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財經事務及庫務局  
財經事務科  
香港金鐘添美道二號  
政府總部二十四樓



**CB(1)2020/11-12(01)**  
**FINANCIAL SERVICES BRANCH**  
**FINANCIAL SERVICES AND**  
**THE TREASURY BUREAU**  
**GOVERNMENT OF THE HONG KONG**  
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本函檔號 OUR REF.:  
來函檔號 YOUR REF.:

29 May 2012

Clerk to Bills Committee  
(Attn: Ms Anita Sit)  
Legislative Council Complex,  
1 Legislative Council Road,  
Hong Kong

Dear Ms Sit,

**Bills Committee on Mandatory Provident Fund Schemes  
(Amendment) (No.2) 2011**

**Proposed Draft Committee Stage Amendments (CSAs)  
by the Administration**

Further to my emails in the evening of 24 May 2012, I enclose as attached the changes that are made to the draft CSAs attached to the Bills Committee report as requested. They are textual amendments.

Yours sincerely,

A handwritten signature in black ink that reads 'Frederick'.

( Frederick Yu )  
for Secretary for Financial Services and the Treasury

- 13 In the proposed section 34Q(6)(b)(iii), in the Chinese text, by deleting “證據” and substituting “證明”.
- 13 In the proposed section 34R, in the heading, by deleting “**as on-line record**” and substituting “**through internet**”.
- 13 In the proposed section 34R, by deleting “in the form of an on-line record” and substituting “through the internet”.
- 13 In the proposed section 34S(1)(e), by deleting “Division 5 or 6” and substituting “this Part”.
- 13 In the proposed section 34S(2)(b)(ii), by deleting “and”.
- 13 In the proposed section 34S(2)(b), by adding—
- “(iia) if the registration of the principal intermediary as such is suspended under this Part—
    - (A) a note to that effect; and
    - (B) a note to the effect that section 34M(1)(b) does not apply to the subsidiary intermediary; and”.
- 13 In the proposed section 34S(2)(b)(iii)(C), by deleting “Division 5 or 6” and substituting “this Part”.
- 13 In the proposed section 34T(2)(a)(i), by deleting “to the Authority” and substituting “under section 34V(1)”.
- 13 In the proposed section 34T(2)(a)(ii), by deleting “to the Authority” and substituting “under section 34W(1)”.
- 13 In the proposed section 34T(2)(b)(i), by deleting “to the Authority” and substituting “under section 34U(1)”.

matter of the notice, unless—

- (a) the Authority consents to the disclosure; or
  - (b) any of the conditions specified in subsection (2B) is satisfied.
- (2B) The conditions specified for the purposes of subsections (2)(b) and (2A)(b) are—
- (a) the information has already been made available to the public by virtue of being disclosed in any circumstances in which, or for any purpose for which, disclosure is not precluded by section 41;
  - (b) the disclosure is for the purpose of seeking advice from, or giving advice by counsel, a solicitor, or any other professional advisor, acting or proposing to act in a professional capacity in connection with any matter arising under a provision of Part IVA;
  - (c) the disclosure is in connection with any judicial or other proceedings to which the person is a party; and
  - (d) the disclosure is in accordance with an order of a court, or in accordance with a law or a requirement made under a law.”.

15 In the proposed section 42AB(3), by adding “by it” after “given”.

15 In the proposed section 42AB(3), by adding “or (2A)(a)” after “(2)(a)”.

15 In the proposed section 42AB(4), by adding “or (2A)” after “(2)”.

16(2) By deleting the proposed section 42B(3)(a), (b) and (c) and substituting—

- “(a) the Insurance Authority;
- (b) the Monetary Authority; or
- (c) the Securities and Futures Commission.”.

19 In the proposed section 44A(1)(b)(iii), (2)(b)(iii), (3)(b)(ii), (4)(b)(ii) and (5)(b)(ii), in the Chinese text, by deleting “證據” and substituting “證明”.

19 In the proposed section 44A(2)(a), in the Chinese text, by deleting “或(8)” and substituting “及(8)”.