



公司註冊處
COMPANIES REGISTRY

2025

**Anti-Money Laundering and
Counter-Financing of Terrorism Webinar
for Licensed Money Lenders**



公司註冊處
COMPANIES REGISTRY

Part 1

Overview of Licensing Conditions of Money Lenders Licence

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11 November 2025

Licensing Condition 1 – (1)

- **Before** entering into any agreement for loan, the money lender shall ask the intending borrower to **state in writing** whether or not he has entered into or signed any agreement with any third party for or in relation to the procuring, negotiation, obtaining or application of the loan, guaranteeing or securing the repayment of the loan.

Third Party Agreement

Agreement with solicitors to
provide legal services solely
(An agreement with a solicitor instructed by
intending borrower for the provision of
legal services solely is not a third party
agreement)

Licensing Condition 1 – (2)

➤ If **YES**, the money lender shall:

Licensing Condition 1(c)(ii)

State in writing in the loan agreement

- name and address of the third party
- whether the money lender is in any way related to the third party and the nature of such relationship

(Prepared by Money Lender)

Licensing Condition 1(c)(iii)

Ask the intending borrower to personally provide a copy of the third party agreement

Licensing Condition 1(c)(iv)

Attach the third party agreement to the loan agreement



Licensing Condition 1 – (3)

Annex 1 of Guidelines on Licensing Conditions of Money Lenders Licence

Sample form on disclosure of the existence of third parties by intending borrower

Disclosure of the existence of third parties by intending borrower

Confirmation from [_____] (intending borrower)

To: *(Name of licensee)*

I / We, *(Name of the intending borrower)*, holder of [Hong Kong Identity Card No. _____] / [BR Certificate No. _____] / [Company Number _____] * at *(address)* refer to my / our application to you for a loan and hereby confirm that:

(1) I / We

- * [have entered into or signed an agreement with a third party]
- * [have not entered into or signed any agreement with any third party]

for or in relation to the procuring, negotiation, obtaining or application of the loan, guaranteeing or securing the repayment of the loan (other than any agreement with solicitors instructed by me / us for the provision of legal services solely);

(2) The name and address of the third party are as follows:

Name of third party 1: _____

Address of third party 1 : _____

Name of third party 2: _____

Address of third party 2 : _____

(Please set out particulars of other third parties on a separate sheet signed by the intending borrower bearing the same date if there are more than two third parties)

I / We hereby provide a copy of each of the agreement with the third party or parties and understand that such agreement(s) will be attached to the loan agreement.

IMPORTANT NOTE:

Please note that it is an offence for a person to fraudulently induce a money lender to lend money by false or misleading statement or dishonest concealment of material facts.

You should make full and honest disclosure of the above information on the involvement of any third parties in relation to the loan for the protection of your own interests.

Signature: _____

Name: _____

Date: _____

**Delete where appropriate*



Licensing Condition 1 – (4)

Annex 2 of Guidelines on Licensing Conditions of Money Lenders Licence

Sample form on recording the particulars of appointed third party involved in a loan agreement

Particulars of appointed third party involved in a loan agreement

I / We (*Name of Money Lender*) confirm that :

Please tick the relevant box

The following third party is involved in the loan agreement

Name of third party : _____

Address of third party : _____

I / We have appointed the above third party.

I am / We are related to the appointed third party

Nature of my / our relationship with the appointed third party :

(Please select at least one item below)

Holding company of the Money Lender

Subsidiary of the Money Lender

Fellow subsidiary (i.e. subsidiary of the holding company of the Money Lender)

Others : (please specify)

Signature : _____

Name : _____

Position : _____

Name of Money Lender : _____

Date : _____

(Please record particulars of each appointed third party on a separate sheet.)



Licensing Condition 2 – (1)

- **Unless** the third party
 - ▶ has been appointed by the money lender as appointed third party**and**
 - ▶ has **confirmed in writing** to the money lender that he:
 - has not charged and will not charge any fees, however named, from the intending borrower**and**
 - has not otherwise agreed with the intending borrower that the intending borrower pays or would pay any fees, however named, to any other party whether for the purchase of any goods or services or not

Otherwise, the money lender shall not grant or agree to grant any loan to the intending borrower.



Licensing Condition 2 – (2)

Annex 3 of Guidelines on Licensing Conditions of Money Lenders Licence

Sample form on confirmation by appointed third party on the charging of fees

Confirmation from appointed third party

To: *(Name of licensee)*

I / We *(Name of appointed third party)* refer to the application of *(Name of intending borrower)* (“the intending borrower”) for a loan from you and hereby confirm that:

- (a) I / We have not charged, recovered, demanded or received and will not charge, recover, demand or receive any fees, charges, reward or consideration, however named, from the intending borrower for or relating to the procuring, negotiation, obtaining or application of the loan or guaranteeing or securing the repayment of the loan; and
- (b) I / We have not otherwise agreed with the intending borrower that, for or relating to the loan, the intending borrower pay or would pay any fees, charges, reward or consideration, however named, to any other party whether for the purchase of any goods or services or not.

