



適當人選陳述書 (適用於合夥人／董事－屬法團)

Statement as regards Fit and Proper Criteria
(For partner／director - corporation)

第一部
Part 1

所屬申請類別
Type of Application

本陳述書是作為下述申請書的一部份並與申請書一併提交

This Statement is Part of the Following Application and is Submitted together with the Application

請在適用的空格內加上 ✓ 號 Please tick the relevant box

	表格編號 Form Number	表格的描述 Description of Form
<input type="checkbox"/>	TCSP1	信託或公司服務提供者牌照申請書 Application for a Trust or Company Service Provider Licence
<input type="checkbox"/>	TCSP2	信託或公司服務提供者牌照續期申請書 Application for Renewal of a Trust or Company Service Provider Licence
<input type="checkbox"/>	TCSP3	批准成為信託或公司服務持牌人的最終擁有人／合夥人／董事申請書 Application for Approval to Become an Ultimate Owner／a Partner／a Director of a Trust or Company Service Provider Licensee

第二部
Part 2

第一部所述申請書的申請人詳情
Particulars of Applicant of the Application Referred to in Part 1

申請人姓名／名稱 Name of Applicant	7 中文姓名／名稱 Name in Chinese	
	英文姓名／名稱 Name in English	
信託或公司服務提供者 牌照編號 TCSP Licence No.	(如申請人為持牌人 If the applicant is a licensee)	
商業登記證號碼 Business Registration Certificate No.	(起首的 8 個數字) (First 8 digits)	

請勿填寫本欄 For Official Use



第三部 Part 3

須接受評定是否適當人選的法團的詳情

(是／擬成為申請人的合夥人／董事的法團)

Particulars of the Corporation Subject to the Fit and Proper Test
(the corporation which is / is proposed to become Applicant's partner / director)

身分 Capacity	請在適用的空格內加上 ✓ 號 Please tick the relevant box
	<p>該法團是／擬成為：</p> <p>The Corporation is / is proposed to become the:</p> <p><input type="checkbox"/> 申請人的合夥人 Applicant's partner</p> <p><input type="checkbox"/> 申請人的董事 Applicant's director</p>

法團資料 Details of Corporation

中文名稱 Name in Chinese	
英文名稱 Name in English	

成立所在地 Place of Incorporation	請在適用的空格內加上 ✓ 號 Please tick the relevant box
	<p><input type="checkbox"/> 香港 Hong Kong</p> <p><input type="checkbox"/> 其他 (請註明) Others (Please specify)</p>

成立／註冊日期 Date of Incorporation / Registration	8							
	日D 日D	月M 月M	年Y 年Y	年Y 年Y				

商業登記證號碼 Business Registration Certificate No.		(起首的 8 個數字) (如適用) (First 8 digits) (if applicable)
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第四部 Part 4 定罪紀錄 Conviction Record

請在適用的空格內加上 ✓ 號 <i>Please tick the relevant boxes</i>		有 Yes	沒有 No
(a)	第三部所述的法團有否曾被裁定干犯香港法例第 615 章《打擊洗錢及恐怖分子資金籌集條例》(下稱「《打擊洗錢條例》」)內所訂的罪行? Has the corporation stated in Part 3 ever been convicted of an offence under the Anti-Money Laundering and Counter-Terrorist Financing Ordinance (Chapter 615) ("the AMLO")?	<input type="checkbox"/>	<input type="checkbox"/>
(b)	第三部所述的法團有否曾被裁定干犯香港法例第 575 章《聯合國(反恐怖主義措施)條例》第 14 條所訂的罪行? Has the corporation stated in Part 3 ever been convicted of an offence under section 14 of the United Nations (Anti-Terrorism Measures) Ordinance (Chapter 575)?	<input type="checkbox"/>	<input type="checkbox"/>
(c)	第三部所述的法團有否曾被裁定干犯香港法例第 405 章《販毒(追討得益)條例》第 25(1)、25A(5)或(7)條所訂罪行,或該條例附表 1 所指明的罪行? Has the corporation stated in Part 3 ever been convicted of an offence under section 25(1), 25A(5) or (7) of, or an offence specified in Schedule 1 to, the Drug Trafficking (Recovery of Proceeds) Ordinance (Chapter 405)?	<input type="checkbox"/>	<input type="checkbox"/>
(d)	第三部所述的法團有否曾被裁定干犯香港法例第 455 章《有組織及嚴重罪行條例》第 25(1)、25A(5)或(7)條所訂罪行,或該條例附表 1 或 2 所指明的罪行? Has the corporation stated in Part 3 ever been convicted of an offence under section 25(1), 25A(5) or (7) of, or an offence specified in Schedule 1 or 2 to, the Organized and Serious Crimes Ordinance (Chapter 455)?	<input type="checkbox"/>	<input type="checkbox"/>
(e)	除上述(a)至(d)的罪行外,第三部所述的法團有否在香港或其他地方就任何罪行被定罪? Has the corporation stated in Part 3 ever been convicted of any offence, other than any offence of (a) to (d) above, in Hong Kong or elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>
如第四部(a)至(e)任何一條問題的答案是「有」,請用附表A填報有關資料 If the answer to any of the questions in Part 4 (a) to (e) is "Yes", please use Schedule A to report the details			

