

Deposit Protection Scheme (Amendment) Bill 2024

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A BILL

To

Amend the Deposit Protection Scheme Ordinance and its subsidiary legislation to enhance the Deposit Protection Scheme by raising the deposit protection limit for depositors, adjusting the build-up levy mechanism, enhancing the protection of depositors in the event of bank mergers or acquisitions, and improving the regulation of the representation on membership of the Scheme and the protection of financial products under the Scheme; and to provide for related matters.

Enacted by the Legislative Council.

Part 1

Preliminary

1. Short title and commencement

- (1) This Ordinance may be cited as the Deposit Protection Scheme (Amendment) Ordinance 2024.
- (2) Subject to subsection (3), this Ordinance comes into operation on 1 January 2025.

(3) This Part and sections 4(2) and (4), 7, 10, 11, 14(3), 16(3), 17, 18 and 20(4) come into operation on 1 October 2024.

2. Enactments amended

The enactments specified in Parts 2, 3 and 4 are amended as set out in those Parts.

Part 2

Amendments to Deposit Protection Scheme Ordinance (Cap. 581)

3. Section 2 amended (interpretation)

After section 2(4)—

Add

- “(5) A note located in the text of this Ordinance is provided for information only and has no legislative effect.”.

4. Section 27 amended (entitlement to compensation: general)

- (1) Section 27(1), after “deposits concerned”—

Add

“, subject to the specified provisions,”.

- (2) Section 27(1)—

Repeal

“shall not exceed \$500,000”

Substitute

“is not to exceed \$800,000”.

- (3) Section 27(2), after “that trust”—

Add

“, subject to the specified provisions,”.

- (4) Section 27(2)—

Repeal

“shall not exceed \$500,000”

Substitute

“is not to exceed \$800,000”.

- (5) Section 27(3), English text, definition of *specified amount*, paragraph (b)—

Repeal

“date.”

Substitute

“date;”.

- (6) Section 27(3)—

Add in alphabetical order

“*specified provisions* (指明條文) means—

- (a) section 27B; and
 - (b) section 12 of Schedule 4 to the Financial Institutions (Resolution) Ordinance (Cap. 628).”.
- (7) Section 27(4), after “purposes of”—

Add

“the definition of *specified amount* in”.

5. Sections 27A, 27B and 27C added

After section 27—

Add

“27A. Interpretation of sections 27A, 27B and 27C

- (1) This section applies in relation to the interpretation of this section and sections 27B and 27C.
- (2) In this section and sections 27B and 27C—

excluded transfer (不適用轉讓) means a transfer by way of a property transfer instrument within the meaning of section 2 of Schedule 4 to the Financial Institutions (Resolution) Ordinance (Cap. 628);

material date (關鍵日期), in relation to a qualifying arrangement, means the date on which—

- (a) the arrangement takes effect; and
- (b) the protected deposits maintained with one or more of the transferors in the arrangement are transferred, under the arrangement, to the resulting Scheme member in the arrangement;

qualifying arrangement (合資格安排)—see subsection (3);

resulting Scheme member (承轉方計劃成員)—see subsection (3);

transferor (轉讓方)—see subsection (3).

- (3) An arrangement (whether a merger, an acquisition or any other similar transaction) is a qualifying arrangement to which section 27B applies if—
 - (a) it involves the transfer (other than by way of an excluded transfer), on the date on which the arrangement takes effect, of protected deposits maintained with any of the parties to the arrangement that is a Scheme member (***transferor***) to another party to the arrangement (***resulting Scheme member***) to become protected deposits maintained with the resulting Scheme member; and
 - (b) the resulting Scheme member remains, or becomes, a Scheme member on that date.

- (4) For the purposes of this section and section 27B, a person maintains a protected deposit with a Scheme member if the deposit—
 - (a) is held, in an account opened with the Scheme member, by the person in the person's own right;
 - (b) is held, in an account opened with the Scheme member, by a depositor as a bare trustee for the person;
 - (c) is held, in an account opened with the Scheme member, by a depositor in a client account for the person as the depositor's client; or
 - (d) is held, in an account opened with the Scheme member, by the person as a trustee under one trust.