Signature:

Name:

Date:



Licensing Condition 3 – (1)

- The money lender shall provide **in writing** to the satisfaction of the Commissioner of Police and the Registrar of Money Lenders the **name, address and identification number of the appointed third party**.
- The third party is not considered as an appointed third party until after the name and address of the appointed third party appear on **the Register** kept by the Registrar of Money Lenders.



Licensing Condition 3 – (2)

Forms on reporting by licensees of particulars of appointed third parties can be downloaded from the Companies Registry's website (www.cr.gov.hk)

(Major Services > Licensing of Money Lenders > Appointing Third Parties for the Granting of Loans)

Appointing Third Parties for the Granting of Loans

Home > Major Services > Licensing of Money Lenders > Appointing Third Parties for the Granting of Loans

Licensing of Money Lenders

- Governing Authorities
- Searches >
- Calculator - Effective Interest Rate
- Application >
- Appointing Third Parties for the Granting of Loans**
- Publications
- Forms
- Complaints against Licensed Money Lenders
- Other Miscellaneous Information
- Statistics >
- Business Statistics collected from Licensed Money Lenders
- Anti-Money Laundering and Counter-Financing of Terrorism

Appointing Third Parties for the Granting of Loans

With effect from 1 December 2016, a licensed money lender should not grant a loan to an intending borrower if the loan involves an appointed third party whose particulars have not yet appeared on the Register kept by the Registrar of Money Lenders.

You may use the following forms for reporting information of appointed third parties.

(1) Notice of Particulars of Third Party Appointed by Licensed Money Lenders in relation to Granting of Loans

Form ML-ATP-1	WORD
Form ML-ATP-1	PDF

(2) Notice of Changes in Particulars of Appointed Third Party of Licensed Money Lenders

Form ML-ATP-2	WORD
Form ML-ATP-2	PDF

(3) Notice of Termination of Appointment of Appointed Third Party of Licensed Money Lenders

Form ML-ATP-3	WORD
Form ML-ATP-3	PDF



Licensing Condition 3 – (3)

“List of Third Parties Appointed by Licensed Money Lenders in relation to the Granting of Loans” can be obtained from the Companies Registry’s website (www.cr.gov.hk)

(Major Services > Licensing of Money Lenders > Searches > Search on List of Third Parties Appointed by Licensed Money Lenders)

The screenshot displays the website interface for searching third parties appointed by licensed money lenders. The main heading is "Search on List of Third Parties Appointed by Licensed Money Lenders". The breadcrumb trail is: Home > Major Services > Licensing of Money Lenders > Searches > Search on List of Third Parties Appointed by Licensed Money Lenders.

The left sidebar contains a menu with the following items:

- Licensing of Money Lenders (expanded)
- Governing Authorities
- Searches (expanded)
- Search on Licensed Money Lenders
- Search on List of Third Parties Appointed by Licensed Money Lenders (highlighted)
- Calculator - Effective Interest Rate
- Application
- Appointing Third Parties for the Granting of Loans
- Publications
- Forms
- Complaints against Licensed Money Lenders

The main content area features the following text:

Search on List of Third Parties Appointed by Licensed Money Lenders in relation to the Granting of Loans

With effect from 1 December 2016, a licensed money lender should not grant a loan to an intending borrower if the loan involves an appointed third party whose particulars have not yet appeared on the Register kept by the Registrar of Money Lenders.

If an intending borrower wishes to apply for a loan from licensed money lenders through any third party, the intending borrower should, before entering into any agreement with that third party, first check the list below to ascertain if that third party is appointed by the licensed money lenders in relation to the granting of loans.

The list of third parties appointed by licensed money lenders for or in relation to the granting of loans is available below for viewing and downloading free-of-charge.

Two download links are provided:

- List of third parties appointed by licensed money lenders in relation to the granting of loans (in alphabetical order of English names of Appointed Third Parties)** [EXCEL]
- List of third parties appointed by licensed money lenders in relation to the granting of loans (in alphabetical order of English names of licensees)** [EXCEL]



Licensing Condition 3 – (4)

Particulars of appointed third parties can be searched from the e-Services Portal of the Companies Registry (www.e-services.cr.gov.hk)

Companies Registry
The Government of the Hong Kong Special Administrative Region

Unregistered User | Text Size | 繁體 | 簡體 | 22 Oct 2025, 10:04 (GMT+8)

Main Page Incorporation Filing Search Access to WI / PI Contact Us

e-Services Portal

Main Page Incorporation Filing Search Access to WI / PI

Important Note

With effect from 27 December 2023, the Business Registration Number ("BRN") (i.e. the first 8 digits of the Business Registration Certificate number) assigned by the Business Registration Office of the Inland Revenue Department ("IRD") has been fully adopted as the Unique Business Identifier ("UBI") of companies / entities. For companies incorporated / registered thereafter, the BRN is also adopted as the "No." on the "Certificate of Incorporation" or "Certificate of Registration of Non-Hong Kong Company" issued by the Companies Registry ("Registry").

