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| **Manager-In-Charge of Core Functions**  Specified under section 402 of the Securities and Futures Ordinance (“Ordinance”) (Cap 571) | **Supplement**  **E** |

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| **Name of corporation** |  | |
| English | |
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| Chinese | |
| **Contact person regarding any queries on this supplement** |  | |
| English/Chinese name | |
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| Business title/Firm name | |
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| Relationship with the corporation | |
|  |  |
| Mobile number | E-mail address |

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| **Interpretations**  “Manager-In-Charge of Core Function(s)” or “MIC”, refers to an individual appointed by a corporation to be principally responsible, either alone or with others, for managing the Core Functions (see the following description of each Core Function) of the corporation.  **Overall Management Oversight**  A function responsible for directing and overseeing the effective management of the overall operations of the corporation on a day-to-day basis.  Key responsibilities may include:   * developing the corporation’s business model and associated objectives, strategies, organisational structure, controls and policies; * developing and promoting sound corporate governance practices, culture and ethics; and * executing and monitoring the implementation of business objectives, strategies and plans approved by the board of directors (“Board”), and the effectiveness of the organisational structure and controls.   (Example\*: Chief Executive Officer, President)  **Key Business Line**  A function responsible for directing and overseeing a line of business which comprises one or more types of regulated activities.  (Example\*: Chief Investment Officer, Head of Equity, Head of Corporate Finance, Chief Rating Analyst, Head of Fund Marketing)  **Operational Control and Review**  A function responsible for:   * establishing and maintaining adequate and effective systems of controls over the corporation’s operations; and * reviewing the adherence to, and the adequacy and effectiveness of, the corporation’s internal control systems.   (Example\*: Chief Operating Officer, Head of Operations, Head of Internal Audit)  **Risk Management**  A function responsible for the identification, assessment, monitoring and reporting of risks arising from the corporation’s operations.  (Example\*: Chief Risk Officer, Head of Risk Management)  **Finance and Accounting**  A function responsible for ensuring the timely and accurate financial reporting and analyses of the operational results and financial positions of the corporation.  (Example\*: Chief Finance Officer, Financial Controller, Finance Director) |

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| **Information Technology**  A function responsible for the design, development, operation and maintenance of the computer systems of the corporation.  (Example\*: Chief Information Officer, Head of Information Technology)  **Compliance**  A function responsible for:   * setting the policies and procedures for adherence to legal and regulatory requirements in the jurisdiction(s) where the corporation operates; * monitoring the corporation’s compliance with the established policies and procedures; and * reporting on compliance matters to the Board and senior management.   (Example\*: Chief Compliance Officer, Head of Legal and Compliance)  **Anti-Money Laundering and Counter-Terrorist Financing**  A function responsible for establishing and maintaining internal control procedures to safeguard the corporation against involvement in money laundering activities or terrorist financing.  (Example\*: Head of Financial Crime Prevention, Head of Compliance)  “You” in this supplement refers to the corporation providing information.  \* These examples of job title are for illustration only and are not exhaustive. A corporation is not required to appoint Mangers-in-Charge bearing the same job titles. However, there should be at least one individual to manage each Core Function as described above, and the corporation may adopt any job title relevant to that MIC’s position and duties as it considers appropriate.  **Instructions**   1. This supplement is to be filled in by a corporation applying for a licence under section 116 of the Ordinance. You should use this supplement to provide information about each of your Managers-In-Charge of Core Functions who is not a responsible officer. 2. If you are an existing licensed corporation applying for addition of regulated activity, you are not required to complete this supplement. However, you should notify the Commission of any relevant changes in your Managers-In-Charge of Core Functions via the SFC Online Portal. 3. In determining whether an individual is an MIC of a particular Core Function, you should take into account the apparent or actual authority of that individual in relation to that Core Function. For example, an individual may be an MIC of a particular Core Function if he or she has one or more of the following attributes: 4. occupies a position within the corporation which is of sufficient authority to enable the individual to exert a significant influence on the conduct of that Core Function; 5. has authority to make decisions (e.g. assume business risks within pre-set parameters or limits) for that Core Function; 6. has authority to allocate resources or incur expenditures in connection with the particular department, division or functional unit carrying on that Core Function; and 7. has authority to represent the particular department, division or functional unit carrying on that Core Function, e.g., in senior management meetings or in meetings with outside parties. |
| 1. A corporation should also take into account an individual’s seniority. In this regard, the Commission generally expects that an MIC should: 2. report directly to the Board of the corporation, or to the MIC who assumes the Overall Management Oversight function of the corporation; and 3. be accountable for the performance or achievement of business objectives set by the Board, or by the MIC who assumes the Overall Management Oversight function.      1. Please fill in all parts of this supplement. 2. Incomplete supplement may increase the time taken for the Commission to process your related application or the related application may be returned. Please refer to [Licensing Handbook](https://www.sfc.hk/web/EN/rules-and-standards/codes-and-guidelines/guidelines/?rule=Licensing%20Handbook) on the Commission’s website ([www.sfc.hk](http://www.sfc.hk)) for the return policy. 3. If there is not enough space, please use separate sheets of paper and clearly mark each separate sheet of paper with the relevant section number. 4. If the Commission is satisfied that a person has **substantial practical difficulties** in complying with any of the requirements under this supplement, it may exercise its discretion to dispense with the requirements to such extent as it considers necessary. If you consider that you have **substantial practical difficulties** in complying with any requirements under this supplement, please enclose a separate document setting out your **substantial practical difficulties** for the Commission’s consideration. Please note that the Commission would only exercise its discretion under special circumstances. 5. If there are any changes to the information provided in support of this supplement before it is concluded, you should notify the Commission in writing immediately after the changes take place. Any changes in information may result in delay in processing. |

