

Supplementary Form for the Renewal of Statement of Particulars of Business (SPOB) Held by a Partnership

This form has to be completed by a partner and he has to be a licensed estate agent. Please complete this form and submit it to the Estate Agents Authority (EAA) together with a completed Form 14, a copy of a valid business registration certificate and the relevant document specified below (if applicable).

Please answer the following questions:	No	Yes	If the answer is "Yes", please submit:
(a) Has there been any retirement of partners?	☐	☐	Certified extracts of information on the Business Register*
(b) Has there been any admission of partners?	☐	☐	Certified extracts of information on the Business Register*

* The extract may be applied for with the IRD. For details, please visit www.ird.gov.hk/ or call IRD's hotline at 2594 3143.

1. Name of business:	2. SPOB number:
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3. Application submission method: ☐ In person (by authorized representative) – Address: Room 2601, 26/F, Hopewell Centre, 183 Queen's Road East, Wanchai, Hong Kong ☐ By post - Address: 7/F, E-Trade Plaza, 24 Lee Chung Street, Chai Wan, Hong Kong	For official use only 10 20
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4. Payment details: ☐ \$2,120 (12 months) ☐ \$4,140 (24 months)

☐ **Cash / EPS** (Pay at any Circle K convenience store by producing the payment slip issued by the EAA after your submission of application forms at the EAA office in Hopewell Centre (Wanchai))

☐ **CHEQUE** No. _____ (Cheque should be crossed and made payable to "Estate Agents Authority".) *

* Applicant will be responsible for all the bank charges (if any) arising from the cheque being unable to be cashed.

5. Collection of the SPOB (If a choice is not indicated, the statement will be sent by ordinary mail.):

☐ Send by ordinary mail

☐ Collect in person or by an authorized representative at the EAA Office in Hopewell Centre (Wanchai)

6. Preferred language of correspondence: ☐ Chinese ☐ English (If a choice is not indicated, correspondence will be in English.)

7. Appointment or termination of appointment of manager (See overleaf for details of the statutory requirement):
 (If you have already appointed a manager for the place of business specified in this application, please fill out this section)

I hereby give the EAA notice that —

I **appointed** _____ (name of manager) holder of estate agent's licence no. E- _____ as a manager at the place of business specified in this application on _____ (dd/mm/yyyy); and / or

I **terminated** the appointment of _____ (name of manager) holder of estate agent's licence no. E- _____ as a manager at the place of business specified in this application on _____ (dd/mm/yyyy).

On behalf of the partner(s) of the applicant, I hereby:

- declare that the foregoing information is full, complete and true to the best of my knowledge and belief.
- declare that I have read and fully understand all the notices, instructions and notes stated in this form (including those listed out overleaf) and Form 14.
- undertake to notify the EAA in writing of any change to the matters declared in the Declaration part of "Section B – B-3" of Form 14 within 31 days beginning on the date of such change ^{Note}; and I understand that the EAA may not consider the relevant partner a fit and proper person if he fails to notify the EAA of the relevant change within the required time period.
- authorize the EAA to verify the information I provide in connection with this application in any manner as it deems fit.

[Note: Partner(s) of the applicant may use the form "Notification Form - Changes to Matters Related to Fit and Proper Person (Individual)" available on the EAA website to notify the EAA of the relevant change]

Date of Signing (dd / mm / yyyy)	Name of Partner Holding an Estate Agent's Licence (Individual)	Licence No. of Partner	Signature
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Application Notes

Personal Information Collection Statement

Personal data collected in this and subsequent licence applications are to be used for the purpose of processing the applications and may be subject to verification by the Estate Agents Authority from other sources. The personal data will also be used for the purpose of enforcing or complying with the provisions of the Estate Agents Ordinance (Cap.511), providing appropriate training to licensees and provision of information on matters concerning estate agency practice. The personal data may be transferred to relevant government departments and authorities (including the Hong Kong Police Force and the Independent Commission Against Corruption) in connection with the above purposes. You are reminded that your personal data to be provided to the Estate Agents Authority will be made available for public inspection, including (where applicable) in the provision of the reasons for decisions of inquiry hearings (whether publicized or not) in accordance with the policies prevailing from time to time. The personal data collected are necessary for the processing of licence applications and not providing them may result in the Authority being unable to process the applications. Request for access to and correction of personal data shall be made in writing to the Data Protection Officer of the EAA.