Quick Search

Company Search CR No. / BRN Mapping

You may download the *Lists for the Mapping of Former Company Numbers with Business Registration Numbers* for all those companies / entities incorporated or registered before the implementation of UBI (XLSX and CSC files) in the Companies Registry's website.

Exact Name Search

Companies registered under Companies Ordinance

Entities registered under Miscellaneous Ordinances

Licensed Money Lenders

- ▶ Image Record (including Document Index)
- ▶ Licensed Money Lenders
- ▶ Appointed Third Parties of Licensed Money Lenders

Licensed Money Lenders

- ▶ Image Record (including Document Index)
- ▶ Licensed Money Lenders
- ▶ Appointed Third Parties of Licensed Money Lenders



公司註冊處
放債人註冊辦事處
COMPANIES REGISTRY
MONEY LENDERS SECTION

Licensing Condition 3 – (5)

Particulars of appointed third parties can be searched from the e-Services Portal of the Companies Registry (www.e-services.cr.gov.hk)

Appointed Third Parties of Licensed Money Lenders

Home > Licensed Money Lenders > Appointed Third Parties of Licensed Money Lenders

Appointed Third Parties of Licensed Money Lenders Search

Please select one of the search options below and input details

Full List

Please click one of the hyperlinks below to obtain the full list

List of Third Parties Appointed by Licensed Money Lenders in relation to the Granting of Loans (in alphabetical order of English Names of Appointed Third Parties)

List of Third Parties Appointed by Licensed Money Lenders in relation to the Granting of Loans (in alphabetical order of English Names of Licensees)

Name of Appointed Third Party

Individual

English

(Surname)

(Other Names)

Traditional Chinese

Body Corporate, Sole-proprietorship, Partnership and unincorporated body of persons

English

Traditional Chinese

Money Lender's Name

Search Mode

Exact Name Search

English

Traditional Chinese

Money Lender's Licence No.

MLR No.



Licensing Condition 4

- The money lender shall not knowingly allow or permit any person[#] to charge, recover, demand or receive any fees, however named, from any borrower or intending borrower.

[#] Any person includes the money lender, or his partner, employer, employee, principal or agent or any person acting for him or any appointed third party.

Points to note:

- Borrowers shall not be required to purchase goods or services
- Borrowers shall not be charged with processing/administrative fee
- The money lender should check and ensure that there is no fee charging provision in the third party agreement attached to the loan agreement



Licensing Condition 5 – (1)

- **Before** entering into any agreement for loan, the money lender must give **explanation** to the intending borrower of **all the terms of the agreement**, in particular:
 - ▶ the interest rate expressed as a rate per cent per annum and the total amount of interest payable
 - ▶ amounts of repayments, periodically and in total, under the agreement
 - ▶ the possible consequences for any default in repayment, including:
 - the taking into possession and sale of any security involved; and
 - any overriding right of the money lender to demand an immediate repayment

- The money lender must keep **written or video or audio records** which show that he complies with the requirements under this condition.



Licensing Condition 5 – (2)

Annex 6 of Guidelines on Licensing Conditions of Money Lenders Licence

Sample form for recording explanation of terms of loan agreement given to intending borrower

Confirmation of explanation of loan agreement by money lender

I confirm that I have explained to the intending borrower at the time and place set out below all the terms of the following loan agreement, in particular the terms in relation to repayment, namely,

- (a) the interest rate expressed as a rate per cent per annum and the total amount of interest payable under the agreement;
- (b) amounts of repayments, periodically and in total, under the agreement;
- (c) the possible consequences for any default in repayment, including –
 - (i) the taking into possession and sale of any security involved (including the property charged, if any); and
 - (ii) any overriding right of the money lender to demand an immediate repayment.

Loan agreement / Contract no. / Reference No.	
Name of Intending Borrower	
Date of explanation	
Time	
Venue	

Signature of staff : _____

Name of staff : _____

Position of staff : _____

Name of Money Lender : _____

Acknowledged by intending borrower

Signature : _____


Name of Intending
Borrower : _____

Date : _____



Licensing Condition 5 – (3)

➤ Points to note:

- 
- ▶ Money lenders should clearly explain to the intending borrower **all the terms and conditions** of the loan agreement, but not merely the crucial part of the loan agreement.
 - ▶ Even where the intending borrower states that there is no need for an explanation, the money lenders should still comply with the requirement to provide an explanation before entering into any loan agreement.
 - ▶ Leaving the **intending borrower** to **read and understand** for himself/herself the terms of the loan agreement does **not fulfil requirements** under Licensing Condition 5.
 - ▶ Licensing Condition 5 covers all kinds of money lenders including money lenders who establish business relationship with borrowers by a non-face-to-face approach and keep records in video or audio form.