第五部 Part 5 不遵從規定的紀錄 Non-Compliance Record

請在適用的空格內加上 ✓ 號 <i>Please tick the relevant box</i>		有 Yes	沒有 No
	第三部所述的法團有否被裁定不遵從根據《打擊洗錢條例》所施加的規定或公司註冊處處長根據《打擊洗錢條例》第 53ZM 條訂立的任何規例? Has the corporation stated in Part 3 been found to have failed to comply with any requirement imposed under the AMLO or regulation made by the Registrar of Companies under section 53ZM of the AMLO?	<input type="checkbox"/>	<input type="checkbox"/>
如第五部的問題的答案是「有」,請用附表B填報有關資料 If the answer to the question in Part 5 is "Yes", please use Schedule B to report the details			

第六部 Part 6 清盤/接管人委任紀錄 Liquidation/Receiver Appointment Record

請在適用的空格內加上 ✓ 號 <i>Please tick the relevant boxes</i>		有 Yes	沒有 No
(a)	第三部所述的法團是否正在清盤當中或屬任何清盤令所針對的法團? Is the corporation stated in Part 3 in liquidation or the subject of a winding-up order?	<input type="checkbox"/>	<input type="checkbox"/>
(b)	是否有接管人已就第三部所述的法團而獲委任? Is there a receiver appointed in relation to the corporation stated in Part 3?	<input type="checkbox"/>	<input type="checkbox"/>
如第六部(a)或(b)的問題的答案是「有」,請用附表C填報有關資料 If the answer to the question in Part 6 (a) or (b) is "Yes", please use Schedule C to report the details			



授權 Authorization

我們就根據香港法例第615章《打擊洗錢及恐怖分子資金籌集條例》(下稱「《打擊洗錢條例》」)而作出本表格第一部所述的申請一事，現授權警務處處長及任何本地或海外刑事調查機構或監管機構或其代表，向公司註冊處處長(下稱「處長」)及獲處長授權的任何公職人員發放任何及全部有關我們的刑事定罪紀錄的所有資料。

We, in connection with the application stated in Part 1 of this form made under the Anti-Money Laundering and Counter-Terrorist Financing Ordinance, Chapter 615 ("the AMLO"), hereby authorize the Commissioner of Police and any criminal investigatory bodies or regulatory authorities in or outside Hong Kong, or their representatives, to release full particulars of any and all criminal convictions recorded against us to the Registrar of Companies ("the Registrar") and any public officer delegated by the Registrar.

確認 Confirmation

我們謹此確認：

We confirm that:-

- (a) 在本表格內提供的資料均屬完整、真實及正確無誤。
The information given in this form is complete, true and correct.
- (b) 我們明白《打擊洗錢條例》第 53ZN 條訂明任何人在根據《打擊洗錢條例》第 5A 部向處長提出的申請、作出的具報或提供的任何其他文件內，或為與在該部向處長提出的申請或作出的具報相關的目的，(1)作出在要項上屬虛假或具誤導性的陳述；及知道該項陳述在要項上屬虛假或具誤導性，或罔顧該項陳述是否在要項上屬虛假或具誤導性；或(2)在某項陳述中遺漏任何要項，以致該項陳述成為虛假或具誤導性的陳述；及知道該項陳述遺漏該要項，或罔顧該項陳述是否遺漏該要項，即屬犯罪，一經定罪，可被處第 5 級罰款(50,000 元)及監禁 6 個月。
We understand that section 53ZN of the AMLO provides that any person who, in an application made, a notification given or any other document provided to the Registrar under Part 5A of the AMLO or for a purpose in connection with an application made or a notification given to the Registrar under that Part, (1) makes a statement that is false or misleading in a material particular; and knows that, or is reckless as to whether, the statement is false or misleading in a material particular; or (2) omits a material particular from a statement with the result that the statement is rendered false or misleading; and knows that, or is reckless as to whether, the material particular is omitted from the statement, commits an offence and is liable on conviction to a fine at level 5 (\$50,000) and to imprisonment for 6 months.
- (c) 如本表格內填報的資料其後有任何改變，我們會立即以書面形式通知處長有關改變。
If there are any subsequent changes in particulars provided in this form, we shall notify the Registrar in writing immediately of the changes.
- (d) 我們已閱讀本表格內的填表須知所載的收集個人資料聲明，並明白當中內容。
We have read the Personal Information Collection Statement stated in the Notes for Completion of this form and understand the contents stated therein.
- (e) 第三部所述的法團授權本人簽署本表格。
I am authorized by the corporation stated in Part 3 to sign this form.

