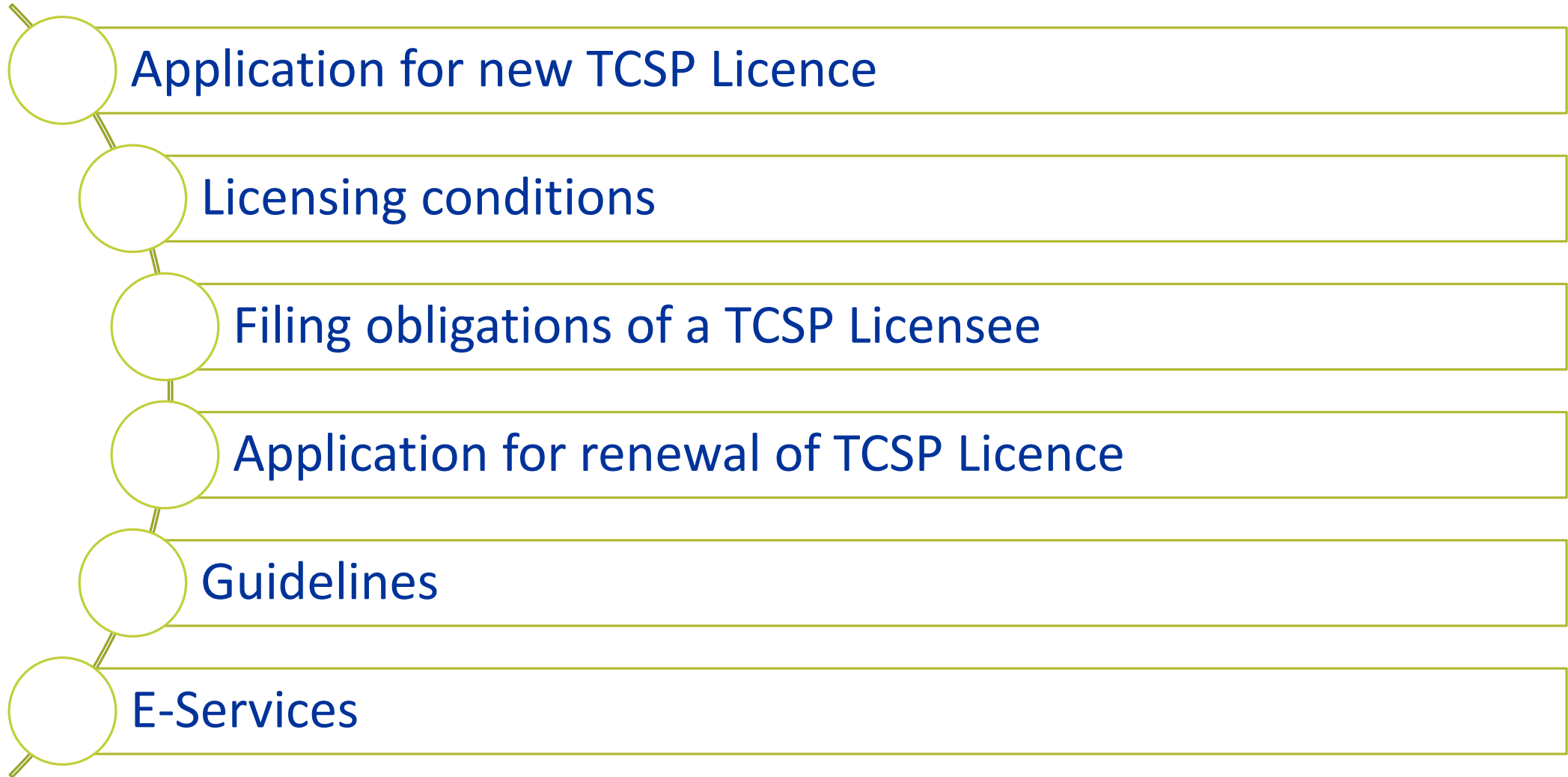


Points to Note for Applicants / Holders of TCSP Licences

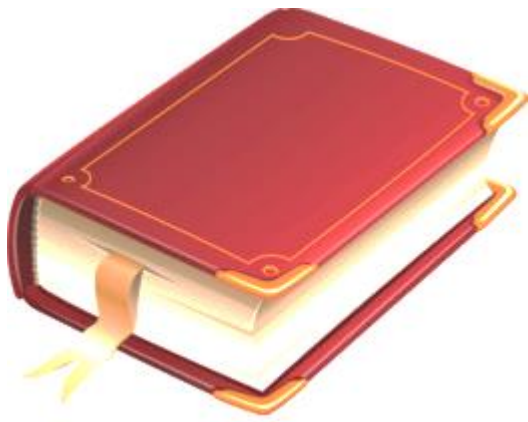


Miss Ida LEE
Deputy Registry Manager
11 June 2021

Topics



Ordinance governing TCSP Licensing Regime



Anti-Money Laundering and Counter-Terrorist Financing Ordinance, Cap. 615 (“AMLO”), Part 5A

Guidelines issued by the Registrar



公 司 註 冊 處
COMPANIES REGISTRY

Guideline on Licensing of
Trust or Company Service Providers

March 2018

(“Licensing Guideline”)



公 司 註 冊 處
COMPANIES REGISTRY

Guideline on Compliance of
Anti-Money Laundering and
Counter-Terrorist Financing Requirements
for Trust or Company Service Providers

March 2018

(“AML/CTF Guideline”)

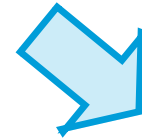
*Apply for a TCSP licence **BEFORE** carrying on trust or company service business in Hong Kong*

*Carry on business **WITHOUT** a licence
- An offence under s.53F of AMLO*



**Fine up to
HK\$100,000**

&



**Imprisonment up to
6 months**

Application for new TCSP Licence (1)

Do I need to
apply for a
TCSP licence?