Licensing Condition 6

- The money lender shall not obtain or collect **personal data** of any person from another person or use such personal data obtained or collected from another person for the purpose of or in relation to the money lender's business :
 - ▶ without the **written confirmation** from that other person that the disclosure/provision of such personal data by that other person for such use of the money lender is not in contravention of the provisions of the **Personal Data (Privacy) Ordinance (Cap. 486)**;
or
 - ▶ when the money lender has **knowledge, or has reasonable grounds to believe**, that the disclosure/provision of the personal data by that other person for such use of the money lender is likely to be **in contravention of the provisions of the Personal Data (Privacy) Ordinance**.
- The money lender must keep **records** which show that he complies with this requirement and the provisions of the **Personal Data (Privacy) Ordinance**.



Licensing Condition 7

- The money lender shall not accept a subsidized flat provided by the **Hong Kong Housing Authority** as collateral for the loan to the borrower unless the borrower has produced to the money lender either:
 - ▶ a **written confirmation from the Hong Kong Housing Authority** that the necessary premium for removing the restrictions on alienation on the said flat has been fully paid;
 - or
 - ▶ the **written approval of the Director of Housing** granting approval to mortgage or charge the said flat.



Licensing Condition 8

- The **Chinese version of any advertisement** issued or published by the money lender for the purpose of the money lender's business as a money lender must:
 - ▶ clearly show the Chinese characters “**放債人牌照號碼**”
and
 - ▶ immediately followed by the number of the money lender's licence.

放債人牌照號碼：XXXX/2025



Licensing Condition 9 – (1)

- Any advertisement in relation to the money lending business whether in textual, audio or visual form, must:
 - ▶ be fair and reasonable and not contain misleading information; and
 - ▶ contain
 - money lender’s telephone hotline for handling complaints; and
 - a risk warning statement

“忠告：借錢梗要還，咪俾錢中介”

“Warning: You have to repay your loans. Don’t pay any intermediaries.”

- The risk warning statement must be in the same language as that of the advertisement or relevant part thereof, and clearly audible in the audio part of the advertisement.



Licensing Condition 9 – (2)

- To ensure that the advertisement is fair and reasonable and does not contain misleading information, the advertisement:

Must not contain information that may mislead or deceive members of the public.

Must not emphasise any potential benefits of a product or service without also giving a fair and prominent indication of any relevant risks.

Must not disguise, omit, diminish or obscure any relevant fact which will result in the information or message being insufficient, unclear, unfair or misleading.

Any important information **must** be in conspicuous text and placed in a conspicuous position in the advertisement.

Should not carry information that understates the costs of borrowing.

Should not carry information that overstates the ease of borrowing.



Licensing Condition 9 – (3)

- A licensee **must not** in an advertisement state that an unsecured personal loan is available regardless of the borrower's financial circumstances or status.



Licensing Condition 9 – (4)

- Examples of advertisement which are considered as misleading:
 - (a) If an advertisement states that certain loans are “Interest-free”, “0% interest”, etc., it will give the impression that there are no interest or monthly fees payable for the loan. If a monthly administrative or handling fee is charged, the advertisement would be misleading.
 - (b) A statement or an implication that an unsecured personal loan is guaranteed or pre-approved, or is not subject to any credit checks or other assessment of the borrower’s financial position would be misleading as the licensee is obliged to undertake an assessment of the financial status of the intending borrower before entering into an unsecured personal loan agreement pursuant to Licensing Condition 15.



Licensing Condition 9 – (5)

- For the display or broadcast of risk warning statement for different types of advertisements (1)

Advertisement in print

- ▶ Displayed-

- in text in at least 50 per cent of the font size; and
- in the same font type and colour

as the other contents of the advertisement that bear the largest font size



Licensing Condition 9 – (6)

- For the display or broadcast of risk warning statement for different types of advertisements (2)

Audio-visual advertisement

- ▶ Should be in clear contrast in colour with the background or backdrop of the advertisement:

Where it appears in an **independent screenshot**

- should be displayed visually at the end of the advertisement
- for at least **3 seconds**
- with a clear read-out for the same duration

Where it appears **throughout the entire advertisement**

- should be shown clearly at the bottom of the screen
- with the height of each **Chinese character** of the statement be at least **1/15** of the screen
- with the height of the **capital letters** of the English statement be at least **1/20** of the screen
- with a clear read-out in the same pace as other contents of the advertisement



