

L.N. 75 of 2013

Companies (Revision of Financial Statements and Reports) (Amendment) Regulation 2013

(Made by the Financial Secretary under section 450 of the Companies Ordinance (28 of 2012))

1. Commencement

This Regulation comes into operation on the day on which the Companies (Revision of Financial Statements and Reports) Regulation (L.N. 34 of 2013) comes into operation.

2. Companies (Revision of Financial Statements and Reports) Regulation amended

The Companies (Revision of Financial Statements and Reports) Regulation (L.N. 34 of 2013) is amended as set out in sections 3 to 8.

3. Section 2 amended (interpretation)

(1) Section 2(1), definition of *relevant Regulation*, paragraph (a)—

Repeal

“Regulation”

Substitute

“Regulation (L.N. 35 of 2013)”.

(2) Section 2(1), Chinese text, definition of 《有關規例》， paragraph (a)—

Repeal

“關於董事的利益的”

Substitute

“董事利益”.

4. Section 7 amended (approval and signature of revised statement of financial position)

Section 7(2), Chinese text—

Repeal

“發出的”

Substitute

“發出”.

5. Section 8 amended (approval and signature of revised directors' report)

Section 8(2), Chinese text—

Repeal

“發出的”

Substitute

“發出”.

6. Section 9 amended (approval and signature of revised summary financial report)

Section 9(2), Chinese text—

Repeal

“發出的”

Substitute

“發出”.

7. Section 18 heading amended (qualified privileges of person preparing auditor's report on revised financial statements etc.)

Section 18, Chinese text, heading—

Repeal

“等的人”

Substitute

“的人等”.

8. Section 20 amended (offences relating to section 19)

(1) Section 20(4)—

Repeal

“A person”

Substitute

“Subject to subsection (4A), a person”.

(2) Section 20(4)(a)—

Repeal

“2 years”

Substitute

“12 months”.

(3) After section 20(4)—

Add

“(4A) A court may sentence a person to imprisonment for an offence under subsection (3) only if the court is satisfied that the offence was committed wilfully.”.

John TSANG
Financial Secretary

16 May 2013

Explanatory Note

This Regulation amends the Companies (Revision of Financial Statements and Reports) Regulation (L.N. 34 of 2013) (*principal Regulation*) to—

- (a) reduce the maximum imprisonment for a conviction on indictment of an offence under section 20(3) of the principal Regulation from 2 years to 12 months;
- (b) provide that a person may be sentenced to imprisonment for an offence under section 20(3) of the principal Regulation only if the offence was committed wilfully; and
- (c) make minor textual amendments to the principal Regulation.