Definition of “trust or company service”
(Chapter 2.2 of Licensing Guideline)

By way of business

undertakes
one or more
of the
activities of a
TCSP

carries out the
activity with
reasonable or
recognizable
continuity

aims to make
a profit when
carrying out
the activity

advertises or
publicizes
business activity
or receives
referrals from
other companies

Application for new TCSP Licence (2) – Application documents


COMPANIES REGISTRY 證券及公司監務處供託者牌照辦事處 REGISTRY FOR TRUST AND COMPANY SERVICE PROVIDERS		TCSP1
<p style="margin: 0;">信託或公司服務提供者牌照申請書</p> <p style="margin: 0;">Application for a Trust or Company Service Provider Licence</p>		
第一部分 Part 1	申請人詳情 Particulars of Applicant	<h1 style="margin: 0;">Form TC</h1>
申請人名稱 The Applicant is	請填妥表格內所有資料。請填上此人的姓名。 <input type="checkbox"/> 以商業經營人身身份營業的個人 an individual carrying on business as <input type="checkbox"/> 合夥 a partnership <input type="checkbox"/> 法團 a corporation	
申請人的名／名稱 Name of Applicant	中文姓名／名稱 Name in Chinese <table border="1" style="width: 100%; height: 40px;"></table> 英文姓名／名稱 Name in English <table border="1" style="width: 100%; height: 40px;"></table>	
申請人的業務名稱 Name of Business of Applicant	中文名稱 Name in Chinese <table border="1" style="width: 100%; height: 40px;"></table> 英文名稱 Name in English <table border="1" style="width: 100%; height: 40px;"></table>	
商業登記證 Business Registration Certificate	號碼 No. <table border="1" style="width: 150px; height: 20px;"></table> (如適用) 類別和子類別 Code (if applicable) <table border="1" style="width: 200px; height: 20px;"></table>	註冊日期 Date of Issue <table border="1" style="width: 150px; height: 20px;"></table>
請作覆核主權 For Official Use		

Form TCSP1

HK\$3,440

[illegible]

Form TCSP1-SIS

	公 司 註 冊 處 COMPANIES REGISTRY 金銀業貿易場管理委員會註冊辦事處 REGISTRY FOR TRUST AND COMPANY SERVICE PROVIDERS	TCS2-SIS2A
<p>表格 TCSP1 的補充資料表</p> <p>Supplementary Information</p>		
申請人姓名 / 名稱 Name of Applicant	聯絡電話 / 電郵 Contact Tel./Email	<h1 style="margin: 0;">Form TCSP1</h1>
第一部分 業務資料 Part I Business Information		
請填妥此項資料以證明貴公司符合下列條件： Number of staff to be recruited in Hong Kong to provide trust or company service business	<input type="checkbox"/> 已於申請日期前錄取 (including both full-time and part-time staff)	
請在表格背面列明上列「是」原因 Please tick the relevant reason(s)		
來源 Sources	<input type="checkbox"/> 介紹 Introduction / referral	比率 Ratio %
<input type="checkbox"/> 廣告 Advertisements		%
<input type="checkbox"/> 其他 Other (please specify)		%
潛在客戶名單 Businesses of potential customers		
附加說明欄 For Official Use		

Form TCSP1-SIS2A

[illegible]

Form TCSP4 – for individual

HK\$975
(each set)

AND/OR

[illegible]

Form TCSP5 – for corporation

HK\$975
(each set)



Supporting Documents

Application for new TCSP Licence (3) – Licence

I have just applied for a TCSP licence.
Can I carry on trust or company service now?



NO.
You can only carry on trust or company service **AFTER** you are granted a TCSP licence.

牌照編號
Licence No. TC00XXXX



公司註冊處
COMPANIES REGISTRY

《打擊洗錢及恐怖分子資金籌集條例》
(第 615 章)
ANTI-MONEY LAUNDERING AND COUNTER-TERRORIST FINANCING ORDINANCE
(CHAPTER 615)

信託或公司服務提供者牌照
TRUST OR COMPANY SERVICE PROVIDER LICENCE

示範有限公司
SAMPLE COMPANY LIMITED

於 XXXX 年 XX 月 XX 日獲批牌照在香港經營信託或公司服務業務。
is granted a licence on XX XX XXXX to carry on a trust or company service business in Hong Kong.

此牌照的有效期由 XXXX 年 XX 月 XX 日至 XXXX 年 XX 月 XX 日，
在此日期前被暫時吊銷或撤銷者除外。
This licence shall be valid from XX XX XXXX to XX XX XXXX, unless suspended or revoked earlier.

持牌人的營業地址：
Business address of the Licensee:

FLAT/ROOM 1208, 12/F, SAMPLE COMMERCIAL CENTRE, 22 SAMPLE STREET, HONG KONG

香港特別行政區公司註冊處處長徐麗貞

Ms Kitty TSUI

Registrar of Companies

Hong Kong Special Administrative Region

Application for new TCSP Licence (4) – Points to note

- Submit valid Business (*not Branch*) Registration Certificate

請沿虛線剪下並將有效的商業/分行登記證展示在營業地點。

Please cut along the dotted line and display the valid business/branch registration certificate at business address

≡< 表格 2 FORM 2 [第 5 條]
《商業登記條例》(第 310 章) [regulation 5]
BUSINESS REGISTRATION ORDINANCE (Chapter 310)
《商業登記規例》
BUSINESS REGISTRATION REGULATIONS

複本 DUPLICATE 商業/分行登記證 Business/ Branch Registration Certificate

業務 / 法團所用名稱
Name of Business/
Corporation X X 貨櫃運輸有限公司
XXX DXX TRANSPORTATION COMPANY LIMITED

業務 / 分行名稱
Business/
Branch Name *****

地址
Address X/F
XXX GLOUCESTER ROAD
WANCHAI
HK

業務性質
Nature of Business TRANSPORTATION

法律地位
Status BODY CORPORATE

生效日期
Date of Commencement 01/04/2017

屆滿日期
Date of Expiry 31/03/2018

登記證號碼
Certificate No. 5 X X X X X X - 000 - 04 - 17 - 8

登記費及徵費
Fee and Levy \$2,250

(登記費 FEE = \$2,000)

Application for new TCSP Licence (5) – Points to note (Cont'd)

- Provide information on relevant persons:
 - Ultimate Owner (not shareholder) (*Paragraph 4.3 of Licensing Guideline*)
 - Director / Partner
 - Compliance Officer (CO)
 - Money Laundering Reporting Officer (MLRO)
- CO and MLRO: normally based in Hong Kong (*Paragraph 3.5(b) of AML/CTF Guideline*)
- Exempted person with supporting documents submitted
(*Professional Accountants Ordinance, Cap. 50 / Legal Practitioners Ordinance, Cap. 159*)
- Submit Annex (i.e. Authorization) to Form TCSP4

Licensing conditions (1)



The Licensee should appoint a CO and an MLRO during the term of the licence and should ensure that a new CO or MLRO (as the case may be) is appointed **within 7 days** where a vacancy occurs in the two posts.