Licensing Condition 9 – (7)

- For the display or broadcast of risk warning statement for different types of advertisements (3)

Internet Advertisement

Website banner (links to another website)

- Display of warning statement on the landing page
 - in text in at least 50 per cent of the font size; and
 - in the same font type and colouras the other contents that bear the largest font size on the landing page

Advertisements with a static screen on the internet

- Guidance for advertisement in print applies


Audio-visual advertisement on the internet

- Guidance for the display of warning statement in audio-visual advertisements applies



Licensing Conditions 8 and 9

➤ Points to note

- 
- ▶ Advertisements related to money lending business (including all kinds of publicity materials) shall comply with **Licensing Conditions 8 and 9**.
 - ▶ Ensure to display the **valid** money lender's licence number in advertisements.
 - ▶ The advertisement must contain the **money lender's telephone hotline for handling complaints**. Application hotline or enquiry hotline is not equivalent to complaint hotline.
 - ▶ The **name of the money lender as specified in the licence** (not only a business name) must be shown in the money-lending advertisements (s. 26 of the Money Lenders Ordinance).
 - ▶ Money Lenders' posts on social media (including but not limited to its pictures, videos and captions) may be regarded as one or more advertisements depending on the actual situation. Money lenders must ensure that such posts comply with **Licensing Conditions 8 and 9**.



Licensing Condition 10 – (1)

- The money lender and his debt collectors **shall not**:
 - ▶ try to recover debts, whether directly or indirectly, from anyone (e.g. referees, borrowers' family members or friends) unless such person is in law indebted to him
 - ▶ harass anyone, adopt unlawful or improper debt collection practices
- The money lender **shall**:
 - ▶ ensure personal data collected are protected against unauthorized or accidental access, processing, erasure or other use by any debt collectors
 - ▶ comply with the Personal Data (Privacy) Ordinance (Cap. 486)
 - ▶ maintain and monitor proper systems and procedures for handling complaints and/or inquiries relating to the loans lent by him in the ordinary course of business and the debt collection activities arising therefrom
 - ▶ keep updated and accurate records[#] of the debt collection activities of his debt collectors during the term of the licence
([#] records should at least include the dates and methods of the debt collection activities)



Licensing Condition 10 – (2)

➤ Points to note



- ▶ Whether the debt collector complies with the law and the relevant requirements under Condition 10 in his debt collection activities is a factor for determination of whether the money lender is a fit and proper person to carry on business as a money lender.
- ▶ Money lenders must exercise proper care and diligence to monitor the debt collection activities of their debt collectors.
- ▶ Debt collectors should not be given a free hand as to debt recovery procedures.



Licensing Condition 11

- The money lender shall provide information relating to his money lending business during the term of the licence as may be required by the Registrar of Money Lenders or the Commissioner of Police **within such time as specified**.



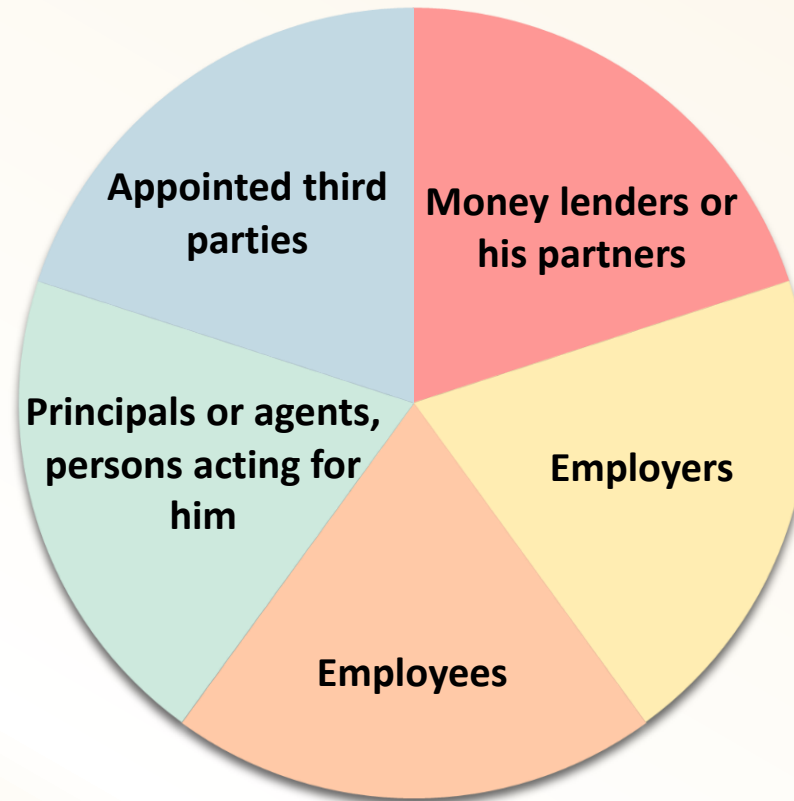
Examples: Annual exercise for collection of financial information, thematic surveys and quarterly return on personal loans in which the Registrar of Money Lenders requires money lenders to participate

Licensing Condition 12

- The money lender must establish and maintain **proper systems and procedures** to ensure that **the following parties** shall be informed of and observe the licensing conditions and the provisions of the Money Lenders Ordinance.