本表格包括下列附表 This form includes the following Schedule(s)

附表 Schedule	A	B	C
數目 Number			

簽署 : _____
Signed

簽署日期 : _____
Date of Signature :

日D	日D	月M	月M	年Y	年Y	年Y	年Y		

姓名 : _____
Name

本表格第三部所述的法團的董事
Director of the corporation stated in Part 3
of this form



附表 A Schedule A

信託或公司服務提供者
牌照編號(屬持牌人)
TCSP Licence No. (For Licensee)

第四部
Part 4

定罪紀錄
Conviction Record

所犯罪行 The offence					
曾被施加的刑罰 (如有的話) Penalty imposed (if any)					
被定罪日期 Date of conviction	日D	日D	月M	月M	年Y 年Y 年Y 年Y
作出定罪判決所在地 Place where the conviction was made					
審訊該罪行的法院的名稱 Name of the court which tried the offence					



附表 B Schedule B

第五部
 Part 5

不遵從規定的紀錄
 Non-Compliance Record

不遵從規定／規例的詳情 Details of non-compliance												
被施加的刑罰／制裁 Details of penalty/sanction imposed												
有關裁定的生效日期 Effective date of the relevant decision	日D 日D	月M 月M	年Y 年Y	年Y 年Y								
作出有關裁定的當局 The authority that made the relevant decision												



附表 C Schedule C

第六部 Part 6

清盤／接管人委任紀錄 Liquidation／Receiver Appointment Record

清盤紀錄 Liquidation Record

由法院作出的清盤 Winding up by the court

個案編號 Case Number	
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清盤令的日期 Date of the winding-up order									
	日D 日D	月M 月M	年Y 年Y	年Y 年Y					

作出清盤令所在地 Place where the winding-up order was made	
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頒布清盤令的法院的名稱 Name of the court which made the winding-up order	
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其他清盤方式 Other modes of liquidation

清盤開始日期 Date of commencement of liquidation									
	日D 日D	月M 月M	年Y 年Y	年Y 年Y					

清盤方式 Mode of liquidation	<p>請在適用的空格內加上 ✓ 號 Please tick the relevant box</p> <p><input type="checkbox"/> 成員自動清盤 Members' voluntary winding up</p> <p><input type="checkbox"/> 債權人自動清盤 Creditors' voluntary winding up</p> <p><input type="checkbox"/> 其他 (請於以下空格提供清盤方式的詳情) Others (Please provide the mode of liquidation in the boxes below)</p>								



填表須知

一般事項

1. 根據香港法例第 615 章《打擊洗錢及恐怖分子資金籌集條例》，以下申請須連同每個須評定為適當人選的法團妥為填報及簽署的表格 TCSP5：
 - (a) 信託或公司服務提供者牌照申請書 (表格 TCSP1)；
 - (b) 信託或公司服務提供者牌照續期申請書 (表格 TCSP2)；及
 - (c) 批准成為信託或公司服務持牌人的最終擁有人／合夥人／董事申請書 (表格 TCSP3)。
2. 在填報本表格前，你須閱讀公司註冊處處長發出的《信託或公司服務提供者發牌指引》，了解有關評定適當人選的事宜。上述指引可於公司註冊處(下稱「本處」)信託及公司服務提供者發牌制度的網站(www.tcsp.cr.gov.hk)下載。
3. 請劃一以中文或英文填報各項所需資料。如以中文填報表格，請用繁體字。
4. 如本表格及有關的表格 TCSP1、TCSP2 或 TCSP3 是以印本形式交付本處，你可郵寄該等表格到「香港九龍九龍灣宏遠街 1 號「一號九龍」12 樓 1208 室信託及公司服務提供者註冊辦事處」，或親身到上址交付。