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| **Warning**  **All information and documents submitted to the Commission must be true, accurate and complete.**  **Under section 383(1) of the Ordinance, a person commits an offence if –**   * **he, in support of any application made to the Commission under or pursuant to any provision of this Ordinance, whether for himself or for another person, makes a representation, whether in writing, orally or otherwise, that is false or misleading in a material particular; and** * **he knows that, or is reckless as to whether, the representation is false or misleading in a material particular.** |

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**Part I: Particulars of Manager-In-Charge of Core Functions**

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| **Please tick “✓” the Core Function(s) to be supervised by this individual:** |
| Overall Management Oversight  Key Business Line  Operational Control and Review  Risk Management  Finance and Accounting  Information Technology  Compliance  Anti-Money Laundering and Counter - Terrorist Financing |

**Please provide the particulars of the individual you have appointed to be principally responsible for managing any of your Core Functions. If you have appointed two or more individuals to act as your Managers-In-Charge of Core Functions, please submit a separate Supplement E for each of them.**

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| **Full name (in English)** |  | | |
| **Full name (in Chinese)** |  | | |
| **Hong Kong identity card number** |  | | |
| Passport number\* |  | **Date of expiry**\* **(DD/MM/YYYY)** |  |
| Passport issuing country\* |  | | |
| **CE number, if any** |  | | |
| **Place of residence (Country/Region)** |  | | |
| **Job title\*\*** |  | | |

\* Only applicable to individuals who are non-Hong Kong permanent residents.

\*\* The job title should indicate an individual’s position and his or her particular business or operational area (eg, Chief Executive Officer, Chief Investment Officer, Chief Administrative Officer, Head of Risk Management and Head of Corporate Finance).

**Part II: Declaration**

**We:**

* **Have completed** all parts of this supplement.
* **Declare** that all the information provided in this supplement and any associated documentation is complete, true and correct.
* **Confirm** that the individual whose particulars contained in Part I has been informed of and acknowledged (a) his or her appointment as a Manager-In-Charge of the corporation and (b) the particular Core Function(s) which he or she is principally responsible for managing.
* **Understand** that providing false or misleading information in support of this supplement is an offence under section 383 of the Ordinance.
* **Understand** that the Commission may take criminal and/or disciplinary action against a person who   
  has made a false or misleading representation in, or in support of this application.
* **Understand** that if any information contained in this application, or any associated documentation changes prior to the Commission making a decision in respect of any relating application, we should notify the Commission in writing immediately of the changes.
* **Understand** that the Commission may make such enquiries and seek such further information as it thinks appropriate.