Refund and/or cancellation of licence application

- (1) Once an application has been approved, no cancellation request will be accepted. Refund will only be made to those: (a) whose applications have been refused; (b) who have overpaid the required fees; (c) who cancel their applications before they are approved.
- (2) Where a refund is made, the refund will only be in the form of a crossed cheque payable to the applicant. In other words, a refund cheque will not be issued to a third party (except where the applicant is a bankrupt, then the cheque will be issued either to the applicant or to the trustee, depending on the instructions of the trustee).
- (3) Pursuant to section 5(2) of the Estate Agents (Licensing) Regulation, if for any reason a licence ceases to be valid, no part of any fee paid for the licence will be refunded.

Performance pledge

- (1) If you have fully completed all application forms, submitted all required documents and paid the required fee, it will normally take 20 working days to have an application processed.
- (2) In any event, if the application is made in the prescribed manner (i.e. correct form duly completed and signed, fee fully paid, application made no more than 3 months and no less than 1 month prior to expiry of your statement), validity of your statement will not be interrupted.
- (3) If you do not hear from us after 20 working days, you may find out the status of your application by: calling our hotline at 2111 2777 (press 2, 2 after selecting language) or viewing our licence list at www.eaa.org.hk/search/index.html.

Communication between EAA and Licensee/Licence Applicant

With a view to facilitating communication and protecting the environment, the EAA will communicate with licensees and licence applicants via e-mail, mobile SMS/MMS or other electronic means in lieu of mailing where appropriate. Certain information on matters concerning estate agency practice (e.g. practice circulars) will **ONLY** be published on the EAA website and drawn to the attention of licensees by electronic means. If you do not wish to receive notices electronically, please let us know or log in your e-Services account www.eaa.org.hk/eServicesEng.htm and manage your subscription preferences. Licensees should visit the EAA website www.eaa.org.hk regularly to obtain such information and familiarize themselves with any requirement which is applicable to them. The EAA will not provide printed copy of such information which is already published on its website. **Licence applicants who have provided an email address will be notified of the approval in advance.**

Notes

The fact that your application and payment are accepted (including your cheque being encashed) does not mean that a licence or a statement of particulars of business will necessarily be granted to you or your licence or statement will necessarily be renewed. A licence or a statement will only be granted or renewed if you meet all the licensing requirements under the Estate Agents Ordinance.

Appointment or termination of appointment of manager

- (1) Section 38(1)(a) of the Estate Agents Ordinance stipulates that: a licensed estate agent shall ensure that his business at every one of his offices (whether such offices are referred to as branch offices, sub-offices or otherwise) is under the effective and separate control of a manager appointed by him; a person so appointed must be an individual and the estate agent concerned must also ensure that such a person is the holder of an estate agent's licence. The licensed estate agent may appoint himself to manage one of his offices.
- (2) Section 40(3) of the Ordinance requires a licensed estate agent to notify, in the prescribed form, the Authority of the appointment of a manager or the termination of such appointment within 31 days of either of these events. The prescribed form may be downloaded from www.eaa.org.hk/practice/documents/form10.pdf. If you have already filled out section 6 of this form for the appointment of a manager, then you do not need to fill out the said prescribed form. Otherwise, you must notify the Authority of the appointment within the specified period using the said prescribed form.
- (3) Any person not complying with the said requirements may be disciplined.

FORM 14	ESTATE AGENTS AUTHORITY APPLICATION FOR RENEWAL OF STATEMENT OF PARTICULARS OF BUSINESS	FORM 14
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Section 55(1)(c) of the Estate Agents Ordinance (Cap. 511) makes it an offence punishable by a fine at level 6 and/or imprisonment for 1 year on conviction upon indictment or by a fine at level 5 and/or imprisonment for 6 months on summary conviction if a person makes any false or misleading statement or furnishes any false or misleading information in connection with an application for the grant or renewal of a licence.