費用

5. 有關的表格 TCSP1、TCSP2 或 TCSP3 及本表格必須連同正確費用一併交付，否則本處不會接納有關申請。有關所需費用的詳情，請參閱《信託或公司服務提供者發牌指引》第 15 章。如以支票繳付費用，該支票須劃線並以港幣發出，抬頭請註明「公司註冊處」。請勿郵寄現金。

簽署

6. 本表格必須由須評定為適當人選的法團的一名董事簽署本表格並在第七部作出授權及確認各項陳述。**本表格必須連同由該法團的董事局發出授權該董事簽署本表格的授權書複本一併交付**。本處不接納未簽妥的表格。

個別項目的備註 (請參照表格上的備註編號)

第二部 TCSP5 第一部所述申請書的申請人詳情

7. 請依據相關的表格 TCSP1、TCSP2 或 TCSP3 內填報的申請人或信託或公司服務持牌人的姓名／名稱填報本項。

第三部 須接受評定是否適當人選的法團的詳情(是／擬成為申請人的合夥人／董事的法團)

8. 如該法團為註冊非香港公司，則請在「成立／註冊日期」項填報在香港註冊的日期。

填表須知

收集個人資料聲明

收集目的

1. 依據《打擊洗錢及恐怖分子資金籌集條例》(第 615 章)(下稱「《打擊洗錢條例》」)的規定向公司註冊處處長(下稱「處長」)提供的個人資料，處長會作為下列一項或一項以上用途：
 - (a) 根據《打擊洗錢條例》處理有關信託或公司服務牌照的申請或牌照續期的申請；
 - (b) 根據《打擊洗錢條例》處理有關批准成為信託或公司服務持牌人的最終擁有人／合夥人／董事的申請，或具報詳情有所改變的通知書；
 - (c) 實施《打擊洗錢條例》；
 - (d) 執行《打擊洗錢條例》的有關條文(包括信託或公司服務提供者牌照的相關條件)；
 - (e) 備存載有每名持牌人的姓名或名稱及其營業地址的信託或公司服務持牌人登記冊(下稱「登記冊」)讓公眾查閱；
 - (f) 在收取費用後為任何人提供登記冊內某記項／登記冊的摘錄的核證複本，或處長根據《打擊洗錢條例》所發出的證明書；及
 - (g) 就處長根據《打擊洗錢條例》行使紀律處分權力的個案，向公眾披露個案的重要事實。
2. 向處長提供所須的個人資料屬《打擊洗錢條例》的規定。如未能提供所須的個人資料，公司註冊處將無法處理有關申請／通知書。

獲轉交資料的人士

3.
 - (a) 所收集的某些個人資料會在符合法律的限制下記錄在登記冊內供公眾查閱。
 - (b) 你提供的個人資料可能會根據《打擊洗錢條例》的第 53ZJ 及 53ZK 條向其他政府政策局／部門、監管當局／機構或任何其他人士披露；或在法律授權或規定的情況下作出此等披露。

公告

4. 《個人資料(私隱)條例》(第 486 章)的條文，適用於如何使用從登記冊取得的個人資料。任何使用個人資料的人士，如將資料作為並非「收集個人資料聲明」所述的用途，或違反《個人資料(私隱)條例》的規定，均須支付補償，並可能遭受根據該條例而採取的執法行動。
5. 依據《個人資料(私隱)條例》第 18 和 22 條規定，任何個人均有權查閱與更正處長備存的登記冊內有關其本人的資料。如須查閱和更正這些資料，可到以下辦事處提出要求：