27B. Time-limited enhanced protection limit following qualifying arrangement of Scheme members

- (1) This section applies if—
 - (a) a qualifying arrangement takes effect and the material date of the arrangement falls on or after 1 January 2025;
 - (b) a person maintained protected deposits with 2 or more Scheme members involved in the qualifying arrangement immediately before the material date (*affected person*);
 - (c) the protected deposits maintained with the transferor (*original deposits*) are transferred, under the qualifying arrangement, to the resulting Scheme member on the material date; and

- (d) during the enhanced protection period for the affected person, the resulting Scheme member becomes a failed Scheme member.
- (2) For determining the entitlement of the affected person to compensation under section 27(1) or (2) (as the case requires) in respect of the protected deposits the person maintains with the resulting Scheme member, that section applies to the person with the modification that the reference to “\$800,000” is to be construed as a reference to “the enhanced protection limit”.
- (3) For the purposes of subsection (1)(d), the enhanced protection period, in relation to the affected person, is the period beginning on the material date of the qualifying arrangement and ending on—
 - (a) subject to paragraphs (b) and (c)—the expiry of 6 months beginning on the material date (*6 months period*);
 - (b) if the original deposits contain a deposit with the original maturity date falling after the 6 months period—that maturity date; or
 - (c) if the original deposits contain 2 or more deposits with the original maturity dates falling after the 6 months period—the latest maturity date.
- (4) For the purposes of subsection (2), the enhanced protection limit as at the quantification date, in relation to the affected person—
 - (a) subject to paragraph (b), is the aggregate of—
 - (i) \$800,000; and

- (ii) an additional amount for every transferor with which the person maintained any protected deposits immediately before the material date of the qualifying arrangement that is equivalent to—
 - (A) if the total amount of such deposits plus the interest accrued on that amount calculated up to and including the material date are less than \$800,000—the sum of that total amount and the interest; or
 - (B) if the total amount of such deposits plus the interest accrued on that amount calculated up to and including the material date are not less than \$800,000—\$800,000,regardless of the number or amount of deposits the person maintained with the resulting Scheme member during the enhanced protection period; or
- (b) if subsection (3)(b) or (c) applies and the quantification date falls after the 6 months period, is the aggregate of—
 - (i) \$800,000; and
 - (ii) an additional amount for every transferor with which the person maintained any protected deposits immediately before the material date of the qualifying arrangement that is equivalent to—
 - (A) if the total amount of such deposits with the original maturity dates falling after the 6 months period

(which have not yet matured on the quantification date) plus the interest accrued on that amount calculated up to and including the material date are less than \$800,000—the sum of that total amount and the interest; or

- (B) if the total amount of such deposits with the original maturity dates falling after the 6 months period (which have not yet matured on the quantification date) plus the interest accrued on that amount calculated up to and including the material date are not less than \$800,000—\$800,000,

regardless of the number or amount of deposits the person maintained with the resulting Scheme member during the enhanced protection period.

27C. Notice to depositors about enhanced protection

- (1) A Scheme member involved in a qualifying arrangement (whether as a resulting Scheme member or one of the transferors) must, on or before the material date, send to every depositor of the Scheme member affected by the qualifying arrangement a written notice of the qualifying arrangement in the manner, together with the information, specified by the Board.
- (2) The Scheme member must, on or before the material date, inform the Board of the qualifying arrangement in writing and provide the Board with a copy of the notice referred to in subsection (1).

- (3) If a Scheme member, without reasonable excuse, fails to comply with subsection (2), every director and every chief executive of the Scheme member commits an offence and is liable—
 - (a) on conviction on indictment to a fine of \$400,000 and to imprisonment for 2 years; or
 - (b) on summary conviction to a fine at level 6 and to imprisonment for 6 months.”.

6. Section 35 amended (maximum amount of compensation payable to a depositor)

At the end of section 35(b)—

Add

“Note—

In section 35(b), the amount of compensation under section 27(1) or (2) is subject to the specified provisions as defined by section 27(3) (if those provisions apply).”.

7. Section 38 amended (subrogation)

Section 38(6)(a)—

Repeal

“\$500,000”

Substitute

“\$800,000”.

8. Section 50 amended (defences)

Section 50, after “15(6),” —

Add

“27C(3),”.

9. Section 50A added

After section 50—

Add

“50A. Reasonable excuse

- (1) This section applies if a provision of this Ordinance that creates an offence makes a reference to a reasonable excuse for a contravention to which the provision relates.
- (2) The reference to a reasonable excuse is to be construed as providing for a defence to a charge in respect of the contravention to which the provision relates.
- (3) A defendant is to be taken to have established that the defendant had a reasonable excuse for the contravention if—
 - (a) sufficient evidence is adduced to raise an issue that the defendant had such a reasonable excuse; and
 - (b) the contrary is not proved by the prosecution beyond reasonable doubt.”.