Note:

- 1) This application forms part of the application for the renewal of estate agent's licence
- 2) For a company that applies for the renewal of a Statement of Particulars of Business, this form has to be completed by a representative of the company. The representative must be in effective control of the company's estate agency business and he has to be a licensed estate agent.
- 3) For a sole proprietorship that applies for the renewal of a Statement of Particulars of Business, this form has to be completed by the sole proprietor and he must be a licensed estate agent.
- 4) For a partnership that applies for the renewal of a Statement of Particulars of Business, this form has to be completed by a partner and he has to be a licensed estate agent. In addition, each partner of the partnership has to complete and submit a Section B of this form.
- 5) Please '√' in the appropriate box.
- 6) * Delete as appropriate.

Validity Period of Licence applied for	☐ 12 months	☐ 24 months
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Section A	Particulars of Business
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Nature of Business	☐ Sole Proprietorship	☐ Partnership	☐ Company Branch
Statement of Particulars of Business No.			
Expiry Date (DD/MM/YYYY)			
Applicant's Individual / Company Licence No.			
Expiry Date (DD/MM/YYYY)			
H.K.I.D. Card / Travel Document / Certificate of Incorporation* No.			
Number of Partners in the Partnership			

Nature of the Place of Business	☐ Principal Office	☐ Branch Office
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Business Name in English (as shown in Business Registration Certificate)	
Business Name in Chinese (as shown in Business Registration Certificate)	
Business Registration No.	Expiry Date (DD/MM/YYYY)

For the following particulars, applicants only need to provide the information that is DIFFERENT from application last filed.

Address of Place of Business			
Flat/Room	Floor	Block	Name of Building/Estate
			HK / KLN / NT*
Number and Name of Street		District	

Telephone No.	Fax No.	Email Address
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On behalf of my sole proprietorship, partnership or company (as the case may be), I hereby declare that all the foregoing information is FULL, COMPLETE AND TRUE to the best of my knowledge and belief and I authorize the Estate Agents Authority to verify the foregoing information in any manner as it deems fit.

Date (DD/MM/YYYY)	Name of Representative / Sole Proprietor / Partner* (in BLOCK LETTERS)	Estate Agent's Licence (Individual) No. of Representative / Sole Proprietor / Partner*	Authorized Signature and Company Chop
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Section B	Particulars of Partners			Form 14 (Page 2)																		
Section 55(1)(c) of the Estate Agents Ordinance (Cap. 511) makes it an offence punishable by a fine at level 6 and/or imprisonment for 1 year on conviction upon indictment or by a fine at level 5 and/or imprisonment for 6 months on summary conviction if a person makes any false or misleading statement or furnishes any false or misleading information in connection with an application for the grant or renewal of a licence. Partnerships with more than two partners are requested to obtain or make sufficient copies of Section B of this form for completion by EACH of the partners.																						
B-1	Particulars of Partnership																					
Business Registration No.			Expiry Date (DD/MM/YYYY)																			
Business Name of Partnership																						
B-2	Particulars of Partner																					
Name in English (Surname first)		Name in Chinese	H.K.I.D. Card/Travel Document* No.	Estate Agent's Licence No. (if applicable)																		
B-3	Declaration	Note: Questions 1 to 5 below refer to factors which will be considered in the determination for the renewal of Statement of Particulars of Business. They form an integral part of this form and must be answered.																				
<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;"></th> <th style="width: 10%; text-align: center;">Yes</th> <th style="width: 10%; text-align: center;">No</th> </tr> </thead> <tbody> <tr> <td>1. Are you an undischarged bankrupt or have you within the 5 years immediately prior to the date of this application made a composition or scheme of arrangement with your creditors?</td> <td style="text-align: center;">☐</td> <td style="text-align: center;">☐</td> </tr> <tr> <td>2. Are you a director or officer of a company which is now disqualified under the Estate Agents Ordinance (Cap. 511) for holding a licence, or were you a director or officer of that company at the date when the company was so disqualified?</td> <td style="text-align: center;">☐</td> <td style="text-align: center;">☐</td> </tr> <tr> <td>3. Are you a mentally disordered person or a patient within the meaning of section 2 of the Mental Health Ordinance (Cap.136)?</td> <td style="text-align: center;">☐</td> <td style="text-align: center;">☐</td> </tr> <tr> <td>4. Have you ever been convicted, whether in Hong Kong or elsewhere, on the basis of any fraudulent, corrupt or dishonest acts?</td> <td style="text-align: center;">☐</td> <td style="text-align: center;">☐</td> </tr> <tr> <td>5. Have you ever been convicted under the Estate Agents Ordinance (Cap. 511) in respect of which you have been sentenced to imprisonment, whether the sentence is suspended or not?</td> <td style="text-align: center;">☐</td> <td style="text-align: center;">☐</td> </tr> </tbody> </table> If you have answered 'Yes' to any of the above questions, please give details using additional sheets. I hereby declare that all the foregoing information is FULL, COMPLETE AND TRUE to the best of my knowledge and belief and I authorize the Estate Agents Authority to verify the foregoing information in any manner as it deems fit.						Yes	No	1. Are you an undischarged bankrupt or have you within the 5 years immediately prior to the date of this application made a composition or scheme of arrangement with your creditors?	☐	☐	2. Are you a director or officer of a company which is now disqualified under the Estate Agents Ordinance (Cap. 511) for holding a licence, or were you a director or officer of that company at the date when the company was so disqualified?	☐	☐	3. Are you a mentally disordered person or a patient within the meaning of section 2 of the Mental Health Ordinance (Cap.136)?	☐	☐	4. Have you ever been convicted, whether in Hong Kong or elsewhere, on the basis of any fraudulent, corrupt or dishonest acts?	☐	☐	5. Have you ever been convicted under the Estate Agents Ordinance (Cap. 511) in respect of which you have been sentenced to imprisonment, whether the sentence is suspended or not?	☐	☐
	Yes	No																				
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Date (DD/MM/YYYY)		Name of Partner (in BLOCK LETTERS)		Signature																		
B-2	Particulars of Partner																					
Name in English (Surname first)		Name in Chinese	H.K.I.D. Card/Travel Document* No.	Estate Agent's Licence No. (if applicable)																		
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Date (DD/MM/YYYY)		Name of Partner (in BLOCK LETTERS)		Signature																		

