Phase 2 of the New Inspection Regime

Public Search Services and Applications for Disclosure of Protected Information

Terence K S MOK Assistant Registry Manager (Public Search) Companies Registry 27 & 29 September 2022



1

- Public Search Services
 - Searches on registered documents
 - Searches on Index of Directors

Application for Disclosure of Protected Information



- Under Phase 2 of the New Inspection Regime, the Protected Information on the Index of Directors on the Register will be replaced with correspondence address and partial identification numbers for public inspection.
- Protected Information contained in documents filed for registration on or after 24 October 2022 will not be provided for public inspection.



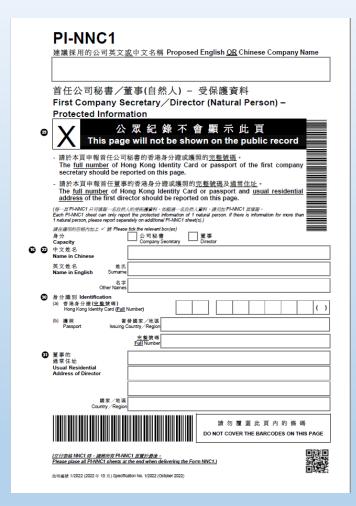
Searches on registered documents

 Protected Information contained in documents filed for registration on or after 24 October 2022 will NOT be provided for public inspection



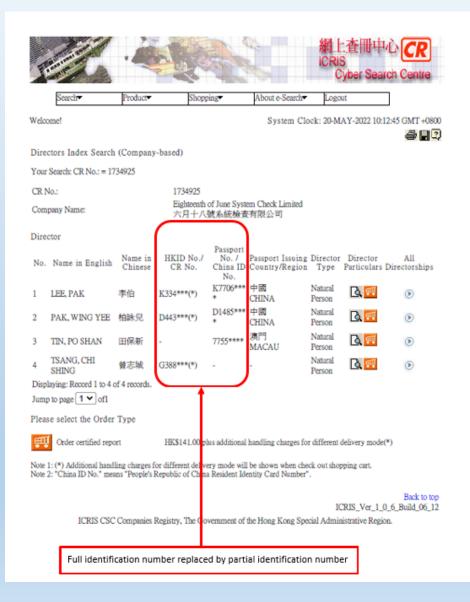


The main form does NOT contain Protected Information and is for public inspection



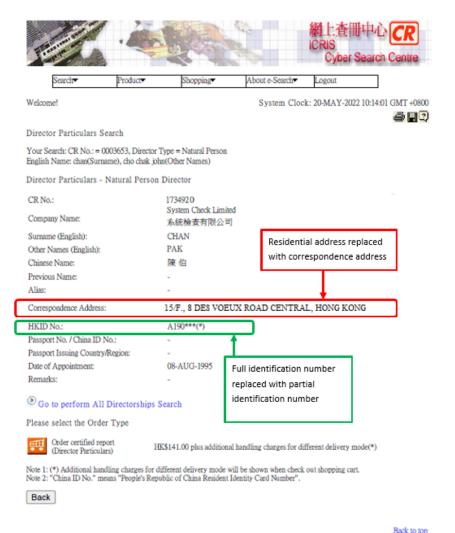
The PI sheet containing Protected Information is NOT for public inspection

Searches on Index of Directors Company-based Directors Index Search





Searches on Index of Directors Director Particulars Search





ICRIS CSC Companies Registry, The Government of the Hong Kong Special Administrative Region.

Searches on Index of Directors Director-based Directors Index Search

• When HK Identity Card No. or Passport No. is used as a search key, searcher only needs to input the partial identification number. Directors Index Search (Director-based)

Please select the Director Type and input your search key(s). NOTE: There may be different search results if you select different search key(s) for the same director. Please see "Help" for more details.

Natural Person Director

| | (Sumame) |
|---|---|
| | Other Names) |
| | |
| names are considered as one search k | ey) |
| _ | |
| d/or Partial Passport No. <table-cell></table-cell> | |
| |] |
| | |
| | , |
| | |
| ny 2 or more of the following i | information: |
| ny 2 or more of the following i | i nformation : 🔄 (Sumame) |
| ny 2 or more of the following i | |
| ny 2 or more of the following i | (Suname) |
| ny 2 or more of the following i | (Suname) |
| ny 2 or more of the following i | (Suname) |
| | names are considered as one search k d/or Partial Passport No. ? |



What does the partial identification number mean?

- Partial identification number means
 - a) if the identification number comprises a sequence of an even number of alphanumeric characters (excluding spaces, punctuation marks and symbols) the first half of the sequence; or
 - b) if the identification number comprises a sequence of an odd number of alphanumeric characters (excluding spaces, punctuation marks and symbols) the part that begins with the first character in the sequence and ends with the character that falls on the middle of the sequence.