The Licensee should put in place adequate and proper anti-money laundering and counter-terrorist financing policies, procedures and controls, **as evidenced by policy statement(s) or other written documents.**



The Licensee should provide information relating to his business during the term of the licence as may be required by the Registrar of Companies and such information should be **provided within such time as the Registrar of Companies may specify.**



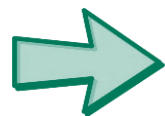
A TCSP Licensee may be subject to disciplinary actions by the Registrar for any non-compliance with the licensing conditions.

Licensing conditions (2) – Points to note

Resignation and appointment of CO and MLRO (“the Change”)

- ✓ Deliver Form TCSP6 within **one** month beginning on the date on which the Change takes place.
- ✓ Keep proper documents or records showing:
 - (a) appointment of CO and MLRO
 - (b) duties and responsibilities of CO and MLRO

Licensing conditions (3) – Points to note (Cont'd)



AML/CTF policy and procedure statement

- ✓ Make reference to CR's AML/CTF Guideline for TCSPs and
- ✓ Tailor-make your own AML/CTF policy and procedure statements which are applicable to and suitable for the TCSP business you carry on



Provide CR with information/documents relating to your business upon request

- ✓ Examples: Supplementary Information Sheet, explanatory letter
- ✓ To submit by deadline as specified
- ✓ Ensure business email address, business telephone/fax number filed with CR are correct and updated

Filing obligations of a TCSP Licensee (1)

Report changes in particulars of Licensee or its relevant person

**Within
ONE MONTH** of the change

Form TCSP6



Obtain approval for adding ultimate owner / partner / director

BEFORE
adding ultimate owner / partner / director

Form TCSP3

HK\$1,140

Form TCSP4 / 5

HK\$975
(each set)

Notify cessation of trust or company service business

BEFORE
the intended date of cessation

Form TCSP7



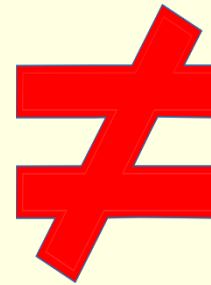
Filing obligations of a TCSP Licensee (2) – Points to note



A TCSP Licensee may be liable to prosecution and subject to disciplinary actions by the Registrar for any non-compliance with the filing requirements



**Filing form(s)
under the Companies
Ordinance (Cap. 622)**
*(e.g. Form NR1, ND2A,
ND2B)*



**Filing form(s)
under the
AMLO (Cap. 615)**
*(e.g. Form TCSP3,
TCSP6)*

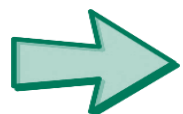
Filing obligations of a TCSP Licensee (3) – Points to note



Prior approval by the Registrar is required

IF

**the proposed ultimate owner / partner / director
is NOT an exempted person**



Form TCSP6

- ✓ Complete and attach correct schedule(s)
- ✓ Submit supporting documents according to the checklist as attached to Form TCSP6