香港九龍九龍灣宏遠街 1 號
「一號九龍」12 樓 1208 室
信託及公司服務提供者註冊辦事處

Notes for Completion

General

1. Under the Anti-Money Laundering and Counter-Terrorist Financing Ordinance (Cap.615), the following applications should be accompanied by the duly completed and signed TCSP5 of each corporation which is subject to the fit and proper test:
 - (a) Application for a Trust or Company Service Provider Licence (Form TCSP1);
 - (b) Application for Renewal of a Trust or Company Service Provider Licence (Form TCSP2); and
 - (c) Application for Approval to Become an Ultimate Owner / a Partner / a Director of a Trust or Company Service Provider Licensee (Form TCSP3).
2. Before completing this form, you should read the 'Guideline on Licensing of Trust or Company Service Providers' issued by the Registrar of Companies ("the Registrar") and understand the fit and proper criteria. The guideline is available for download at the website of the Companies Registry's Trust and Company Service Providers Licensing Regime (www.tcsp.cr.gov.hk).
3. Please fill in all particulars and complete all items consistently in either Chinese or English. Traditional Chinese characters should be used if the application form is completed in Chinese.
4. If this form and the respective Form TCSP1, TCSP2 or TCSP3 are delivered to the Companies Registry ("the Registry") in hard copy form, they can be delivered by post or in person to 'The Registry for Trust and Company Service Providers, Unit 1208, 12th Floor, One Kowloon, 1 Wang Yuen Street, Kowloon Bay, Kowloon, Hong Kong'.

Fees

5. This form must be delivered with the respective Form TCSP1, TCSP2 or TCSP3 together with the correct fee. An application which is not delivered with the correct fee will be rejected by the Registry. Please refer to Chapter 15 of the 'Guideline on Licensing of Trust or Company Service Providers' for the correct fee payable for the respective application. If the fee is paid by cheque, the cheque should be crossed and issued in Hong Kong Dollars payable to 'Companies Registry'. Please do not send cash.

Signature

6. This form must be signed by a director of the corporation which is subject to the fit and proper test. The director who signs the form should make the authorization and confirm the statements in Part 7. **This form must be accompanied by a copy of the authorization letter issued by the board of directors of the corporation authorizing the director to sign this form.** A form which is not properly signed will be rejected by the Registry.

Notes for specific items (please refer to the form for the note numbers)

Part 2 Particulars of Applicant of the Application Referred to in Part 1 of TCSP5

7. Please state the name of the applicant or TCSP licensee in accordance with the one stated in the respective Form TCSP1, TCSP2 or TCSP3.

Part 3 Particulars of the Corporation Subject to the Fit and Proper Test (the corporation which is/is proposed to become Applicant's partner/director)

8. If the corporation is a registered non-Hong Kong company, please state the date of registration in Hong Kong in the item 'Date of Incorporation/Registration'.

Notes for Completion

Personal Information Collection Statement (“PICS”)

Purpose of Collection

1. Personal data provided to the Registrar of Companies (“the Registrar”) pursuant to the requirements of the Anti-Money Laundering and Counter-Terrorist Financing Ordinance (Chapter 615) (“the AMLO”) will be used by the Registrar for one or more of the following purposes:
 - (a) to process applications for licences for Trust or Company Service Providers (“TCSPs”) or their renewals under the AMLO;
 - (b) to process applications for approvals to become an ultimate owner/a partner/a director of a TCSP licensee or notifications of changes in particulars under the AMLO;
 - (c) to administer the AMLO;
 - (d) to enforce relevant provisions of the AMLO (including relevant conditions of TCSP licences);
 - (e) to maintain a register of TCSP licensees (“the Register”) containing the name of every licensee and its business address for public inspection;
 - (f) to provide a certified copy of an entry in/an extract from the Register or a certificate issued by the Registrar under the AMLO to any person subject to payment of a fee; and
 - (g) to disclose to the public the material facts of cases in which the Registrar exercised disciplinary powers under the AMLO.
2. Provision of the required personal data to the Registrar is obligatory for compliance with the AMLO. The Companies Registry will not be able to process the relevant applications/notifications if the required personal data are not provided.

Classes of Transferees

3.
 - (a) Certain personal data collected will be disclosed in the Register for public inspection subject to any restriction in law.
 - (b) The personal data you provide may be disclosed to government bureaux/departments, regulatory authorities/bodies or any other persons under sections 53ZJ and 53ZK of the AMLO; or where such disclosure is authorized or required by law.

Notice

4. The provisions of the Personal Data (Privacy) Ordinance (Chapter 486) (“the PDPO”) apply to the use of personal data obtained from the Register. Any person who uses personal data for any purpose other than the purposes stated in the PICS or in contravention of the requirements under the PDPO is liable to pay compensation and may be subject to enforcement action under the PDPO.
5. Individuals have a right to request access to and correction of his/her personal data held in the Register maintained by the Registrar pursuant to sections 18 and 22 of the PDPO. Any such request for access to and correction of such personal data may be made to the Registry for Trust and Company Service Providers at:

Unit 1208, 12th Floor, One Kowloon
1 Wang Yuen Street, Kowloon Bay
Kowloon, Hong Kong