Management & supervision

Review of appointed third parties



Personnel & training

Record keeping

Licensing Condition 13 – (1)

- Where any referee is provided in respect of the loan application, the money lender shall, **before entering into any agreement for loan**:
 - ▶ ask the intending borrower to provide the written consent signed by the referee(s) confirming his/her agreement to act as referee in respect of the loan application; and
 - ▶ attach the written consent to the loan agreement.
- If the money lender is informed or aware that the written consent was, in fact, not signed by the referee, the money lender shall immediately cease to use the information of the referee.

Referee is a person who provides, on a **voluntary basis** and upon request by the money lender, information about the intending borrower in respect of the loan application (e.g. for identification purpose of the intending borrower before entering into the loan agreement).



Point to note:

- Referee is not for debt collection or for contacting the borrower after the loan agreement has been entered into.



Licensing Condition 13 – (2)

Annex 5 of Guidelines on Licensing Conditions of Money Lenders Licence

Sample form on written consent by referee for loan application

Written Consent by Referee for Loan Application

To: (Name of licensed money lender) ("money lender")

(1) Referee's Information

Name	
Address	
Contact Telephone Number	
Relationship with Intending Borrower	

(2) Intending Borrower's Information

Name	
Contact Telephone Number	

(3) Details of the Loan Application

Type of loan	
Loan amount	HKD

1. I, the above-named referee, hereby consent to act as the referee for the above intending borrower in respect of the above loan application.
2. I understand that my role as a referee is confined to providing, on a voluntary basis and upon request by the money lender, information about the intending borrower in respect of the above loan application. I have no legal or moral liabilities in respect of the loan as a referee.

Signature of the Referee: _____

Name: _____

Date: _____



Licensing Condition 14 – (1)

- The money lender must-
 - ▶ comply with the **guideline on anti-money laundering and counter-financing of terrorism for licensed money lenders issued by the Registrar (as revised from time to time)**; and
 - ▶ adopt a risk-based approach, based on the institutional money laundering and/or terrorist financing (ML/TF) risk assessment, in the design and implementation of their anti-money laundering and counter-financing of terrorism policies, procedures and controls on the following:



The Guideline on Anti-Money Laundering and Counter-Financing of Terrorism (For Licensed Money Lenders) can be downloaded from Companies Registry's website (www.cr.gov.hk) : (Major Services > Licensing of Money Lenders > Publications > Guidelines)



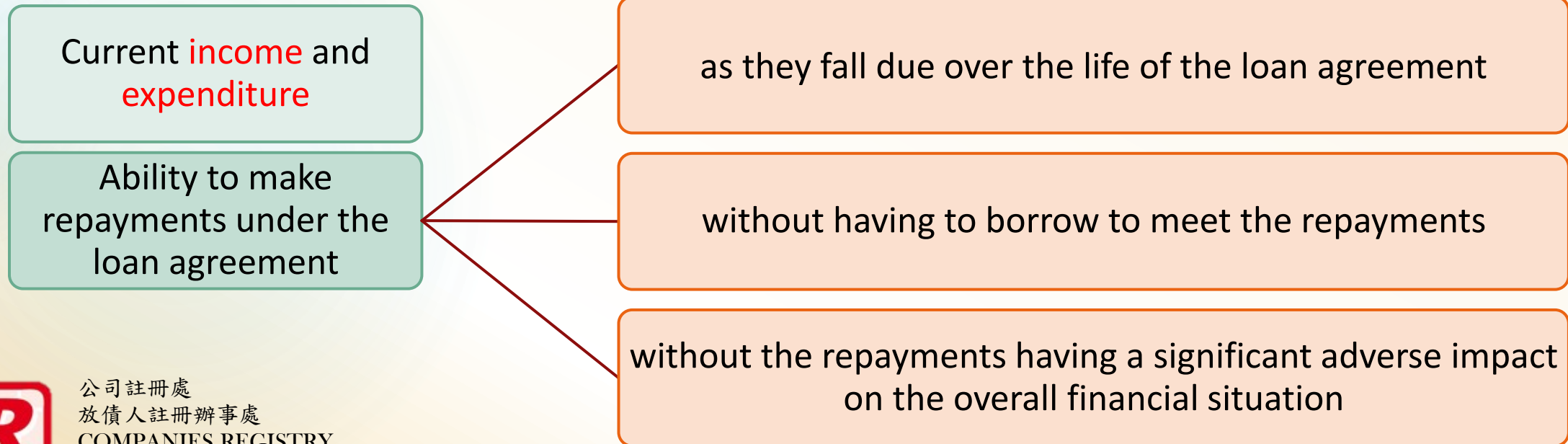
Licensing Condition 14 – (2)

