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9 July 2021

Subcommittee on Seven Pieces of Subsidiary Legislation Relating to the Implementation of the New Inspection Regime of the Companies Register under the Companies Ordinance  
Legislative Council Secretariat  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong  
(Attn.: Mr Boris LAM)




Dear Mr LAM,

At the subcommittee meeting held on 5 July 2021, Members requested the Government to provide further elaboration of the administrative measures to be adopted under the new inspection regime with a view to ensuring that different directors can be ascertained effectively. We also refer to your email of 9 July relaying the letter from Hon Holden CHOW of 8 July to us for response. Our reply is as follows.

Identification of different directors with the same name and partial identification number (“IDN”)

In the exceptionally rare circumstances of different directors having identical full name and partial IDNs under the new inspection regime, the enhanced Integrated Companies Registry Information System (“ICRIS”) will provide additional digit(s) of the IDNs. For example, in cases where Hong Kong Identity Card (“HKID”) number is involved, if two directors have the same Chinese and English name, and same partial HKID number, namely the alphabet(s) and the first three digits, say “A123”, the ICRIS will show an additional digit out of any one of the three remaining redacted digits, so that the searcher will be able to see in the search results that the two directors are different individuals. For illustration purpose, a preliminary design of the search results reflecting such enhancement is as follows:

**Searcher inputs partial HKID number A123**

	Group Number (Groups with SAME FULL Identification Number are assigned with the SAME GROUP Number)	Name in English	Name in Chinese	Partial HKID Number (Alphabet(s) and First 3 Digits)	Partial Passport Number / China ID Number	Passport Issuing Country / Region	No. of Records
	1	CHAN TAI MAN	陳大文	A123*8*	-	-	2
	2	CHAN TAI MAN	陳大文	A123*4*	-	-	3
	3	HO SIU MING	何小明	A123***	-	-	2


- > The search result shows **3 different Group Numbers**, indicating that **3 different individuals** holding **3 different full HKID numbers** are involved.
- > The persons shown in **Group Number 1** and **Group Number 2** are **2 different individuals** with **identical name** but with **2 different full HKID numbers**.
- > The person shown in **Group Number 3** is obviously different from the persons in **Group Numbers 1 and 2**.
- > When a searcher clicks on the  button in the **first column**, the system will display a **list of relevant companies** of which the person is a current director and the number of companies involved is reflected in the last column of the corresponding row.
- > The person shown in **Group Number 1** holds directorship in **2 companies**. The person shown in **Group Number 2** holds directorship in **3 companies**. The person shown in **Group Number 3** holds directorship in **2 companies**.

Figure 1: Identifying directors with the same name and same partial HKID number

The same approach will be adopted in handling searches where other personal identification document numbers are involved. Given the number of other personal identification documents may contain more digits than a HKID number, the ICRIS will be able to show one or two additional digits out of any of the remaining redacted digits in the document number for the searcher to identify the two different individuals involved.

### Identification of a director with different patterns of names appearing on the Companies Register

Upon implementation of the new inspection regime, the Companies Registry will step up monitoring of the current requirement that the name of a director stated in specified forms must be the same as that in his/her HKID or, if he or she does not hold a HKID, in his/her passport. Where any inconsistencies are identified, CR will seek clarifications from the directors concerned. Pursuant to section 40 of the Companies Ordinance (Cap. 622) (“CO”), it is an offence if a director of a company fails to comply with the requirement of providing further information requested by the Registrar of Companies (“the Registrar”) for the purpose of ensuring that his/her information on the Companies Register is accurate or up-to-date. Furthermore, if a document delivered to the Registrar for registration is unsatisfactory because it contains information which is inconsistent with other information on the Companies Register or other information contained in another document delivered to the Registrar under section 31 of the CO, the Registrar may, pursuant to section 35 of the CO, refuse to register the document concerned.

On the other hand, pending completion of the clarification process by companies and directors on the inconsistencies of directors' names already on the Companies Register, the enhanced ICRIS will still be able to identify the records of directors having the same full IDN but with different formats of names kept on the Companies Register (e.g. one name with English name and another without), and will group these matched records for display in a consolidated manner by assigning the same group number to them for searchers to identify records of the same director more easily despite the difference in patterns of the names of the director concerned. For illustration purpose, a preliminary design of the search results reflecting such enhancement is as follows:

**Searcher inputs partial HKID number A123**

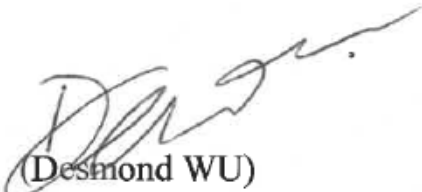
	Group Number (Groups with SAME FULL Identification Number are assigned with the SAME GROUP Number)	Name in English	Name in Chinese	Partial HKID Number (Alphabet(s) and First 3 Digits)	Partial Passport Number / China ID Number	Passport Issuing Country / Region	No. of Records
	1	CHAN TAI MAN	陳大文	A123*8*	-	-	2
	1	CHAN TAI MAN JOHN	陳大文	A123*8*	-	-	1
	2	CHAN TAI MAN	陳大文	A123*4*	-	-	4

- > The search result shows **2 different Group Numbers**, indicating that **2 different individuals** holding **2 different full HKID numbers** are involved.
- > Although **2** different name formats are shown for records with **Group Number 1**, they are in fact referring to the **same individual** with same full HKID number and have therefore been assigned with the **same Group Number**.
- > The person shown in **Group Number 2** is with a **different full HKID number** with the person in **Group Number 1** and they are **two different individuals**.
- > When a searcher clicks on the button in the **first column**, the system will display **a list of relevant companies** of which the person is a current director and the number of companies involved is reflected in the last column of the corresponding row.
- > The person shown in **Group Number 1** holds directorship in **3 companies**. The person shown in **Group Number 2** holds directorship in **4 companies**.

Figure 2: Identifying directors with different name formats, and the same name and same partial HKID number

As shown in the table above, the two entries marked with Group Number 1 refer to the same person.

Yours sincerely,



(Desmond WU)  
for Secretary for Financial Services and the Treasury

c.c. Registrar of Companies (Attn: Ms Marianna YU)