

L.N. 70 of 2025

Companies (Exemption of Companies and Prospectuses from Compliance with Provisions) (Amendment) Notice 2025

(Made by the Securities and Futures Commission under sections 38A and 342A of the Companies (Winding Up and Miscellaneous Provisions) Ordinance (Cap. 32))

1. Commencement

This Notice comes into operation on 27 June 2025.

2. Companies (Exemption of Companies and Prospectuses from Compliance with Provisions) Notice amended

The Companies (Exemption of Companies and Prospectuses from Compliance with Provisions) Notice (Cap. 32 sub. leg. L) is amended as set out in section 3.

3. Section 9A repealed (exemptions from requirement to issue form of application for shares or debentures with prospectus)

Section 9A—

Repeal the section.

Julia LEUNG
Chief Executive Officer,
Securities and Futures Commission

28 April 2025

Explanatory Note

Sections 38(3) and 342(3) of the Companies (Winding Up and Miscellaneous Provisions) Ordinance (Cap. 32) (each a ***relevant section***) provide that it is not lawful to issue a form of application for shares in or debentures of a company to which the relevant section applies unless the form is issued with a prospectus mentioned in the relevant section.

2. Section 9A of the Companies (Exemption of Companies and Prospectuses from Compliance with Provisions) Notice (Cap. 32 sub. leg. L) provides for an exemption from compliance with the requirements of the relevant section to the extent that, subject to certain conditions (including those relating to the electronic form prospectus), a printed application form for shares in or debentures of a company to which the relevant section applies may be issued without being accompanied by a printed form prospectus.
3. This Notice repeals that section 9A.