10. Section 58 added

After section 57—

Add

“58. Transitional provisions in relation to Deposit Protection Scheme (Amendment) Ordinance 2024

- (1) In this section—

amending Ordinance (《修訂條例》) means the Deposit Protection Scheme (Amendment) Ordinance 2024 (of 2024);

commencement date (生效日期) means the date on which section 4(2) and (4) of the amending Ordinance comes into operation;

pre-amended Ordinance (《原有條例》) means this Ordinance as in force immediately before the commencement date;

specified event (指明事件) means a specified event within the meaning of section 22(1).

- (2) The amendments made to this Ordinance by the amending Ordinance do not apply if a specified event has occurred before 1 October 2024, in which case the limit on the total amount of compensation to which a person may be entitled is the limit prescribed in section 27 (that is, \$500,000) before it is amended by section 4(2) and (4) of the amending Ordinance even though the payment of compensation is made after the commencement date.
- (3) The definition of ***amount of relevant deposits*** in section 1(1) of Schedule 4 to the pre-amended Ordinance continues to apply for calculating the amount of contribution payable by a new Scheme member under section 6(1) of Schedule 4 for the year of 2024.”.

11. Schedule 4 amended (contributions to Fund)

- (1) Schedule 4—

Repeal

“& 57]”

Substitute

“, 57 & 58]”.

- (2) Schedule 4, section 1(1), definition of *amount of relevant deposits*, paragraphs (a), (b), (c) and (d)—

Repeal

“\$500,000”

Substitute

“\$800,000”.

- (3) Schedule 4, section 3—

Repeal subsection (9)

Substitute

“(9) In this section—

specified amendment (指明的修訂) means—

- (a) an amendment to the definition of *specified percentage* in section 2(3); or
- (b) an amendment to increase the dollar amount specified in section 27(1) or (2) of this Ordinance.”.

12. “表述” substituted for “申述”

The following provisions, Chinese text—

- (a) section 49(1);
- (b) section 51(1)(db);
- (c) section 56(3)—

Repeal

“申述” (wherever appearing)

Substitute

“表述”.

Part 3

Amendments to Deposit Protection Scheme
(Representation on Scheme Membership and Protection
of Financial Products under Scheme) Rules (Cap. 581
sub. leg. A)

13. Section 2 amended (interpretation)

- (1) Section 2(1), definition of *Membership Sign*, before “the Schedule”—

Add

“Part 1 of”.

- (2) Section 2(1), English text, definition of *relevant place of business*—

Repeal

“that business.”

Substitute

“that business;”.

- (3) Section 2(1), Chinese text, definition of 銀行業務—

Repeal

“義。”

Substitute

“義；”.

- (4) Section 2(1)—

Add in alphabetical order

“*simplified Membership Sign* (簡化成員標誌) means the sign set out in Part 2 of the Schedule.”.

14. Section 3 amended (display of Membership Sign)

- (1) Section 3, heading, after “**Sign**”—

Add

“**: relevant place of business**”.

- (2) Section 3(1)—

Repeal

everything before “make”

Substitute

“(1) A Scheme member that carries on banking business in Hong Kong at any relevant place of business must”.

- (3) Section 3(1)—

Repeal

“and colours”

Substitute

“, design and colours”.

- (4) Section 3(1), after “specified in”—

Add

“Part 1 of”.

- (5) Section 3—

Repeal subsections (2) and (3).

15. Section 3A added

After section 3—

Add

“3A. Display of simplified Membership Sign: electronic banking platform

- (1) A Scheme member that carries on banking business in Hong Kong and maintains one or more electronic banking platforms must make known to the public that it is a member of the Scheme by displaying, at each of the platforms, a simplified Membership Sign—
 - (a) in compliance with subsection (4); and
 - (b) in such a manner that the simplified Membership Sign is reasonably visible to any person accessing the platform.
- (2) Subsection (1) does not apply to a Scheme member (*specified member*) if—
 - (a) it is an authorized institution incorporated outside Hong Kong (as defined by section 2(1) of the Banking Ordinance (Cap. 155));
 - (b) the home page of its electronic banking platform contains any information about the banking business of another person who is not a Scheme member; and
 - (c) its electronic banking platform does not contain any information to the effect that—
 - (i) the specified member is a member of the Scheme; or
 - (ii) a deposit to be maintained with the specified member, or any other financial product offered by the specified member, is a protected deposit or a deposit qualified for protection by the Scheme.