**(This declaration must be signed by a director or person authorised by the board of directors.)**

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| **For and on behalf of:** |  |
|  | Name of corporation |

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| Name of director/person authorised by the board of directors\* |  | Signature |  | Date |

\* Delete where not applicable.

# Personal Information Collection Statement

* 1. The Personal Information Collection Statement (“PICS”) is made in accordance with the guidelines issued by the Office of the Privacy Commissioner for Personal Data. The PICS sets out the policies and  
     practices of the Securities and Futures Commission (“SFC”) with regard to your Personal Data[[1]](#footnote-1) and what you are agreeing to with respect to the SFC’s use of your Personal Data for the purposes identified below.

# Purpose of Collection

* 1. The Personal Data provided in this application form/statement of personal information/annual return/notification on change of information/any other form of request for information (as the case may be) will be used by the SFC for one or more of the following purposes:
     + to administer the relevant Ordinances, rules, regulations, codes and guidelines made or promulgated pursuant to the powers vested in the SFC as in force at the relevant time, including:

the Securities and Futures Ordinance (“SFO”);

the Fit and Proper Guidelines;

the Code of Conduct for Persons Licensed by or Registered with the Securities and Futures Commission;

the Management, Supervision and Internal Control Guidelines;

the Codes on Takeovers and Mergers and Share Buy-backs; and

the Code on Unit Trusts and Mutual Funds.

* + - to process any application you may make under the relevant Ordinances;
    - to assess your fitness and properness in relation to any of your applications for licence/registration  
      under the SFO, as the case may be;
    - to monitor your fitness and properness to remain licensed under the relevant Ordinances as an  
      ongoing compliance process;
    - to consider any application under the relevant Ordinances where you are named as a referee or may otherwise have a connection;
    - for the purposes of performing the SFC’s statutory functions under the relevant Ordinances, including surveillance, investigation, inspection or enforcement/disciplinary action;
    - for research or statistical purposes; and
    - other purposes as permitted by law.
  1. Failure to provide the requested Personal Data may result in the SFC being unable to process your application or perform its statutory functions under the relevant Ordinances.

# Transfer/Matching of Personal Data

* 1. Personal Data may be disclosed by the SFC to other financial regulators in Hong Kong (including the Hong Kong Exchanges and Clearing Limited and the Hong Kong Monetary Authority), the Hong Kong Police  
     Force, the Customs and Excise Department, overseas regulatory bodies and other government bodies as required under the law or pursuant to any regulatory/investigatory assistance arrangements between the SFC and other regulators (local/overseas).
  2. Personal Data may be disclosed by the SFC to other financial regulators, the Hong Kong Police Force, the Customs and Excise Department, other government bodies, corporations, organisations or individuals in Hong Kong, the People’s Republic of China or overseas for the purposes of verifying/matching[[2]](#footnote-2) those data.

## Public Registers

* 1. The SFC is required to maintain public registers containing specified data relating to licensed or registered persons and to publish such specified data in the Gazette (or in such manner as it considers appropriate), pursuant to the relevant provisions of the SFO or any rules or regulations made thereunder. Any member of the public may inspect the public registers for the purposes of ascertaining whether he is dealing with a licensed or registered person in matters of or connected with any regulated activity, and the particulars of the licence or registration of such persons.

# Access to Data

* 1. You have the right to request access to and correction of your Personal Data in accordance with the provisions of the PDPO. Your right of access includes the right to obtain a copy of your Personal Data provided in the application form/statement of personal information/annual return/notification on change of information/any other form of request for information (as the case may be). The SFC has the right to  
     charge a reasonable fee for processing of any data access request.

# Enquiries

* 1. Any enquiries regarding the Personal Data provided in the application form/statement of personal information/annual return/notification on change of information/any other form of request for information (as the case may be), or requests for access to Personal Data or correction of Personal Data, should be addressed in writing to:-

The Data Privacy Officer

Securities and Futures Commission

54/F, One Island East

18 Westlands Road

Quarry Bay

Hong Kong

A copy of the Privacy Policy Statement adopted by the SFC is available upon request.

1. Personal Data means personal data as defined in the Personal Data (Privacy) Ordinance, Cap 486 (“PDPO”) [↑](#footnote-ref-1)
2. “Matching procedure” is defined in section 2 of the PDPO. [↑](#footnote-ref-2)