

IN THE MATTER OF
EVERGRANDE REAL ESTATE GROUP LIMITED
AND ITS LISTED SECURITIES (STOCK CODE: 3333)

MARKET MISCONDUCT TRIBUNAL PROCEEDINGS
PURSUANT TO SECTION 252(2) OF AND SCHEDULE 9 TO THE
SECURITIES AND FUTURES ORDINANCE CAP. 571

IN THE MATTER OF the Market Misconduct
Tribunal Proceedings under section 252(2) and
Orders made by the Market Misconduct Tribunal
on 19 October 2016 under section 257(1) of the
Securities and Futures Ordinance, Cap. 571

AND

IN THE MATTER OF Section 264 of the
Securities and Futures Ordinance, Cap. 571

ORDER

WHEREAS it appears to the Securities and Futures Commission (“**the Commission**”) that market misconduct within the meaning of section 277 of Part XIII of the Securities and Futures Ordinance, Cap. 571 (“**the Ordinance**”) has or may have taken place in relation to the securities of Evergrande Real Estate Group Limited (Stock Code: 3333) listed on the Stock Exchange of Hong Kong Limited

AND WHEREAS by the Notice dated 15 December 2014 issued by the Commission requiring the Market Misconduct Tribunal to conduct proceedings to determine:-

- (a) whether any market misconduct has taken place;
- (b) the identity of any person who has engaged in the market misconduct; and
- (c) the amount of any profit gained or loss avoided as a result of the market misconduct

AND UPON HEARING the Presenting Officer appointed by the Commission and Counsel for the specified person, Andrew Edward LEFT

AND UPON the Tribunal having come to the finding that the specified person, Andrew Edward LEFT, engaged in market misconduct within the meaning of section 277 of Part XIII of the Ordinance in its report dated 26 August 2016

THE TRIBUNAL ORDERED that:-

1. Pursuant to section 257(1)(b) of the Ordinance, Andrew Edward LEFT shall not, without the leave of the Court of First Instance, in Hong Kong, directly or indirectly, in any way acquire, dispose of or otherwise deal in any securities, futures contract or leveraged foreign exchange contract, or an interest in any securities, futures contract, leveraged foreign exchange contract or collective investment scheme for a period of five years, that period to commence on 19 October 2016;
2. Pursuant to section 257(1)(c) of the Ordinance, Andrew Edward LEFT shall not again perpetrate any conduct which constitutes disclosure of false or misleading

information inducing transactions as that market misconduct is defined in section 277(1) of Part XIII of the Ordinance;

3. Pursuant to section 257(1)(d) of the Ordinance, Andrew Edward LEFT is ordered to pay to the Government a sum of HK\$1,596,240 being the profit gained as a result of the market misconduct in question, with compound interest to be paid on that sum pursuant to section 259 of the Ordinance calculated at one year rests from 21 June 2012 at the rate from time to time applicable to judgment debts under section 49 of the High Court Ordinance, Cap. 4;
4. Pursuant to section 257(1)(e) of the Ordinance, Andrew Edward LEFT is ordered to pay to the Government the costs and expenses incurred by the Government in relation to or incidental to the Tribunal proceedings in the sum of HK\$1,259,179;
5. Pursuant to section 257(1)(f)(i) and (ii) of the Ordinance, Andrew Edward LEFT shall pay to the Commission a total sum of HK\$3,966,861 being:
 - (1) a sum of HK\$3,623,600 on account of the costs and expenses reasonably incurred by the Commission in relation or incidental to the Tribunal proceedings; and
 - (2) a sum of HK\$343,261 on account of the costs and expenses reasonably incurred by the Commission in relation or incidental to the investigation carried out before the Tribunal proceedings were instituted.

AND FURTHER ORDERED that:

6. Pursuant to section 264(1) of the Ordinance, the Tribunal directs that written notice be given in order to register these orders in the Court of First Instance.

Dated the 10th day of November 2016.




Mr. Michael Hartmann, GBS
Chairman
Market Misconduct Tribunal

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IN THE MATTER OF the Market
Misconduct Tribunal Proceedings
under section 252(2) and Orders
made by the Market Misconduct
Tribunal on 19 October 2016
under section 257(1) of the
Securities and Futures Ordinance,
Cap. 571

AND

IN THE MATTER OF Section
264 of the Securities and Futures
Ordinance, Cap. 571

ORDER

Dated the 10th day of November 2016.
Filed on the day of November 2016

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