第二部
Part 2

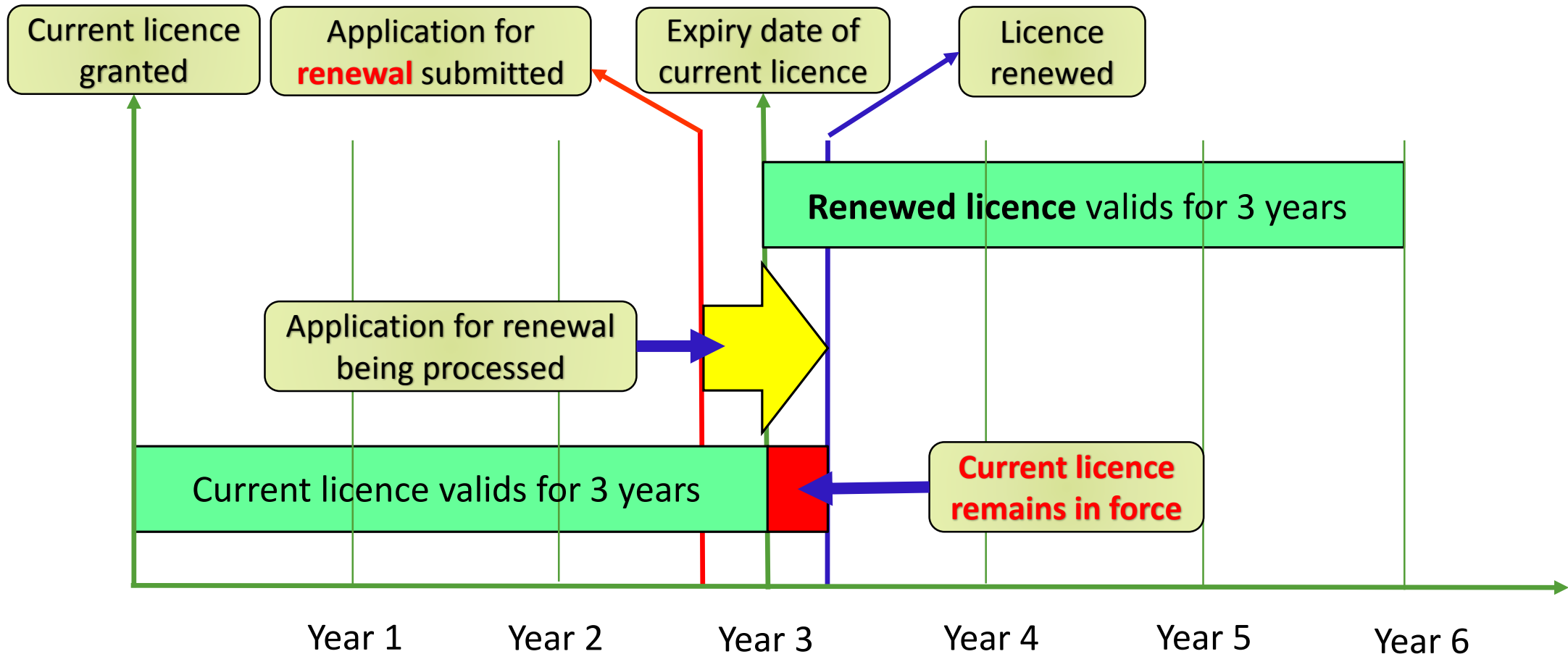
改變的類別
Types of Changes

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

改變的類別 Type(s) of Changes	隨本表格交付的附表 Schedule(s) Attached with this Form
<input type="checkbox"/> 持牌人的詳情的改變 Change in particulars of Licensee	附表 A Schedule A
<input type="checkbox"/> 不再是持牌人的相關人士 Cessation of being a Relevant Person of Licensee	附表 B Schedule B
<input type="checkbox"/> 加入相關人士／相關人士的詳情的改變 – 屬個人 Addition of a Relevant Person / Change in particulars of a Relevant Person – Individual	附表 C Schedule C
<input type="checkbox"/> 加入相關人士／相關人士的詳情的改變 – 屬法團 Addition of a Relevant Person / Change in particulars of a Relevant Person – Corporation	附表 D Schedule D
<input type="checkbox"/> 持牌人／相關人士「適當人選」狀況的改變 Change in fit and proper status of Licensee / a Relevant Person	附表 E Schedule E

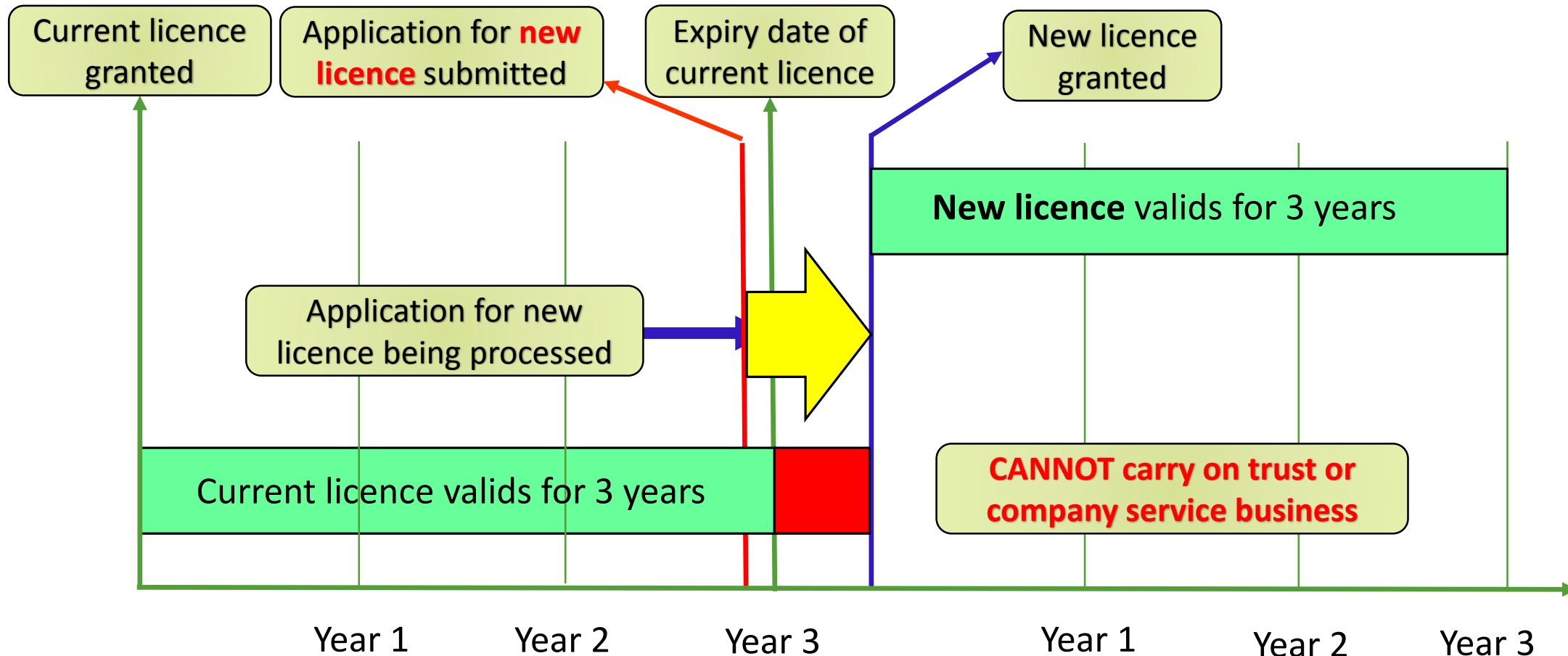
Application for renewal of TCSP Licence (1)

Application must be submitted at least 60 days before the licence expires




Application for renewal of TCSP Licence (2)

Licensee **fails** to submit application at least 60 days before the licence expires



Application for renewal of TCSP Licence (3) – Application documents



COMPANIES REGISTRY
信託及公司服務提供者註冊辦事處
REGISTRY FOR TRUST AND COMPANY SERVICE PROVIDERS

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

第一部分
Part 1

信託或公司服務持牌人的詳情
Particulars of Trust or Company Service Provider

持牌人
The Licensee is

☐ 請在適用的空格內加上「個」 Please tick the relevant box

☐ 以商業經營人身分經營業務的個人
an individual carrying on business as a sole proprietor

☐ 合夥
a partnership

☐ 法團
a corporation

中文名稱 / 名稱 Name in Chinese

--

英文名稱 / 名稱 Name in English

--

持牌人的業務名稱
Name of Business of Licensee

中文名稱 Name in Chinese

--

英文名稱 Name in English

--

信託或公司服務持牌人牌照
Trust or Company Service Provider Licence

牌照 No.

