(b) of Part XIVA of the SFO

THE TRIBUNAL ORDERED that:-

1. Pursuant to section 307N(1)(a) of the SFO, an order that, for a period of 15 months, the 2nd specified person must not, without leave of the Court of First Instance:-
 - a. be or continue to be a director, liquidator, or receiver or manager of the property or business, of a listed corporation or any other specified corporation; or
 - b. in any way, whether directly or indirectly, be concerned or take part in the management of a listed corporation or any other specified corporation.
2. Pursuant to section 307N(1)(d) of the SFO, that:-
 - a. a regulatory fine of HK\$1,200,000 against the 2nd specified person to be paid within 28 days from the date of the order.
 - b. a regulatory fine of HK\$900,000 against the 3rd specified person to be paid within 28 days from the date of the order.
3. Pursuant to section 307N(1)(e) of the SFO:-
 - a. the 1st specified person pays to the Government one-seventh of the costs and expenses reasonably incurred by the Government in relation or incidental to the Tribunal Proceedings (the “**Government’s Costs**”) up to 10 March 2020, to be taxed if not agreed.
 - b. the 2nd to 7th specified persons jointly and severally pay to the Government six-sevenths of the Government’s Costs up to 10 March 2020 and the entire portion of the Government’s Costs from 11 March 2020, to be taxed if not agreed.

4. Pursuant to section 307N(1)(f)(i)-(iii) of the SFO:-
 - a. the 1st specified person pays to the Commission a total sum of HK\$203,711, being:-
 - i. a sum of HK\$195,871 on account of costs and expenses reasonably incurred by the Commission in relation or incidental to the Tribunal Proceedings; and
 - ii. a sum of HK\$7,840 on account of the costs and expenses reasonably incurred by the Commission in relation or incidental to the investigation carried out before and/or for the purpose of the Tribunal Proceedings.
 - b. the 2nd to 7th specified persons jointly and severally pay to the Commission a total sum of HK\$1,793,763, being:-
 - i. a sum of HK\$1,746,720 on account of the costs and expenses reasonably incurred by the Commission in relation or incidental to the Tribunal Proceedings.
 - ii. a sum of HK\$47,043 on account of the costs and expenses reasonably incurred by the Commission in relation or incidental to the investigation carried out before and/or for the purpose of the Tribunal Proceedings.
5. Pursuant to section 307N(1)(i) of the SFO, that each of the 2nd to 7th specified persons to undergo and complete a training programme, to be approved by the Commission, on compliance with Part XIVA of the SFO, directors' duties and corporate governance within 90 days from the date of the order.

AND FURTHER ORDERED that:-

6. Pursuant to sections 307S(1) and 264(1) of the SFO, that written notice be given in order to register the above orders in the Court of First Instance.

Dated the 12th day of October 2020



The Honourable Mr. Justice Hartmann
Chairman,
Market Misconduct Tribunal

IN THE MATTER OF THE LISTED SECURITIES OF
CMBC CAPITAL HOLDINGS LIMITED
(FORMERLY KNOWN AS MISSION CAPITAL
HOLDINGS LIMITED) (STOCK CODE: 1141)

MARKET MISCONDUCT TRIBUNAL PROCEEDINGS
PURSUANT TO SECTION 307I(2) OF
AND SCHEDULE 9 TO THE
SECURITIES AND FUTURES ORDINANCE CAP. 571

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ORDER

Dated the 12th day of October 2020.
Filed on the 6th day of October 2020.

Securities and Futures Commission
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Hong Kong
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