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- (3) For the purposes of subsection (2)(c), a display of a simplified Membership Sign by a specified member on an electronic banking platform, regardless of whether it is displayed under subsection (1) or otherwise, is not to be regarded by itself as information to the effect specified in subsection (2)(c)(i) and (ii).
- (4) A simplified Membership Sign displayed by a Scheme member on an electronic banking platform, under subsection (1) or otherwise, must be—
- (a) in the design and colours specified in Part 2 of the Schedule;
 - (b) embedded with a hyperlink to the home page of the website of the Board or to the materials containing any information about the Scheme as specified by the Board; and
 - (c) if the platform contains any information about the banking business of another person who is not a Scheme member—displayed in such a manner that any person accessing the platform should reasonably be aware that the Scheme member, but not that other person, is a member of the Scheme.
- (5) In this section—
- electronic banking platform*** (電子銀行平台), in relation to a Scheme member, means any information system that provides information about the Scheme member's banking business in Hong Kong through the Internet or other similar electronic or telecommunications network, whether it is web-based, application-based or otherwise.”.

16. Section 4 amended (membership representations in advertisements)

(1) Section 4, Chinese text, heading—

Repeal

“廣告內的成員申述”

Substitute

“在廣告中表述成員身分”.

(2) After section 4(1)—

Add

“(1A) For the purposes of subsection (1)(b), a display of a Membership Sign or simplified Membership Sign by a Scheme member, regardless of whether it is displayed on an electronic banking platform as defined by section 3A(5) or otherwise, is not to be regarded by itself as information to the effect specified in subsection (1)(b)(i) and (ii).”.

(3) Section 4(2)(b)—

Repeal

“HK\$500,000”

Substitute

“HK\$800,000”.

17. Section 6A amended (disclosure as to financial products offered on or after 1 January 2011)

Section 6A(3), after “6C”—

Add

“, 6CA”.

18. Section 6CA added

After section 6C—

Add

“6CA. Disclosure not required if person who invests in financial products is private banking customer

- (1) A Scheme member is not required to notify a person under section 6A(3) in respect of a financial product referred to in that section before the person invests in the financial product if—
 - (a) the person is an individual who is a customer in the private banking business of the Scheme member;
 - (b) the person has maintained an account with the Scheme member in the course of the private banking business and the person is to invest in the financial product under that account;
 - (c) the person has previously made another investment in the financial product under that account on or after 1 October 2024, and the Scheme member has notified the person under section 6A(3), before the person makes that other investment, that the financial product is not a protected deposit and is not protected by the Scheme;
 - (d) the person has acknowledged in accordance with section 6A(4)(b) or (5)(b) that the person has received and understands the notice referred to in paragraph (c); and
 - (e) the Scheme member gives a notice to the person, at least once a year, in writing or by telephone or electronic mail transmission or

through the Internet, notifying the person that the financial product is not a protected deposit and is not protected by the Scheme.

(2) In this section—

private banking (私人銀行業務), in relation to a Scheme member, means the provision by the Scheme member of banking or other financial services (as defined by the specified provision) to individuals who are considered by the Scheme member to be of high net worth, but does not include such services so provided as part of the Scheme member's retail banking (as defined by the specified provision);

specified provision (指明條文) means section 1 of the Fourteenth Schedule to the Banking Ordinance (Cap. 155).”.

19. Section 8 amended (offences)

Section 8—

Repeal

“or (2)”

Substitute

“, 3A(1)”.

20. Schedule amended (Membership Sign)

(1) The Schedule, English text, heading—

Repeal

“**Membership Sign**”

Substitute

“**Membership Signs**”.

(2) The Schedule—

Repeal

“2 & 3]”

Substitute

“2, 3 & 3A]”.

- (3) The Schedule, after the heading—
Add

“Part 1

Membership Sign under Section 3”.