--

牌照到期 Expiry Date

DD	DD	MM	MM	YY	YY	YY	YY
----	----	----	----	----	----	----	----

商業登記
Business Certificate

牌照到期 Expiry Date


DD	DD	MM	MM	YY	YY	YY	YY
----	----	----	----	----	----	----	----

費用
Fee

費用

--

HK\$2,910




註冊號碼

第一部分 Page 1

Form TCSP2

Form TCSP4 – for individual



COMPANIES REGISTRY
香港公司服務處有限公司
REGISTRY FOR TRUST AND COMPANY SERVICE PROVIDERS

TCSP4

適當人選陳述書 (適用於申請人 / 最終擁有人 / 合夥人 / 董事 – 獨個人)
Statement as regards Fit and Proper Criteria
 (For applicant / ultimate owner / partner / director - individual)

第一部分
所屬申請類別
Type of Application

本陳述書是作為下列申請書的一部分並與申請書一併提交
 This Statement is part of the Following application and is Submitted
 together with the relevant application. (Please tick the relevant box)

表格編號 Form Number	表格的簡述 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提供人的最終擁有者 / 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 Licence


Form for individual

第二部分 第一部分所述申請書的申請人詳情
 Part 2 Particulars of Applicant of the Application Referred to in Part 1

	<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> 中文姓名 / 英文名 Chinese Name / English Name </div> <div style="border: 1px solid black; padding: 5px;"> 中文姓名 / 英文名 Chinese Name / English Name </div>
申請人姓名 / 名稱 Name of Applicant	
信託或公司服務提供者牌照證號碼 TCSP Licence No. 商業登記證號碼 Business Registration Certificate No.	(如申請人, 請填寫) (If the applicant is a licensee) (此處的 8 個數字) (First 8 digits)

請填妥後交回 For Official Use


HK\$975
(each set)



公司註冊處 Specification No. TCSP4(2)-019 第一頁 Page 1

HK\$975
(each set)

Form TCSP5 – for corporation



COMPANIES REGISTRY
 信託及公司服務處
 TRUST AND COMPANY SERVICE PROVIDERS

TCPSP5

適當人選陳述書 (適用於合夥人／董事－廣泛法團)
Statement as regards Fit and Proper Criteria
 (For partner/director - corporation)

第一部

所屬申請類別

Part 1

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
 請在表格內填上之一一號。 Please tick the relevant box.

表格編號 Form Number	信託或公司服務提供者牌照申請 Application for a Trust or Company
<input type="checkbox"/> TCPS1	信託或公司服務提供者牌照申請 Application for a Trust or Company
<input type="checkbox"/> TCPS2	信託或公司服務提供者牌照 Renewal Application for Renewal of a Trust or Company
<input type="checkbox"/> TCPS3	批准成為信託或公司服務提供者 Application for Approval to Become an Application for Service Provider Licensee

Form TCS

for corporate

第二部 **第一部所述申請書的申請人詳情**
Part 2 **Particulars of Applicant of the Application Referred to in Part 1**

<p>中文姓名／名稱 Chinese Name of Applicant</p>	<p>2. 中文姓名／名稱 Name in Chinese</p>
<p>英文姓名／名稱 Name of Applicant</p>	<p>英文姓名／名稱 Name in English</p>

信託或公司服務提供者 (如申請人為個人, 請填此表格)
 Trust or Company Licensee (If the Applicant is an Individual, fill in this form)

牌照號碼
TCPSP Licence No.

商業登記證書號
Business Registration Certificate No.

(此部分為選填)
(Part 8 is optional)

請向填寫主填 For Official Use

第一頁 Page 1

HK\$975
(each set)

Supporting Documents




Application for renewal of TCSP Licence (4) – Points to note

- Information filled in Form TCSP2 should be consistent with the records previously provided to the Registrar
- Ensure changes in particulars of Licensee or its relevant person (e.g. change in business address / email address of the Licensee; change in correspondence address of the relevant person; cessation of the relevant person) have been reported in Form TCSP6
- Ensure prior approval for adding ultimate owner / partner / director (application made in Form TCSP3) has been granted by the Registrar



Application for renewal of TCSP Licence (5) – Points to note (Cont'd)

- Ensure e-application is submitted with payment made. E-receipt will be generated for record.

 公司註冊處
Companies Registry

信託及公司服務提供者註冊辦事處
Registry for Trust and Company Service Providers

收據
Receipt

付款收據編號: Payment Receipt No:	C202105246000864	申請參考編號: Application Reference No.:	ER2105-000010
信託或公司服務提供者牌照編號: TCSP Licence No.:	TC888888	申請 / 付款日期: Application / Payment Date:	24-05-2021
申請人 / 持牌人姓名 / 名稱: Name of Applicant /	高增長有限公司 VERY HIGH	付款方式: Paid By:	JCB
TCSP Licensee :	PROFIT LIMITED		

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

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	2,910.00
金額 (港元) Amount (HK\$)	2,910.00
總額 (港元) Total (HK\$)	2,910.00

上述文件 / 付款已成功 / 收到。你可儲存或列印此收據以作參考。
The above document(s) / payment is/are successfully received. You may save or print this receipt for reference.



