

## Licence applications by Mainland individuals

For instance, Ms Zhang has been a fund manager and Managing Director of a private fund in Mainland for 10 years, and she is now posted to the licensed subsidiary of the private fund manager in Hong Kong to serve as its Chief Investment Officer and Responsible Officer.

As Ms Zhang holds a degree in economics from the Mainland and possesses sufficient experience in fund management and general management, she will be considered to have satisfied the requirements on academic and industry qualifications and managerial experience. Therefore, Ms Zhang only needs to pass the Hong Kong regulatory framework papers in order to satisfy the assessment requirement of competence.

As a senior management member of the subsidiary with sufficient industry experience, Ms Zhang may apply for an exemption from the requirement of the Hong Kong regulatory framework papers. Alternatively, she may pass these papers within six months after the approval of her licence in accordance with the licensing conditions.

The SFC strives to perform its gatekeeping role in the Hong Kong financial markets in an efficient, transparent and consistent manner.

As the gatekeeper of the Hong Kong financial markets, the SFC will grant licences only to persons who meet the fit and proper requirements.

The SFC's licensing regime allows flexibility for processing certain licence applications that have satisfied the relevant conditions. Applicants with academic and practising qualifications as well as industry and managerial experience obtained in the Mainland are recognised by us as having satisfied the relevant licensing requirements.

In general, licence applicants are required to pass the relevant papers. The SFC may exempt applicants possessing sufficient experience from these requirements in a pragmatic manner.

The SFC has fully digitalised its licensing procedures. Mainland individuals may submit their licence applications online in a flexible and efficient manner.

For more details,



Licensing Handbook



Quick Reference Guide Series

Email us at [licensing@sfc.hk](mailto:licensing@sfc.hk)

Call us at 2231 1222

Explore WINGS on <https://wings.sfc.hk/main/#/en>



SECURITIES AND  
FUTURES COMMISSION  
證券及期貨事務監察委員會

## Mainland Practitioners

### Quick Reference Guide to Competence Requirements



## Pragmatic approach to processing licence applications

An individual is required to be licensed by the SFC in order to carry on regulated activities (RA) in Hong Kong. To apply for a licence in Hong Kong, an applicant is required to meet the fit and proper requirements and pass the assessment of competence which comprises three key elements, namely academic and professional qualifications, industry experience and qualifications, and the Hong Kong regulatory framework papers.

In general, subject to the requirements of the Mainland, a licensee may be simultaneously accredited to a Mainland intermediary and a Hong Kong licensed corporation within the same group, or different Hong Kong licensed corporations within the same group. However, the licensee may only carry on RAs in Hong Kong for the Hong Kong licensed corporation(s) to which he or she is accredited.



## Recognition of Mainland academic and professional qualifications

The SFC recognises the academic and professional qualifications obtained in the Mainland when assessing the competence of an applicant.

## Recognition of Mainland experience and mutual recognition of practising qualifications in Hong Kong and Mainland

The SFC recognises the industry and management experience obtained in the Mainland. It may also consider certain experience obtained under non-regulated circumstances.

Where an applicant does not possess a university degree but has gained sufficient relevant industry experience in the Mainland, he or she may still pass the assessment of competence if choosing to complete additional continuous professional training instead of obtaining recognised industry qualifications.

In addition, in accordance with the Mainland and Hong Kong Closer Economic Partnership Arrangement, if an applicant has completed the securities practising registration with the Securities Association of China or obtained the practising qualification granted by the China Futures Association or the Asset Management Association of China, he or she may be considered to have satisfied the required recognised industry qualification for licensed representative in Hong Kong. Where he or she is a senior management personnel in the Mainland\*, he or she may be considered to have satisfied the relevant recognised industry qualification for responsible officer in Hong Kong.

For example, having completed the securities practicing registration\* for general securities business or obtained the practising qualification\* for futures business in the Mainland, Mr Li may be considered to have satisfied the industry qualification for Type 1 RA (dealing in securities) or Type 2 RA (dealing in futures contracts) respectively when applying to be a licensed representative in Hong Kong. Mr Li may be considered to have satisfied the industry qualification for Type 9 RA (asset management) if he has obtained the practising qualification\* for funds in the Mainland.

\* The possession of such registration or qualification should mean that one has passed the required professional paper(s) of the relevant industry association in the Mainland and/or the relevant registration or filing has been completed. For details, please refer to the requirements of related industry association and regulatory authorities.

**In order to be qualified for conducting certain RAs, such as engaging in sponsor work or activities related to matters regulated under the Codes on Takeovers and Mergers and Share Buy-backs, applicants shall satisfy additional competence requirements.**

## Requirements on Hong Kong regulatory knowledge

In light of the differences in the regulatory regimes governing the securities and futures markets in the Mainland and Hong Kong, applicants are required to pass the Hong Kong regulatory framework papers within the past three years to ensure that they are conversant with the legal and regulatory requirements concerning the Hong Kong market. Alternatively, they may pass those papers within six months after licence approval in accordance with the licensing conditions imposed on their licences.

Nevertheless, the SFC may exercise discretion to exempt applicants from complying with the requirement of passing these papers. For instance, where an applicant, who is a senior management member of a fund group in the Mainland, needs to engage in the RA of asset management in Hong Kong, the SFC may consider exempting the applicant from passing the relevant papers under specified circumstances if he or she possesses sufficient relevant industry experience.

**The SFC has fully digitalised its licensing process. Applicants may prepare and submit licensing forms, check the progress of applications, pay licensing fees and communicate directly with the SFC flexibly through WINGS, the SFC's online services platform.**

