

PART IX

DISCIPLINE, ETC.

Division 2 - Discipline, etc.

188. Other circumstances for disciplinary actions in respect of
licensed persons, etc.

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~~¹(8) For the avoidance of doubt, nothing in this section
limits the generality of section 187(1)(a) or (b) or (2)(a) or (b).~~

¹ In the light of an earlier comment from the Legal Service Division of the Legislative Council, we proposed in Paper CSA08/01 dated 23 November 2001 to add new clauses 188(8) and 190(8) to put it beyond doubt that the specific grounds of “fitness and properness” and “misconduct” in clauses 188 and 190 would not restrict the interpretation of “fitness and properness” and “misconduct” as grounds of disciplinary actions under clauses 187 and 189A. At the Bills Committee meeting on 10 December 2001, Members expressed the view that the two provisions were unnecessary as there should be no room for doubt. On reflection we agree with Members and hence propose to withdraw the amendments.

190. Other circumstances for disciplinary action in
respect of registered institutions, etc.

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~~¹(8) For the avoidance of doubt, nothing in this section
limits the generality of section 189A(1)(a) or (b) or (2)(a) or
(b).~~

Financial Services Bureau
Securities and Futures Commission
31 December 2001