- (4) The Schedule—

Repeal

“

 <p>存款保障計劃 DEPOSIT PROTECTION SCHEME</p>	<p>[計劃成員名稱]是存款保障計劃的成員。本銀行接受的合資格存款受存保計劃保障，最高保障額為每名存款人HK\$500,000。</p> <p>[Name of the Scheme member] is a member of the Deposit Protection Scheme. Eligible deposits taken by this Bank are protected by the Scheme up to a limit of HK\$500,000 per depositor.</p>
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”

Substitute

“

 <p>存款保障計劃 DEPOSIT PROTECTION SCHEME</p>	<p>[計劃成員名稱]是存款保障計劃的成員。本銀行接受的合資格存款受存保計劃保障，最高保障額為每名存款人HK\$800,000。</p> <p>[Name of the Scheme member] is a member of the Deposit Protection Scheme. Eligible deposits taken by this Bank are protected by the Scheme up to a limit of HK\$800,000 per depositor.</p>
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”.

- (5) The Schedule, after Part 1—
Add

“Part 2

Simplified Membership Sign under Section 3A



21. “表述” substituted for “申述”

- (1) The title, Chinese text—
Repeal
“申述”

Substitute
“表述”.

- (2) Section 6E, Chinese text, heading—
Repeal
“申述”

Substitute
“表述”.

- (3) Section 6E(1) and (2), Chinese text—
Repeal
“申述”

Substitute
“表述”.

Part 4

Related Amendments to Companies (Winding Up and Miscellaneous Provisions) Ordinance (Cap. 32)

22. Section 2 amended (interpretation)

After section 2(12)—

Add

“(13) A note located in the text of this Ordinance is provided for information only and has no legislative effect.”.

23. Section 265 amended (preferential payments)

(1) At the end of section 265(1)(db)—

Add

“**Note—**

In section 265(1)(db)(i), (ii), (iii) and (iv), the amount of compensation under section 27(1) or section 27(2) of the Deposit Protection Scheme Ordinance (Cap. 581) is subject to the specified provisions as defined by section 27(3) of that Ordinance (if those provisions apply).”.

(2) Section 265(5D)(b)—

Repeal

“28(2)(b)”

Substitute

“21(2)(b)”.

(3) At the end of section 265(5J)—

Add

“**Note—**

In section 265(5J), the amount of compensation under section 27(1) of the Deposit Protection Scheme Ordinance (Cap. 581) is subject to the specified provisions as defined by section 27(3) of that Ordinance (if those provisions apply).”.

24. Section 265A amended (interpretation of Subdivision 2)

Section 265A—

Repeal subsection (5).

Explanatory Memorandum

The object of this Bill is to amend the Deposit Protection Scheme Ordinance (Cap. 581) (*Cap. 581*) and the Deposit Protection Scheme (Representation on Scheme Membership and Protection of Financial Products under Scheme) Rules (Cap. 581 sub. leg. A) (*Cap. 581A*) to provide for the following enhancements to the Deposit Protection Scheme (*Scheme*)—

- (a) to raise the deposit protection limit for depositors;
- (b) to adjust the build-up levy mechanism;
- (c) to enhance the protection of depositors in the event of bank mergers or acquisitions; and
- (d) to improve the regulation of the representation on Scheme membership and the protection of financial products under the Scheme.

2. Clause 1 sets out the short title and provides for commencement.

To Raise Deposit Protection Limit for Depositors

3. Currently, the deposit protection limit under the Scheme for a person in respect of the deposits the person maintains with a Scheme member (being a licensed bank) is HK\$500,000. Clauses 4(2) and (4), 7, 11(2) and 16(3) raise the deposit protection limit from HK\$500,000 to HK\$800,000 (see the amended sections 27 and 38 of, and amended section 1 of Schedule 4 to, Cap. 581 and also amended section 4 of Cap. 581A).

4. In this connection, clause 20(4) amends the Schedule to Cap. 581A, replacing the existing Membership Sign with a new Membership Sign to show the raised deposit protection limit of HK\$800,000.

To Adjust the Build-up Levy Mechanism

5. Since the launch of the Scheme, Scheme members have been paying a build-up levy, which contributes to the target fund size (equivalent to 0.25% of the total protected deposits). Both the terms *build-up levy* and *target fund size* are defined in section 1(1) of Schedule 4 to Cap. 581. To ensure the new target fund size can be reached within a reasonable time, a technical amendment is proposed such that the circumstance under which the build-up levy can be charged again to cover the case where the deposit protection limit is raised. To this end, clause 11(3) amends the definition of *specified amendment* in section 3(9) of Schedule 4 to Cap. 581 to cater for the new deposit protection limit.