Licensing Guideline



公 司 註 冊 處
COMPANIES REGISTRY

Guideline on Licensing of
Trust or Company Service Providers

March 2018

**Definition on “trust
or company service
business”**

**Licensing
exemptions, e.g.
accounting
professional, legal
professional**

**Prior approval and fit
and proper test for
non-exempted person
to act as ultimate
owner, partner and/or
director**

Renewal of licence

**Reporting changes
in particulars**

**Cessation of trust
or company service
business**

Ongoing obligations

Disciplinary actions

Fee schedule

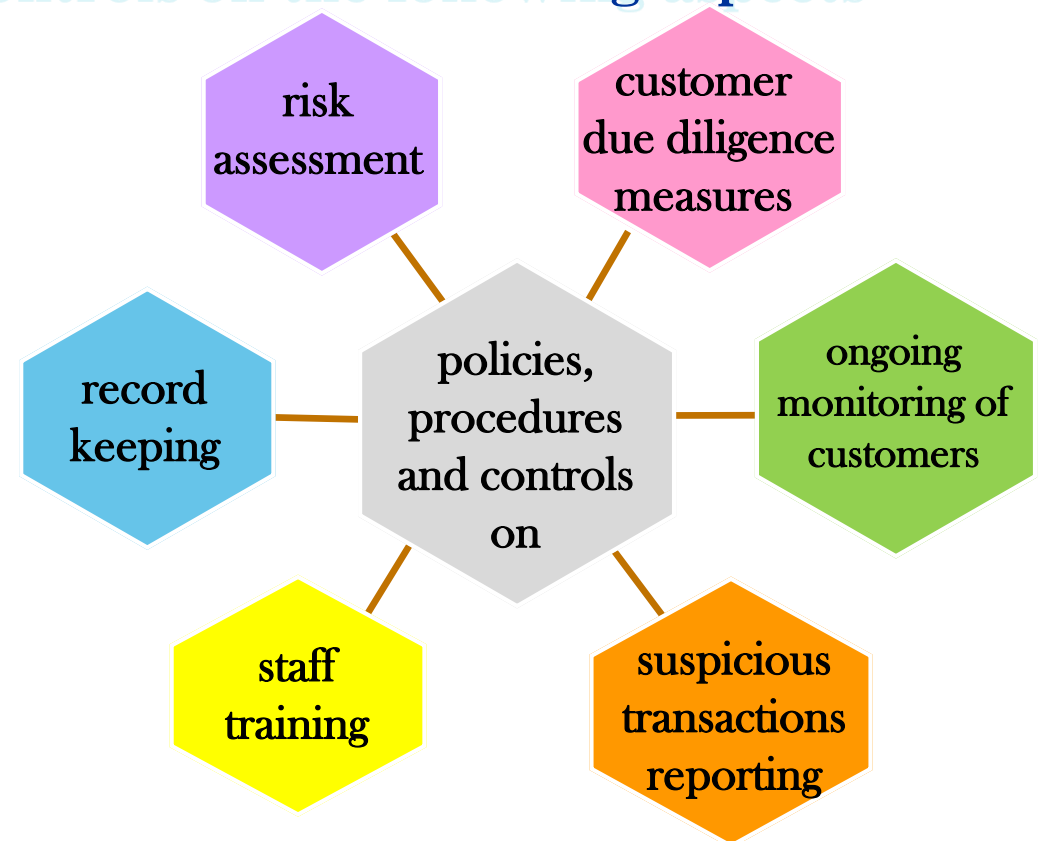
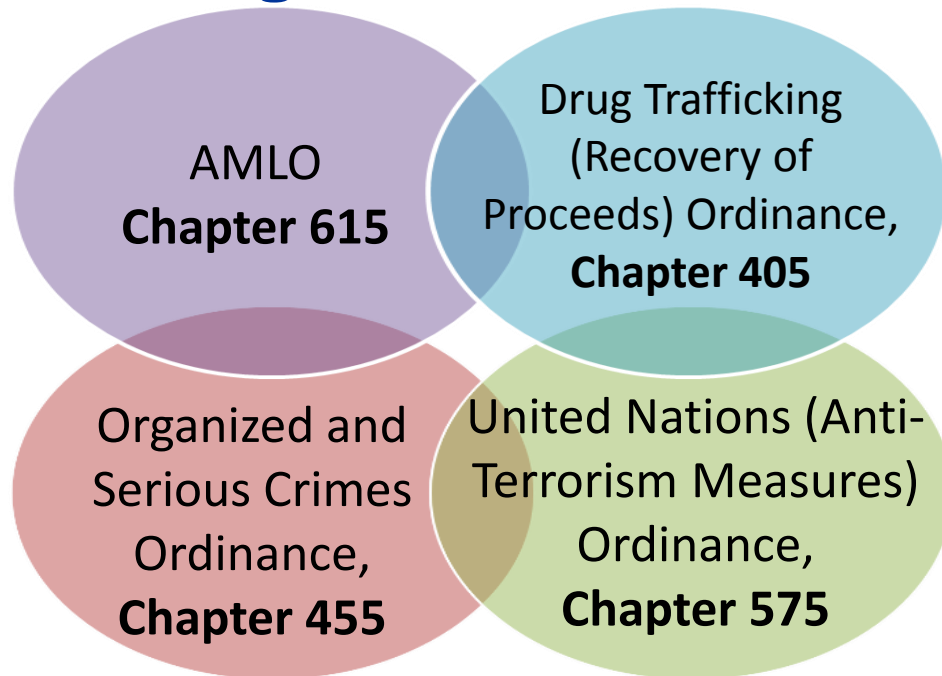
AML/CTF Guideline (1) – Points to note

TCSP licensees are required to:

- mitigate the risk of money laundering / terrorist financing (“ML / TF”)
- comply with the AMLO