Anti-Money Laundering (“AML”) and Counter-Terrorist Financing (“CTF”)

Self-assessment Form

Please return the completed form together with the company license renewal application to the EAA. For sole proprietorship or partnership, please return it to the EAA together with the application for renewal of the Statement of Particulars of Business (SPOB). If you have more than one branch, you only need to complete one form.

(This form can also be returned by email.)

Email address: enforcement@caa.org.hk

Enquiry hotline: 3842 9799

(若需要此表格的中文版本，請以電郵聯絡監管局。)

- This form assists estate agency companies in conducting self-assessment on AML and CTF matters. The EAA will, with reference to the information provided, update the assessment on the risk classification for each estate agency company.
- The information collected from estate agency companies will be used only for risk assessment purposes. The EAA will not disclose any information of particular companies / individuals to a third party, unless such use, disclosure or transfer is permitted or required by law.
- This form is to be completed by the responsible person (or his/her representative) of each estate agency company. If estate agency companies do not provide the required information in a timely manner, it may affect the EAA’s assessment on their risk classification and thus the EAA may enhance its supervision and inspection to those companies.
- EAA reminds that pursuant to paragraph 2.18 of the Practice Circular No. 23-01 (CR), licensees are required to co-operate with the EAA in pursuit of its duties and must forthwith, upon the EAA’s request, provide it with the risk assessment information and the records and documents in relation to their compliance with the AML/CTF requirements. Besides, pursuant to section 55(1)(j) of the Estate Agents Ordinance, any person who, without reasonable excuse, obstructs the EAA or any person in the exercise or performance of any of its or his functions commits an offence.
- This form is not intended to imply a single set of universally applicable measures, nor should it be construed as a guide to assist estate agency companies in fulfilling their obligations. Where necessary, estate agency companies should seek independent advice from relevant professionals on compliance with the legal and regulatory requirements.

Company name : _____

Company licence no. or SPOB no. : _____

Name of the person filling this form : _____ Job title : _____

Licence no. of the person filling this form : _____

Signed by the person filling the form and company chop : _____

Date of filling this form : _____

Part 1: Company Profile

1. Our company is operated
 - ☐ in the form of a sole proprietorship
 - ☐ in the form of a partnership
with _____ partners,
of which _____ partners holding estate agent's licences
 - ☐ in the form of a limited company
with _____ directors.
of which _____ directors holding estate agent's licences.