- Points to note
 - ▶ Money lenders should conduct its **institutional ML/TF risk assessment** every **two years** and upon **trigger events** which are material to the money lenders' business and risk exposure.
 - ▶ Money lenders should assess the ML/TF risks associated with a proposed business relationship with the intending borrower (i.e. **customer risk assessment**) at the initial stage of the customer due diligence process.
 - ▶ Money lenders should **determine** whether a customer or a beneficial owner of a customer is a **politically exposed person before establishing a business relationship**.
 - ▶ Money lenders should maintain a **database of names and particulars of terrorists and designated parties**, which consolidates the various lists that have been made known to them. Alternatively, money lenders may subscribe to such a database maintained by a third party service provider and take appropriate measures (e.g. conduct sample testing periodically) to ensure the completeness and accuracy of the database.
 - ▶ Money lenders should implement an effective **screening mechanism**, which should include **screening** its **customers** and **any beneficial owners of the customers**
 - (i) against the current database **at the establishment of the relationship**; and
 - (ii) against **all new and any updated designations** to the database **as soon as practicable**.



Licensing Condition 15 – (1)

- Before entering into agreement for unsecured personal loan or before granting any significant increase in the amount of loan under an agreement for **unsecured personal loan**, the money lender shall undertake an **assessment** of the intending borrower's or borrower's **ability to make repayments** under the loan agreement **affordably** and have **due regard to the outcome of the assessment** in respect of affordability.
- In carrying out the assessment, the money lender shall consider the intending borrower's or borrower's:



Licensing Condition 15 – (2)

Assessment must be reasonable (1)

- The money lender must base the affordability assessment on sufficient information available to him at the time of conducting the assessment.
- The extent and scope of the assessment, the steps that the money lender must take and the evidence to be taken into account, are dependent upon, and proportionate to, the individual circumstances of each case.
- The money lender should adopt a common sense approach and decide what is appropriate and proportionate in the circumstances of a particular case.



Licensing Condition 15 – (3)

Assessment must be reasonable (2)

➤ Factors for consideration in the assessment:

Total amount of the principal and interest payable

Duration of the term for repayment of the loan

Frequency and amounts of the repayments

Interest rate

Purpose of obtaining the loan

Employment or business of the intending borrower or borrower

Current credit and financial information on the intending borrower or borrower

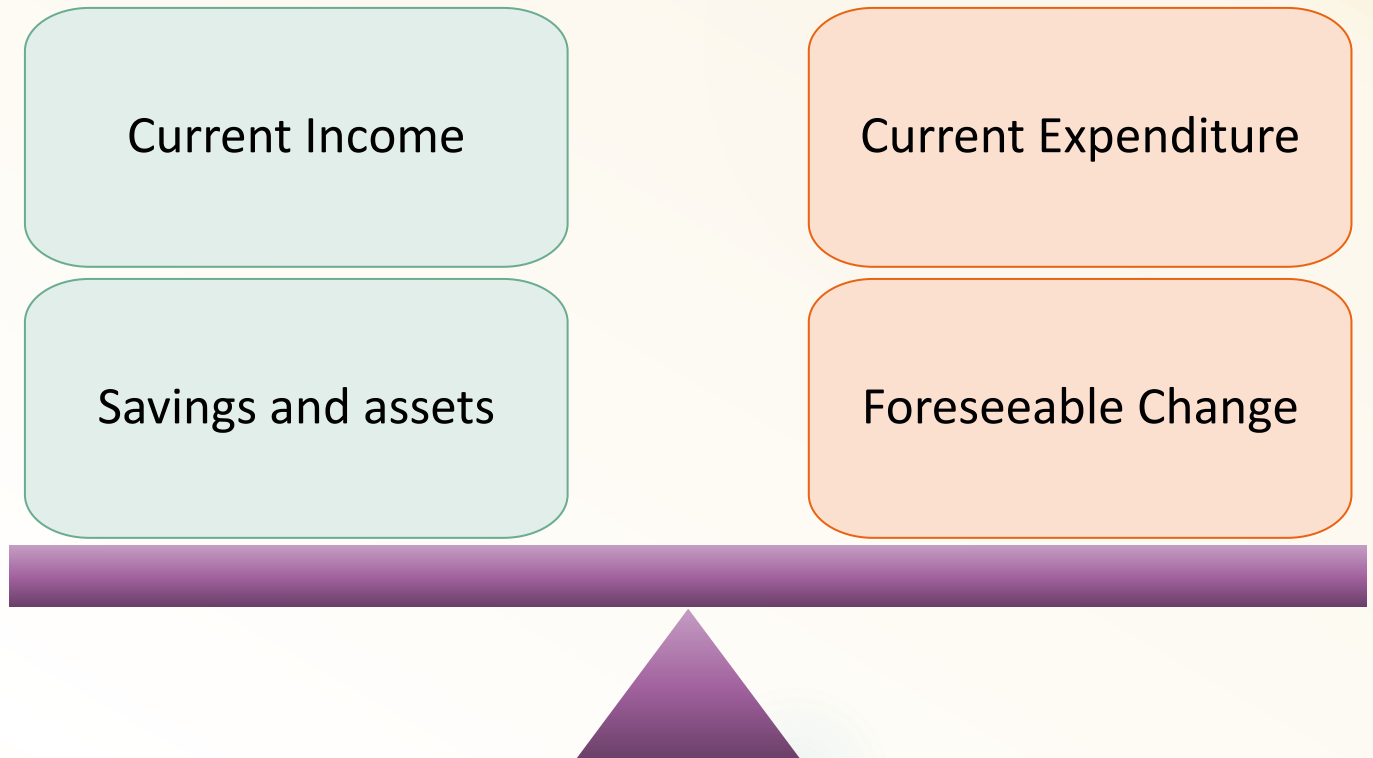
Any other potential adverse consequences for the intending borrower or borrower arising under the loan agreement from a failure to make a repayment by the due date