To Enhance the Protection of Depositors in the event of Qualifying Arrangement (Merger or Acquisition) of Scheme Member

6. Clause 5 adds new sections 27A, 27B and 27C to Part 5 of Cap. 581. The new section 27A provides for the definitions and interpretation for that section and the new sections 27B and 27C (including the meaning of *material date* and *qualifying arrangement*). The new section 27B provides that, in the case of a qualifying arrangement that involves 2 or more Scheme members, every person who has maintained protected deposits with them is eligible for an enhanced deposit protection limit (up to \$800,000 for the resulting Scheme member and for each transferor). Enhanced protection is provided for a period of 6 months beginning on the material date of the qualifying

arrangement. This period can be lengthened if a time deposit is involved and its original maturity date falls after the expiry of the period.

7. The new section 27C requires each of the Scheme members involved in a qualifying arrangement to inform the depositors affected by the qualifying arrangement and the Hong Kong Deposit Protection Board (*the Board*) about the qualifying arrangement on or before the material date. If a Scheme member fails to notify the Board, each of its directors and chief executives commits an offence.
8. Clause 8 amends section 50 of Cap. 581 so that the defence is also available to an offence under the new section 27C(3).
9. Clause 9 adds a new section 50A to Cap. 581 providing for the burden and standard of proof for the defence of reasonable excuse applicable to certain offences created in Cap. 581.
10. Section 35(b) of Cap. 581 provides that where an estimate is made under section 27(4)(d) of Cap. 581 for the amount of compensation payable to a depositor of a failed Scheme member, the amount is not to exceed the amount prescribed in section 27(1) or (2) of Cap. 581. Clause 6 adds a non-legislative note at the end of section 35(b) of Cap. 581 for providing more information to statute readers (that is, the amount of compensation under section 27(1) or (2) of Cap. 581 is subject to the specified provisions as defined by section 27(3) of Cap. 581). The status of the note is provided in the new section 2(5) of Cap. 581 (clause 3).
11. Clause 10 adds a new section 58 to Cap. 581 to provide for transitional matters.

To Improve the Regulation of the Representation on Scheme Membership and the Protection of Financial Products under the Scheme

12. Under the existing section 3 of Cap. 581A, Scheme members are required to display a Membership Sign at their relevant places of business. Clause 15 adds a new section 3A to Cap. 581A, requiring the Scheme members to also display a simplified Membership Sign at their electronic banking platforms. The simplified Membership Sign must comply with certain specifications, contain specified information and be embedded with a hyperlink to the home page of the website of the Board or to the materials containing information about the Scheme as specified by the Board. If the new section 3A is contravened, the concerned Scheme member commits an offence under section 8 of Cap. 581A (as amended by clause 19).
13. In this connection, clause 16(2) adds a new subsection (1A) to section 4 of Cap. 581A to provide for the exception that compliance with section 4(2) of Cap. 581A is not required.
14. The existing section 6A(3) of Cap. 581A requires Scheme members to notify their customers that a certain financial product is not a protected deposit and is not protected by the Scheme (*disclosure*), and to obtain an acknowledgement from the customers before completing each transaction of a non-protected financial product that has been described as a deposit in any advertisement, promotional material or document.
15. Clause 18 adds a new section 6CA to Cap. 581A, providing that a Scheme member is not required to make the disclosure under section 6A(3) of Cap. 581A if an individual who invests in a non-protected financial product is a private banking customer. The new section 6CA allows Scheme members to

make a one-off disclosure and obtain an acknowledgement from the customer for the same financial product, and to provide an annual notification to the customer containing the specified information.

Related Amendments

16. Clauses 12 and 21 respectively amend certain provisions of Cap. 581 as well as the title and certain provisions of Cap. 581A, in which the references to “申述” in the Chinese text is substituted by “表述”.
17. Section 265(1)(db) and (5J) of the Companies (Winding Up and Miscellaneous Provisions) Ordinance (Cap. 32) (**Cap. 32**) refers to the amount of compensation under section 27(1) or (2) of Cap. 581. Clause 23 adds a non-legislative note at the end of section 265(1)(db) and (5J) of Cap. 32 for providing more information to statute readers (that is, the amount of compensation under section 27(1) or (2) of Cap. 581 is subject to the specified provisions as defined by section 27(3) of Cap. 581). The status of the note is provided in the new section 2(13) of Cap. 32 (clause 22). Clause 24 contains a consequential amendment to section 265A of Cap. 32.