Examples

Hong Kong Identity Card Number

| Full Number (including the digit or alphabet in brackets) | Partial Number (i.e. all the alphabets and the first three digits) |
|---|---|
| A123456(7) | A 1 2 3 * * * (*) |
| AA123456(7) | AA123 * * * (*) |

Passport Number

| Full Number | |
|------------------------------|----------------|
| (including punctuation marks | Partial Number |
| and symbols) | |
| ABCD1234567 | ABCD12 |
| ABCD12345678 | ABCD12 |
| ABCD123456789 | ABCD123 |
| ABC-123-4 | ABC1 |
| #A1234567H(*) | A1234 |



Public Search Services Searches on Index of Directors

- Director-based Directors Index Search
 - Records of directors having the same full HKID numbers or passport numbers but with different formats of names kept on the Register will be grouped together for display in a consolidated manner with the same group number.
 - In the rare circumstances where different directors have identical full names and partial HKID numbers or passport numbers, extra digit(s) will be displayed for the partial identification numbers of the related group where appropriate.



Director-based Directors Index Search

Scenario (1) Identify persons with <u>same names</u> and <u>same partial HKID numbers</u> (i.e. alphabet(s) plus the first 3 digits)

Display of Search Result

For example : Searcher inputs partial HKID number **S012**,

System will group the matched records according to different criteria for searchers to identify records of different individuals more easily.

| | HKID Grouping Number | Name in English | Name in Chinese | Partial HKID No. | Partial Passport No. / China ID No. | Passport Issuing Country/Region | |
|---|----------------------------|-----------------|--------------------|------------------------|---|------------------------------------|---|
| ۲ | H1 | CHAN, TAI MAN | 陳大文 | S012**8 | - | - | 2 |
| ۲ | H2 | CHAN, TAI MAN | 陳大文 | S012**4 | - | - | 3 |
| ۲ | H3 | HO,SIU MING | 何小明 | S012*** | - | - | 2 |

- > The search result shows <u>3 different Group Numbers</u>, indicating that <u>3 different individuals holding 3 different full HKID numbers</u> are involved.
- > The persons shown in Group Number H1 and Group Number H2 are 2 different individuals with identical name but holding 2 different full HKID numbers.
- > The person shown in Group Number H3 is obviously different from the persons in Group Numbers H1 and H2.
- When a searcher clicks on the **()** button in the **first column**, the system will display **a list of relevant companies** of which the person is a current director and the number of companies involved is reflected in the last column of the corresponding row.
- The person shown in Group Number H1 holds directorship in 2 companies. The person shown in Group Number H2 holds directorship in 3 companies. The person shown in Group Number H3 holds directorship in 2 companies.

Director-based Directors Index Search

Scenario (2) Identify persons with different name formats but same partial HKID numbers (i.e. alphabet(s) plus the first 3 digits)

Display of Search Result

For example : Searcher inputs partial HKID number **S987**,

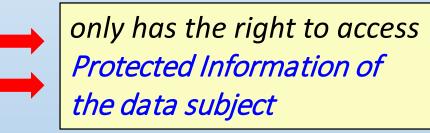
System will group the matched records according to different criteria for searchers to identify records of different individuals more easily.

| | HKID Grouping Number | Name in English | Name in Chinese | Partial HKID No. | Partial Passport No. / China ID No. | Passport Issuing Country/Region | |
|---|----------------------------|-------------------|--------------------|------------------------|---|------------------------------------|---|
| ۲ | H1 | LEE, HO WANG | 李好運 | \$987*8* | - | - | 2 |
| ۲ | H1 | LEE, HO WANG JOHN | 李好運 | \$987*8* | - | - | 1 |
| ۲ | H2 | LEE, HO WANG | 李好運 | S987*4* | - | - | 4 |

- > The search result shows 2 different Group Numbers, indicating that 2 different individuals holding 2 different full HKID numbers are involved.
- Although 2 different name formats are shown for records with Group Number H1, they are in fact referring to the same individual with same full HKID number and have therefore been assigned with the same Group Number.
- > The person shown in Group Number H2 is holding a different full HKID number from the person in Group Number H1 and they are two different individuals.
- When a searcher clicks on the **()** button in the **first column**, the system will display a **list of relevant companies** of which the person is a current director and the number of companies involved is reflected in the last column of the corresponding row.
- > The person shown in Group Number H1 holds directorship in <u>3 companies</u>. The person shown in Group Number H2 holds directorship in <u>4 companies</u>.

