



按揭或押記詳情 Mortgage or Charge Details

公司註冊處
Companies Registry

(《公司條例》第 80(1)、81(1)、82(1)、91(1) 及 91(5) 條)
(Companies Ordinance ss.80(1), 81(1), 82(1), 91(1) & 91(5))

表格
Form **M1**

重要事項 Important Notes

- 填表前請參閱《填表須知》。
請用黑色墨水列印。
- Please read the accompanying notes before completing this form.
Please print in black ink.

公司編號 Company Number

1 公司名稱 Company Name

(註 Note 10)

2 設定或證明該項按揭或押記的文書 Instrument Creating or Evidencing the Mortgage or Charge

文書描述 Description of Instrument

設定日期 Date of Creation

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日 DD 月 MM 年 YYYY

3 保證的款額 Amount Secured

(如空位不足，請用續頁 A 填報 Use Continuation Sheet A if space is insufficient)

4 承按人或承押記人資料 Particulars of Mortgagee or Chargee

(註 Note 11)

姓名／名稱 Name

(註 Note 12)

地址 Address

(註 Note 5)

提交人的資料 Presentor's Reference

姓名 Name:

代號 Code:

地址 Address:

電話 Tel:

傳真 Fax:

電郵地址 E-mail Address:

檔號 Reference:

請勿填寫本欄 For Official Use

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(註 Note 13) **5 須付予認購有關債權證的人士的佣金、折扣或津貼**

Commission, Discount or Allowance Payable to the Subscriber of the Debenture

款額 **Amount** / 百分率 **Percentage** *

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6 按揭或押記財產的簡要詳情 Short Particulars of the Property Mortgaged or Charged

(如空位不足，請用續頁 B 填報 Use Continuation Sheet B if space is insufficient)

a 房地產 Landed Property

第 1 項財產 **1st Property**

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第 2 項財產 **2nd Property**

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b 其他類別的財產 Other Types of Property (請填報適當詳情 Please insert details as appropriate)

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(註 Note 14) **7 獲取財產的日期**

Date of Acquisition of Property

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日 DD 月 MM 年 YYYY

本表格包括 _____ 張續頁 A 及 _____ 張續頁 B。

This Form includes _____ Continuation Sheet(s) A and _____ Continuation Sheet(s) B.

簽署 Signed :

姓名 Name : _____

日期 Date : _____

(註 Note 7)

公司 / 承按人 / 承押記人 *

日 DD / 月 MM / 年 YYYY

(董事 / 秘書 / 授權代表 *)

Company / Mortgagee / Chargee *

(Director / Secretary / Authorized Representative *)

* 請刪去不適用者 Delete whichever does not apply

公司編號 Company Number

保證的款額 (第 3 項) Amount Secured (Section 3)

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公司編號 Company Number

按揭或押記財產的簡要詳情 (第 6 項)

Short Particulars of the Property Mortgaged or Charged (Section 6)

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《公司條例》(香港法例第 32 章)
第 80(1)、81(1)、82(1)、91(1) 及 91(5)條規定提交的
按揭或押記詳情

填表須知 — 表格 M1

附註

引言

1. 根據《公司條例》註冊成立為法團的公司(本地公司)或根據《公司條例》第 XI 部註冊的公司(非香港公司)必須以本表格，交付押記的詳情予公司註冊處處長登記。
2. (a) 《公司條例》第 III 部規定，本地公司和非香港公司必須將公司就其財產設定的押記或公司所獲取財產的押記的詳情，交付公司註冊處處長登記。如非香港公司設定押記或獲取受押記規限的財產時有關財產不是位於香港，則該項押記不須在公司註冊處登記。
(b) 如非香港公司在其根據《公司條例》第 XI 部註冊的日期當日，擁有位於香港的並受押記規限的財產，則公司必須交付本表格，為該項押記登記。
(c) 本表格第 2 項所述設定或證明該項按揭或押記的文書的正本或核證副本(如適用)必須連同本表格一併交付。如交付文書的核證副本，該副本須依照《公司(表格)規例》第 5 條核實。在押記登記後，公司註冊處會將該文書的正本或核證副本退還提交人。如押記文書所用的語文並非中文或英文，提交人須一併交付一份和本表格所用的語文相同的文書譯本，該譯本須依照《公司(表格)規例》第 6 條核證。
(d) 請注意，並非所有種類的押記均須登記。如欲確定某項押記是否須要登記，請尋求獨立法律意見。
3. 交付押記登記是公司的責任。但其他在押記中有利害關係的人士(包括押記的承押記人)均可交付押記的詳情，為該項押記登記。
4. 請劃一以中文或英文申報各項所需資料，所選的語文必須與用以描述本表格第 2 項所述的設定或證明該項按揭或押記的文書(或其核證譯本)的語文相同。如以中文申報，請用繁體字。公司註冊處不接納手寫的表格。
5. 請提供提交人的資料。除非有特別事項需要公司註冊處注意，否則無需另加附函。

