

Personal Information Collection Statement (PICS)

Companies Ordinance (Cap. 622), Companies (Winding Up and Miscellaneous Provisions) Ordinance (Cap. 32) and Predecessor Companies Ordinance

Purpose of Collection

1. Personal data provided to the Registrar of Companies ("the Registrar") pursuant to any requirement of the Companies Ordinance (Cap. 622), the Companies (Winding Up and Miscellaneous Provisions) Ordinance (Cap. 32) and the Companies Ordinance (Cap. 32) as in force from time to time before the commencement date of the Companies Ordinance (Cap. 622) ("Predecessor Ordinance") will be used by the Registrar for one or more of the following purposes:
 - (a) to administer the Companies Ordinance (Cap. 622), the Companies (Winding Up and Miscellaneous Provisions) Ordinance (Cap. 32) and those provisions (if any) of the Predecessor Ordinance that have been repealed but are still having continuing effect;
 - (b) to enforce relevant provisions of the Companies Ordinance (Cap. 622), the Companies (Winding Up and Miscellaneous Provisions) Ordinance (Cap. 32) and those provisions (if any) of the Predecessor Ordinance that have been repealed but are still having continuing effect;
 - (c) to make available for public inspection the Companies Register (containing personal data) pursuant to relevant provisions of the Companies Ordinance (Cap. 622), so as to enable any member of the public –
 - I. to ascertain whether the member of the public is dealing with –
 - (i) a company to which section 45(1) of the Companies Ordinance (Cap. 622) applies, or its directors or other officers, in matters of or connected with any act of the company;
 - (ii) a director or other officers of such a company in matters of or connected with the administration of the company, or of its property;
 - (iii) a person against whom a disqualification order has been made by a court;
 - (iv) a person who has entered into possession of the property of such a company as mortgagee;

- (v) a person who is appointed as the provisional liquidator or liquidator in the winding up of such a company; or
 - (vi) a person who is appointed as the receiver or manager of the property of such a company; and
- II. to ascertain the particulars of the company, its directors or other officers, or its former directors (if any), or the particulars of any person mentioned in paragraphs I (iv) to (vi) above;
- (d) to provide copies of any documents containing such personal data to any person pursuant to relevant provisions of the Companies Ordinance (Cap. 622) and subject to payment of a fee;
 - (e) to disclose information containing such personal data pursuant to relevant provisions in Division 7 of Part 2 of the Companies Ordinance (Cap. 622); and
 - (f) to administer functions of the Companies Registry in relation to simultaneous business registration applications under the Business Registration Ordinance (Cap. 310).

Classes of Transferees

- 2. (a) The personal data collected will be available in the Companies Register for public inspection subject to any restriction in law.
- (b) The information containing personal data collected may be disclosed pursuant to relevant provisions in Division 7 of Part 2 of the Companies Ordinance (Cap. 622) (i) on application made for the purposes of relevant provisions in Division 7 of Part 2 of the Companies Ordinance (Cap. 622), to the persons specified in the regulations made thereunder; or (ii) on application made to the court, to the persons specified in the court order.
- (c) Some personal data as required under the Business Registration Ordinance (Cap. 310) will be transmitted to the Commissioner of Inland Revenue for the purposes of business registration. The Commissioner of Inland Revenue will use the data for tax purposes and may disclose the data to other parties authorised by law to receive it.

Notice

- 3. The provisions of the Personal Data (Privacy) Ordinance (Cap. 486) ("PDPO") apply to the use of personal data obtained from the Companies Registry's public registers (including the Companies 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 relevant Ordinance.

4. Individuals have a right to request access to and correction of his/her personal data held in the public registers maintained by the Companies Registry 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 any officer acting for or on behalf of the Registrar at the Companies Registry, 15th Floor, Queensway Government Offices, 66 Queensway, Hong Kong.