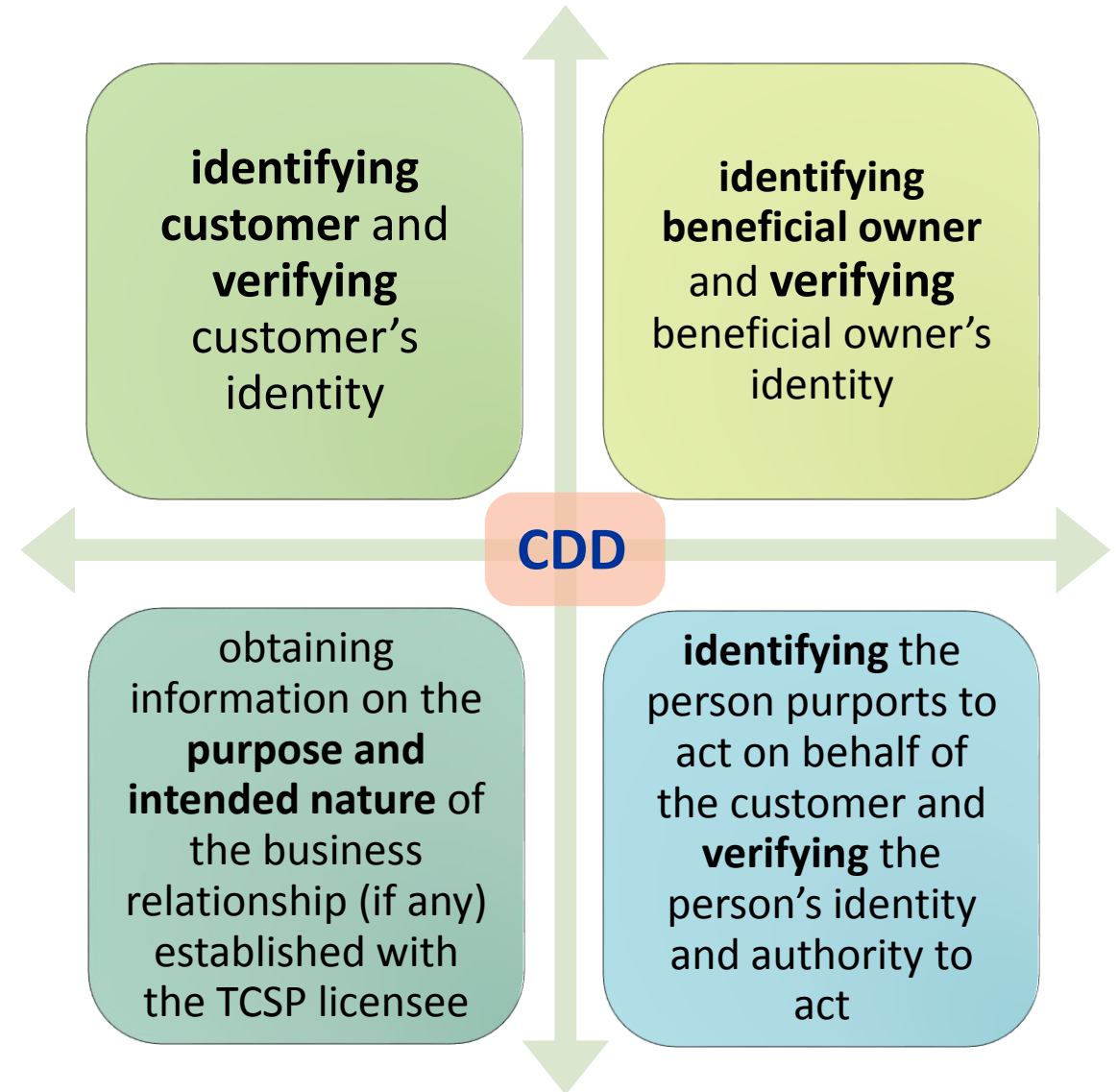
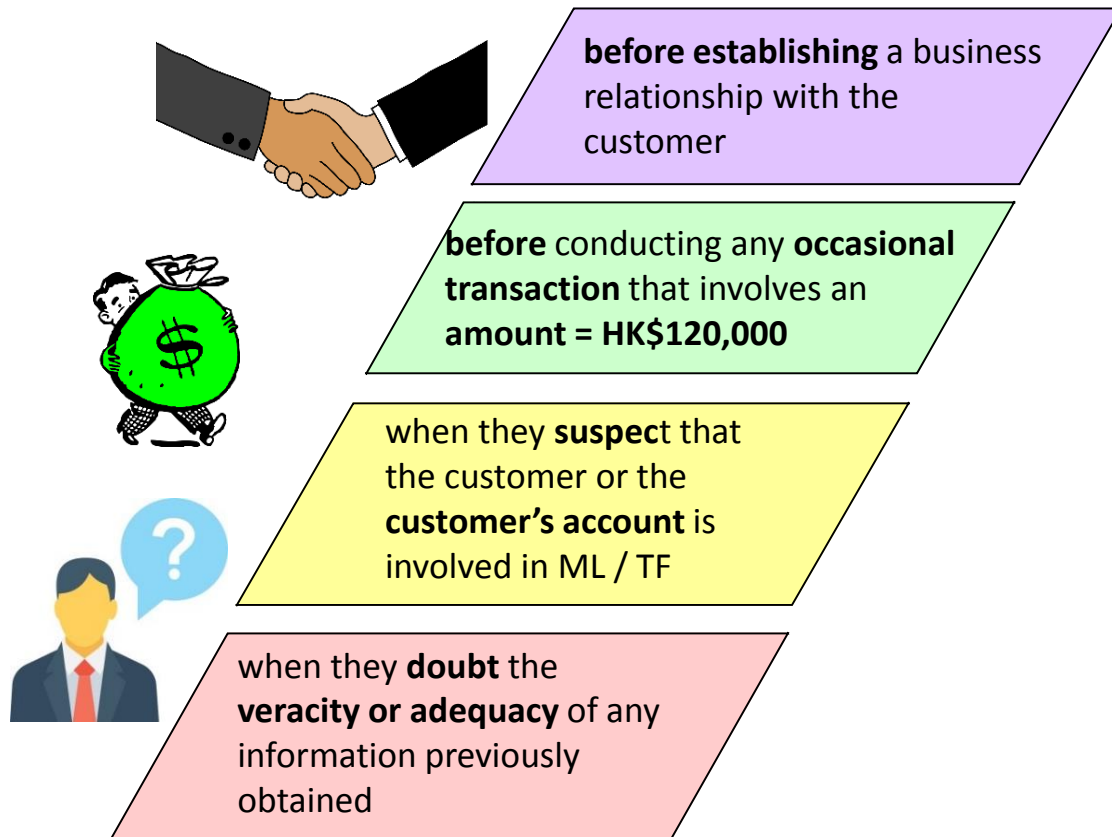
TCSP licensees must assess the ML / TF risk of their businesses, develop and implement policies, procedures and controls on the following aspects

Relevant Legislation



AML/CTF Guideline (2) – Points to note (Cont'd)

Customer Due Diligence (“CDD”) are required to be performed by TCSP licensees



AML/CTF Guideline (3) – Points to note (Cont'd)

