

INTRODUCTION

引言

1 TRADING FUND STATUS

The Companies Registry came into being as a Trading Fund on 1 August 1993, one of the first two Government departments to be allowed to conduct their business on a more commercially orientated basis under the auspices of the Trading Funds Ordinance. To be eligible for Trading Fund status, a government department must be able to be financially self sufficient, paying all its expenses and liabilities from its income.

1 以營運基金運作

公司註冊處由一九九三年八月一日起，改以營運基金運作，成為首兩個獲准按照營運基金條例，以較商業形式運作的政府部門之一，政府部門如擬轉為以營運基金運作，必須能夠在財政上自給自足，從部門收入中撥出款項支付一切開支及償還債務。



The Companies Registry's Directorate and Headquarters Management Team
公司註冊處之首長級和總部管理人員

2 所擔任職責

公司註冊處營運基金承擔公司註冊處一切權利和責任，而公司註冊處是於一九九三年五月一日成為一個獨立的政府部門，所擔任的職責，且容後詳盡闡述，基本而言，主要是辦理公司註冊成立事宜及撤銷公司註冊、接受及保存本港公司及其他組織必須提交的資料，並且讓公眾人士有機會查閱該等資料。此外，公司註冊處處長，既為公司註冊處的首長，當在其職權範圍內，敦促有關人士或機構遵照有關的條例。

3 所承受的資產及債務

為協助本處由政府部門身份，轉為以較商業形式運作，政府於本處開始以營運基金運作時，將若干資產撥給本處，主要包括設於金鐘道政府合署的辦事處，及其他項目如電腦系統、傢具及一輛汽車等。這些資產是政府對本處的投資，撥歸時約值4.15億元。該筆款項分為營運基金資本1.38億元及借貸資本2.77億元。借貸款項分十期按年等額攤還，而未償還的餘額，則按當日最優惠貸款利率繳付利息。

4 與政府的關係

基本上，公司註冊處仍然是政府的一部分，但由於以營運基金運作，因此與其他政府部門建立商業關係，當有需要互相提供服務之時，均會向對方收取有關費用。

公司註冊處處長及財經事務司已簽署協議，界定彼此的權利和義務。總括而言，財經事務司將繼續負責就本處所提供服務的各方面問題釐訂政策，但會同時顧及本處須在商業原則下，有效營運，而確保本處能夠在商業原則下有效運作，亦正是公司註冊處處長的職責，並冀擴而充之，持久恆遠。

2 FUNCTIONS ASSUMED

The Companies Registry Trading Fund (CRTF) assumed all the rights and obligations of the Companies Registry which was formed as a separate government department on 1 May 1993. The Registry's functions will be described in more detail later but, in essence, they are to incorporate and strike-off companies, receive and maintain information required to be submitted by companies and other organisations in Hong Kong and to make that information available to the public. In addition, the Registrar, as the head of the Registry, has an enforcement function to ensure compliance with the relevant parts of various Ordinances which fall under his jurisdiction.

3 ASSETS & LIABILITIES ASSUMED

To put the Registry on to a more commercial basis from its previous status as a government department, certain assets were appropriated to the Registry when it commenced operation as a Trading Fund. These were predominantly the accommodation occupied at the Queensway Government Offices but also included items such as computer systems, furniture and a car. The value of the assets appropriated at that time was \$415 million, deemed to be the value of the investment that the Government had made in the Registry. The investment comprises \$138 million of Trading Fund Capital on which dividends may be paid and \$277 million of Loan Capital which bears interest on the outstanding balance at the prevailing best lending rate and which is repayable in 10 equal annual instalments.

4 RELATIONSHIP WITH GOVERNMENT

The Companies Registry remains a part of the Government but, as a Trading Fund, it has adopted a more 'arm's-length' relationship with government departments, selling services to them, but also paying for services received from them.

The Registrar and the Secretary for Financial Services have signed a Framework Agreement which explains their respective rights and obligations. In summary, the Secretary for Financial Services continues to have policy responsibility for all aspects of the services provided by the Registry, but that policy is tempered by the needs of the Registry to be commercially viable, which is the continuing responsibility of the Registrar.