2. Our company's current organizational structure in Hong Kong:
 - a. Total number of business locations (including all branch offices) (i.e. total number of SPOBs):

 - b. Total number of staff (including the employer and all staff in branch offices):

 - c. Following b. above, among all the staff, the number of staff holding
S-licence: _____; E-licence: _____; total no. of licensees: _____

 - d. Our company has branch office(s) outside Hong Kong:
☐ Yes ☐ No
If yes, please state the country(ies) or region(s) where the branch office(s) are
located:

3. Our company has connection with another company(ies) outside Hong Kong:
☐ Yes ☐ No
If yes,
 - (i) Provide details:

 - (ii) Any real estate business cooperation with the company(ies)
☐ Yes ☐ No
If yes, provide details:

Part 2: Property Transactions

4. Since the date of filling this form, in the past 12 months, the sale and purchase property transactions handled by our company are as follows:

- a. The total number of sale and purchase property transactions handled by our company (including all branch offices) is :

(If the answer is “Nil”, please proceed to complete Part 3.)

- b. The types of properties involved in the sale and purchase property transactions in the past 12 months are distributed as follows:

Types of property :	Percentage distribution of the number of transactions (%) :
☐ 1st hand residential properties	%
☐ 2nd hand residential properties	%
☐ Industrial buildings	%
☐ Office buildings	%
☐ Overseas properties	%
☐ Land	%
☐ Car parking spaces	%
☐ Shops	%
☐ Others (please specify) : _____	%
	100%

- c. The transaction amounts (in Hong Kong dollars) involved in the sale and purchase property transactions in the past 12 months are distributed as follows:

Transaction amount :	Percentage distribution of the number of transactions (%) :
☐ Below 5M	%
☐ 5M or above but less than 10M	%
☐ 10M or above but less than 20M	%
☐ 20M or above but less than 50M	%

☐ 50M or above but less than 100M	%
☐ 100M or above but less than 500M	%
☐ 500M or above	%
	100%

- d. Our clients paid initial deposits by cash in some of the sale and purchase property transactions in the past 12 months:

☐ Yes ☐ No

If yes,

- (i) The number of such transactions:

- (ii) The amount of the cash paid as initial deposit in each of such transactions:

(Please state the respective amount of the cash paid as initial deposit for each of such transactions):

- e. The types of clients involved in the sale and purchase property transactions in the past 12 months are distributed as follows:

Types of clients :	Percentage distribution of the number of transactions (%) :
Individuals holding HKID cards	%
Individuals holding Chinese Mainland identity documents	%
Individuals holding neither Hong Kong nor Chinese Mainland identity documents	%
Limited companies registered in Hong Kong	%
Limited companies registered in Chinese Mainland	%
Limited companies registered in neither Hong Kong nor Chinese Mainland	%
Trust set up in Hong Kong	%
Trust set up in Chinese Mainland	%
Trust set up in neither Hong Kong nor Chinese Mainland	%

Others, please specify:	%
	100%

- f. Non-local clients or non-local properties were referred to our company by companies outside Hong Kong among the sale and purchase property transactions in the past 12 months:

☐ Yes ☐ No

If yes, please state the number of referrals and the country(ies) or region(s) at which the company(ies) outside Hong Kong is(are) located:

Part 3: AML/CTF Compliance Work

5. To fulfill the AML/CTF compliance requirements, our company's compliance measures are as follows:

- a. Our company has formulated policies and/or guidelines for our staff to comply with the AML/CTF requirements:

☐ Yes ☐ No

- b. Our company has inspected and monitored our staff's compliance with the AML/CTF requirements:

☐ Yes ☐ No

- c. Our company has taken reasonable measures on customer due diligence for identifying and verifying the identities of our clients and the beneficial owners, and such measures include:

Yes No

For individual clients, inspect and monitor whether our staff have collected the identity information and obtained copies of the identity documents of our clients and/or the beneficial owners

☐ ☐

Yes No

For corporate clients, inspect and monitor whether our staff have:

- (i) conducted company search at the Companies Registry and obtained records of the company search;

☐ ☐

- (ii) collected the identity information and obtained

☐ ☐

(iii) collected the identity information and obtained copies of the identity documents of the beneficial owners of the corporate clients. □ □

Yes No

(ii) the originals or copies of documents or related records of each sale and purchase property transaction. ☐ ☐