Screening of Customer

(Chapter 8 of the AML/CTF Guideline)



Record-keeping

(Chapter 9 of the AML/CTF Guideline)

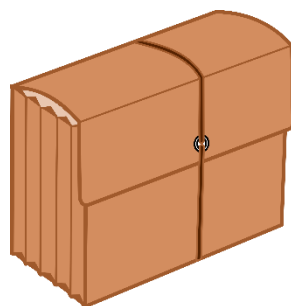


Staff Training

(Chapter 10 of the AML/CTF Guideline)

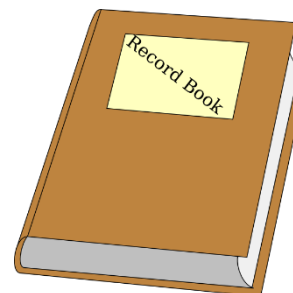
3 YEARS

5 YEARS




Ongoing Monitoring

(Chapter 6 of the AML/CTF Guideline)



E-Services via TCSP website


**公司註冊處**
Companies Registry


Registry for Trust and Company Service Providers
Unit 1208, 12/F, One Kowloon, 1 Wang Yuen Street, Kowloon Bay,
Kowloon, Hong Kong


What's New Contact Us 繁 簡

Register Login

Home Guidelines Forms Information Pamphlets Enforcement Anti-Money Laundering and Counter-Terrorist Financing FAQs Publications & Presentations

**Register of Trust or Company Service Provider Licensees**

 Name of Licensee or Licence No.


**Online Services**

- Apply for a Trust or Company Service Provider Licence
- Apply for Renewal of a Trust or Company Service Provider Licence
- Apply for approval to become an ultimate owner/a partner/a director of a TCSP licensee
- Report changes in particulars
- Report Cessation of Trust or Company Service Business


More Online Service ▾

Register Login


Popular Downloads

**Guidelines**


- Guideline on Licensing of Trust or Company Service Providers

**Forms**

- Application for a Trust or Company Service Provider Licence (Form TCSP1) (Must be

**Information Pamphlets**

- Services of the Registry for Trust and Company Service Providers (Updated on 21 December

**Online Services**

- Apply for a Trust or Company Service Provider Licence
- Apply for Renewal of a Trust or Company Service Provider Licence
- Apply for approval to become an ultimate owner/a partner/a director of a TCSP licensee
- Report changes in particulars
- Report Cessation of Trust or Company Service Business

More Online Service ▾

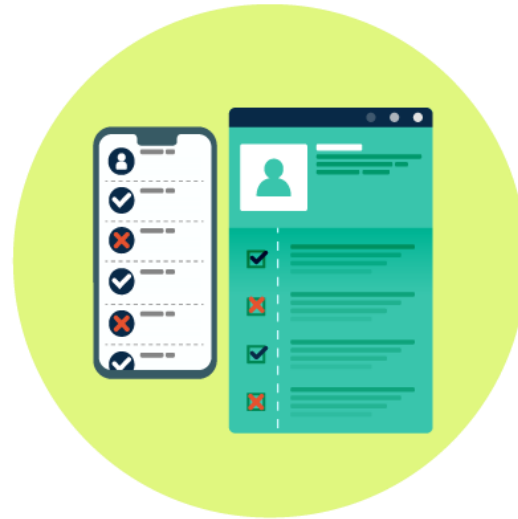
Register Login

E-Services via TCSP website – iAM Smart (1)

- Support **iAM Smart** features – to be launched by end June 2021



Authentication



"e-ME" Form Filling



Digital Signing

E-Services via TCSP website – iAM Smart (2)



Authentication

You can login by User ID or Digital Certificate:

Note: Please read the Security Statement and be reminded that the user account will be locked after 5 consecutive login failures.

User ID

[Forget User ID](#)

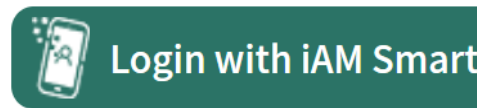
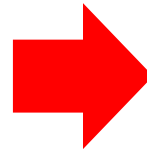
Password

[Forget Password](#)

Reject

Login

Login By Digital Certificate

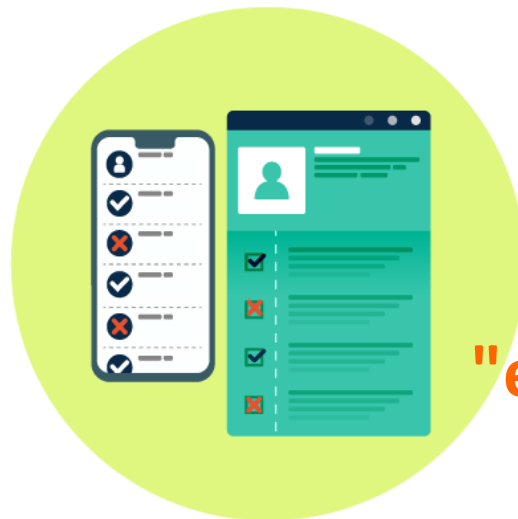


[More Info >](#)

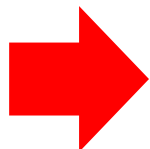


智 方 便
iAM Smart

E-Services via TCSP website – iAM Smart (3)



"e-ME" Form Filling



Place of Birth *

HONG KONG

Date of Birth *

04/08/1986

Email Address

1234567890@gmail.com

Hong Kong Telephone No.

12345678



E-Services via TCSP website – iAM Smart (4)



Digital Signing

Name in Chinese	Capacity	Statement as regards Fit and Proper Criteria	Particulars
		View	View


Sign your application form with "iAM Smart"

Service Name:
Online Services under the Licensing Regime for TCSPs

Document:
Application for Renewal of a Trust or Company Service Provider Licence (Form TCSP2)

Identification Code:
1251

Please follow the steps below:

1. Open "iAM Smart" app in your mobile device

2. Tap on "To Sign"
3. Make sure the identification code shown in "iAM Smart" is the same and tap on "Sign" to complete the digital signing

[View](#)

[Edit Particulars](#)

[Edit](#)

[Sign with iAM Smart](#)

Thank you