Licensing Condition 15 – (4)

Assessment on current income and expenditure

- Must take reasonable steps to determine the amount, or make a reasonable estimate, of the **current income** and **expenditure** of the intending borrower or borrower.




Licensing Condition 15 – (5)

- The money lender must also keep **written or video or audio records** which show that the requirements under this condition have been complied with.



Licensing Condition 15 – (6)

➤ Points to note

- 
- ▶ **Self-declaration** of income and expenditure by the borrower or intending borrower **is not an affordability assessment**. The money lender must base the assessment on sufficient information available with evidence to show the assessment is carried out by the money lender, e.g. by signing and dating the written assessment.
 - ▶ Money lenders should conduct affordability assessment based on the **actual circumstances** of the intending borrower or borrower and keep relevant records. They **should not assume** that every intending borrower or borrower or every category of borrowers has the **same income and expenditure**.
 - ▶ Assessment record must show the factors that the money lender has considered, especially the special factors.
 - ▶ The money lender must ensure the information shown in assessment matches the information provided by intending borrower or borrower (e.g. information from loan applications, proof of income, etc.).
 - ▶ The money lender should adopt a common sense approach and decide the reasonableness of the information provided by the intending borrower or borrower. The money lender should require the intending borrower or borrower to provide relevant supporting document, if appropriate, and keep copies of the supporting documents.

Extension or renewal of loan agreement



- In addition to new loan agreements, the above-mentioned licensing conditions relating to loan agreement also apply to the **extension or renewal of loan agreements**.
- When entering into any extension or renewal of loan agreements, money lenders are also required to comply with the relevant licensing conditions.



The Companies Registry has issued:

- Guidelines on Licensing Conditions of Money Lenders Licence
- Guideline on Anti-Money Laundering and Counter-Financing of Terrorism (For Licensed Money Lenders)
- **Other Guidelines:**
- Guideline on Fit and Proper Criteria for Licensing of Money Lenders
- Guideline on Submission of Business Plan by Applicant of a Money Lenders Licence

(CR's Website: www.cr.gov.hk > Major Services > Licensing of Money Lenders > Publications > Guidelines)

Enquiry Hotline: 2867 2634

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Publications

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- Anti-Money Laundering and Counter-Financing of Terrorism

Guidelines

Guideline - Licensing Conditions

The following two Guidelines on Licensing Conditions are identical except for the wording of Licensing Condition 14 as revised with effect from 3 March 2025.

- Guidelines on Licensing Conditions of Money Lenders Licence (March 2025) [effective from 3 March 2025] (Applicable to money lenders licence granted before 3 March 2025) [PDF](#)
- Guidelines on Licensing Conditions of Money Lenders Licence (March 2025) [effective from 3 March 2025] (Applicable to money lenders licence granted on or after 3 March 2025) [PDF](#)

Guideline - Anti-Money Laundering and Counter-Financing of Terrorism

- Guideline on Anti-Money Laundering and Counter-Financing of Terrorism (For Licensed Money Lenders) (March 2025) [effective from 3 March 2025] [PDF](#)

[Please also refer to the [Supplementary Information](#) on the Guideline on Anti-Money Laundering and Counter-Financing of Terrorism (For Licensed Money Lenders) (March 2025)]

Thank you!



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