☐ Yes ☐ No

- ☐ CO only
- ☐ MLRO only
- ☐ Both CO and MLRO
- ☐ No CO nor MLRO

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- g. Our company has set up a system or a set of procedures for submitting suspicious transaction reports to MLRO or through MLRO submitting reports to the Joint Financial Intelligence Unit (JFIU):
☐ Yes ☐ No
- h. In the past 12 months, our company has provided internal training on ML/CTF to our staff:
☐ Yes ☐ No
- i. In the past 12 months, apart from internal training, our company has arranged for our staff to attend other training on AML/CTF:
☐ Yes ☐ No
- j. In the past 12 months, our company, in order to meet the requirements stipulated under Anti-Money Laundering and Counter-Terrorist Financing Ordinance (Cap.615), has carried Enhanced Customer Due Diligence measures when dealing with situations of high AML/CTF risk:
☐ Yes ☐ No
- k. In the past 12 months, our company has developed new services and new business practices or use of new or developing technologies for both new and pre-existing services.
☐ Yes ☐ No

If “Yes” is chosen in item (k) above, our company has identified and assessed the ML/TF risks that may arise out of the said item :

- ☐ Yes
☐ No

- l. In the past 12 months, when dealing with the sale and purchase property transactions, our company has come across the following situations:

	Yes	No	If yes, no. of such transactions:
i. Big discrepancy between market price and transaction price	☐	☐	
ii. Exceptionally short completion time for the transaction	☐	☐	

iii. Large amount of cash involved in the transaction	☐	☐	
iv. Unknown source of funds	☐	☐	
v. Direct funds flow between buyer and seller without routing through lawyers	☐	☐	
vi. Buying without property viewing (though possible)	☐	☐	
vii. Payments of monies by a third party apparently unconnected with the Buyer / Seller	☐	☐	
viii. Proceeds from the property sales sent to unknown third party or high risk jurisdiction	☐	☐	
ix. Payments of multiple small amounts from various sources to avoid thresholds imposed by overseas authorities	☐	☐	
x. Unreasonably generous commission to agent(s)	☐	☐	
xi. Frequent sale and purchase of same property among related parties, with inexplicable changes in value, or within a short period of time	☐	☐	
xii. Purchase / resell / exchange of multiple properties	☐	☐	
xiii. Estate agent asked to temporarily hold a big sum of money and then to refund it back to the client or to a different account	☐	☐	

When the answer to any of the above is “Yes”, our company has taken the following steps to mitigate the AML/CTF risks:

- m. In the past 12 months, when dealing with the sale and purchase property transactions, our company has come across the following situations in relation to our clients:

	Yes	No	If yes, no. of such transactions:
i. Reluctant to provide details of identity	☐	☐	
ii. Providing fake identity document(s)	☐	☐	
iii. No face-to-face meeting between estate agent(s) and Buyer / Seller	☐	☐	
iv. Purchasing power NOT commensurate with level of income or age or background	☐	☐	
v. Buyer / Seller negotiate with estate agent(s) through a third party	☐	☐	
vi. Buyer and the Seller know each other but engage estate agent(s) to complete the sale and purchase without good reasons	☐	☐	
vii. Use of complex layering structure (e.g. trusts, offshore arrangements, multiple companies) to hide ownership	☐	☐	
viii. Transactions handled by a third party (e.g. under power of attorney) without providing details of the client	☐	☐	
ix. Unknown third party appears at a later stage	☐	☐	
x. Holds public positions / from locations that carry high exposure to possibility of corruption, e.g. Politically Exposed Persons	☐	☐	
xi. Subject to financial sanctions	☐	☐	
xii. Suspected terrorist	☐	☐	
xiii. Providing/ has provided any services which may be connected to weapons of mass destruction.	☐	☐	

xiv. Non-Hong Kong residents (e.g. customer neither holds a Hong Kong identity card nor speak local language) and payments of deposits are remitted from bank accounts in a jurisdiction other than Hong Kong	☐	☐	
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When the answer to any of the above is “Yes”, our company has taken the following steps to mitigate the AML/CTF risks:

- n. In the past 12 months, our company has reported suspicious transactions to the JFIU:

☐ Yes ☐ No

If yes:

- (i) The number of reports made:

- (ii) Reasons for arousing suspicion:

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