交付表格的期限

6. 交付本表格辦理登記的法定期限是設定押記的日期、完成獲取財產的日期、或非香港公司在其根據《公司條例》第 XI 部註冊的日期後 5 個星期內(視屬何情況而定)。如有關押記是在香港以外設定並包含位於香港以外的財產，則本表格須於設定或證明該項押記的文書，如以適當的努力發送即可於香港接獲後的 5 個星期內交付公司註冊處處長登記。除非獲法庭頒令批准延期，公司註冊處處長不接受逾期交付的表格。

簽署

7. 本表格可由公司、承按人或承押記人授權的人士代表簽署。

如承按人或承押記人屬個人，本表格必須由承按人或承押記人親自簽署或由其妥為授權的代表(包括其代表律師)簽署。

如本表格是由公司，或是由屬公司的承按人或承押記人交付，則本表格必須由其董事、秘書或由其妥為授權的代表(包括其代表律師)簽署。

公司註冊處不接納未簽妥的表格，並會退回提交人。

費用

8. 本表格必須連同正確的註冊費用一併交付，否則公司註冊處不會接納，並會退回提交人。有關繳付正確費用的詳情，請參閱《主要服務收費表》資料小冊子。
9. 如以郵寄方式交付表格，請連同一張港幣劃線支票繳付所需費用。支票抬頭請註明「公司註冊處」。請勿郵寄現金。

設定或證明該項按揭或押記的文書 (第 2 項)

10. 請申報設定或證明該項按揭或押記的文書的類別或性質，例如「按揭」、「債權證」、「浮動押記」、「信托契據」等。

承按人或承押記人資料 (第 4 項)

11. 如有多於一名承按人或承押記人，請清楚列明各人的姓名/名稱及地址。如空位不足，可另紙提供。
12. 請申報承按人或承押記人的詳細地址，「轉交」地址及郵政信箱號碼恕不接受。如承按人或承押記人屬法人團體，請註明其註冊辦事處或主要營業地點的地址。

須付予認購有關債權證的人士的佣金、折扣或津貼 (第 5 項)

13. 如有關押記是為保證債權證的發行而設定，而公司支付或給予任何人佣金、津貼或折扣，作為其認購或同意認購該等債權證的代價，請註明支付或給予的佣金額或佣金率、折扣額或折扣率、或津貼額或津貼率。請勿將該等債權證所須支付的利率(如有的話)包括在內。

獲取財產的日期 (第 7 項)

14. 本項只適用於根據《公司條例》第 82(1)條交付登記的押記。如公司獲取任何受押記規限的財產(有關押記在公司獲取該財產時已存在)，請在有關的空格內申報獲取該財產的日期。完成或證明公司獲取該財產的文件的副本，須與本表格一併交付，以作核對。

MORTGAGE OR CHARGE DETAILS

Required by Companies Ordinance (Cap. 32)

Sections 80(1), 81(1), 82(1), 91(1) & 91(5)

Notes for Completion of Form M1

Introduction

1. This form is to be used by all companies incorporated in Hong Kong (local companies) or registered in Hong Kong under Part XI of the Companies Ordinance (non-Hong Kong companies) to deliver particulars of charges for registration.
2.
 - (a) Part III of the Companies Ordinance requires a local company or a non-Hong Kong company to deliver to the Registrar of Companies for registration particulars of charges created by the company over its property or charges on property acquired by the company. Charges on property owned by non-Hong Kong companies are not required to be registered if the charged property was not in Hong Kong either at the time of creation of the charge or at the time it was acquired by the company subsequent to the creation of the charge.
 - (b) Where a non-Hong Kong company has, on the date of its registration under Part XI of the Companies Ordinance, a property in Hong Kong that is subject to a charge, it is required to submit this form for the registration of that charge.
 - (c) The original or a certified copy (if applicable) of the instrument creating or evidencing the mortgage or charge described in Section 2 of this form must be delivered together with this form. If a certified copy of the instrument is delivered, it should be verified in accordance with Paragraph 5 of the Companies (Forms) Regulations. The instrument or the certified copy of the instrument will be returned to the presenter after the charge has been registered. If the language of the instrument is not in Chinese or English, the presenter is required to deliver, together with the instrument, a translation thereof in the language used in completing this form, and the translation should be certified in accordance with Paragraph 6 of the Companies (Forms) Regulations.
 - (d) Please note that not all types of charges are required to be registered. To ascertain whether a particular charge is required to be registered, please seek independent legal advice.
3. It is the duty of the company to deliver its charge for registration. However, any person interested in the charge, including the chargee, may also deliver particulars of the charge to apply for registration of the charge.
4. Please fill in all particulars and complete all items consistently in either Chinese or English **AND** in the same language used in Section 2 of this form to describe the instrument (or its certified translation) creating or evidencing the mortgage or charge. In the case of Chinese, traditional Chinese characters should be used. Please note that handwritten forms will be rejected by the Companies Registry.
5. Please complete the Presenter's Reference. Unless the presenter needs to raise a specific issue for the attention of the Companies Registry, no covering letter is required.

Deadline for Delivery of This Form

6. This form should be delivered to the Registrar of Companies within 5 weeks after the date of creation of the charge, or the date on which the acquisition is completed, or the date when a non-Hong Kong company is registered under Part XI of the Companies Ordinance, as the case may be. In the case of a charge created out of Hong Kong comprising property situated outside Hong Kong, this form should be delivered to the Registrar of Companies within 5 weeks after the instrument by which the charge is created or evidenced, if dispatched with due diligence, should have been received in Hong Kong. Late delivery will not be accepted unless an order for extension of time is granted by the court.

Signature

7. This form may be signed by the person authorized to sign on behalf of either the company or on behalf of the mortgagee/chargee.

If the mortgagee or chargee is an individual, this form must be signed by that person or by his duly authorized representative, including his or her solicitor or firm of solicitors.

When the form is delivered by the company, or by the mortgagee or chargee which is a company, this form should be signed by either a director, secretary or a duly authorized representative or a solicitor or firm of solicitors acting on their behalf.

A form which is not properly signed will be rejected by the Companies Registry.

Fee

8. This form must be delivered with the correct registration fee. A form which is not delivered with the correct fee will be rejected by the Companies Registry. Please refer to the information pamphlet 'Price Guide to Main Services' for the correct fee payable.
9. If this form is delivered by post, please send a crossed cheque in Hong Kong Dollars payable to 'Companies Registry'. Please do not send cash.

Instrument Creating or Evidencing the Mortgage or Charge (Section 2)

10. Please state the type or nature of the instrument creating or evidencing the mortgage or charge, such as 'Mortgage', 'Debenture', 'Floating Charge', 'Trust Deed', etc.

Particulars of Mortgagee or Chargee (Section 4)

11. If there is more than one mortgagee or chargee, please list out their names and addresses clearly. A separate sheet can be used if the space provided is insufficient.
12. Please provide the mortgagee's or chargee's full address. 'Care of' addresses and post office box numbers are not acceptable. If the mortgagee or chargee is a body corporate, please supply the address of the registered or principal office.

Commission, Discount or Allowance Payable to the Subscriber of the Debenture (Section 5)

13. Where the charge is created for the purpose of securing an issue of debentures and where a commission, allowance or discount has been paid or made by the company to any person in consideration of his subscribing or agreeing to subscribe for the debentures, please state the amount or percentage rate of the commission, discount or allowance paid or made. Please do not include the rate of interest, if any, payable on the debentures.

Date of Acquisition of Property (Section 7)

14. This section is only applicable to charges delivered for registration under section 82(1) of the Companies Ordinance. If the company has acquired a property that is subject to a charge subsisting when the property was acquired, please fill in the date on which the property was acquired in the box provided. A copy of the document effecting or evidencing the acquisition should also be delivered together with this form for verification.