Applications for Disclosure of Protected Information Who can apply? (1)

- Section 12(1) of the Companies (Residential Addresses and Identification Numbers) Regulation (Cap. 622N) ("Regulation") provides for a list of "specified persons" to whom Protected Information could be disclosed by the Registrar on application under section 58(3) of the Companies Ordinance (Cap. 622).
- Specified persons are:
 - (a) a data subject
 - (b) a person who is authorized in writing by a data subject to obtain the information
 - (c) a member of the company



only has the right to access
 Protected Information of the company



Applications for Disclosure of Protected Information Who can apply? (2)

- Specified persons are: (Cont'd)
 - (d) a liquidator
 - (e) a trustee in bankruptcy
 - (f) a public officer or public body
 - (g) a scheduled person
 - > an inspector (s.838(1) of Cap. 622)
 - a recognized clearing house
 - > a recognized exchange controller

- > an inspector (s.95(1) of Cap. 29)
- ➤ a recognized exchange company
- a recognized investor compensation company
- > a person directed or appointed to investigate (s.11(1) of Cap. 615)



Applications for Disclosure of Protected Information Who can apply? (3)

- Specified persons are: (Cont'd)
 - (h) a solicitor or foreign lawyer
 - (i) a certified public accountant (practising)
 - (j) a financial institution or DNFBP
 - Financial \succ an authorized institution
 - institution: \succ an authorized insurer
 - ➤ a licensed insurance agency
 - > a licensed money service operator
 - ➤ an SVF licensee
 - DNFBP: > an accounting professional
 - > a legal professional

- ➤ a licensed corporation
- ➤ a licensed individual insurance agent
- ➤ a licensed insurance broker company
- the Postmaster General
- ➤ an estate agent
- > a TCSP licensee

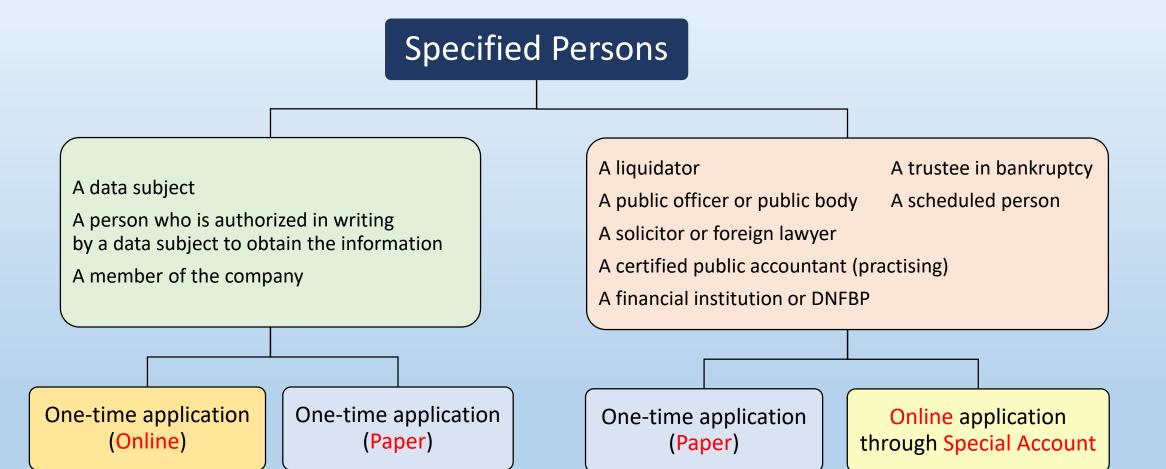


Applications for Disclosure of Protected Information Who can apply? (4)

- For more information on the meaning of specified persons, please refer to the Regulation.
- Persons specified by section 12(1) of the Regulation (other than the data subject, person authorized by a data subject and member of the company) may have the need to obtain the Protected Information in relation to statutory procedures, law enforcement, and customer due diligence of financial and business transactions (e.g. for Anti-Money Laundering and Counter-Financing of Terrorism purposes).
- Such persons are required by section 12 of the Regulation to make a statement to confirm that the Protected Information is required for the performance of their functions and would only be used for the performance of their functions.



Applications for Disclosure of Protected Information How to apply? (1)





Applications for Disclosure of Protected Information How to apply? (2)

Specified persons can apply for disclosure of Protected Information through the following means:

(a) One-time application (online or in paper)

≻Online

- By a data subject, a person who is authorized in writing by a data subject to obtain the information, or a member of the company
- -through Cyber Search Centre (www.icris.cr.gov.hk) or Company Search Mobile Service (www.mobile-cr.gov.hk)

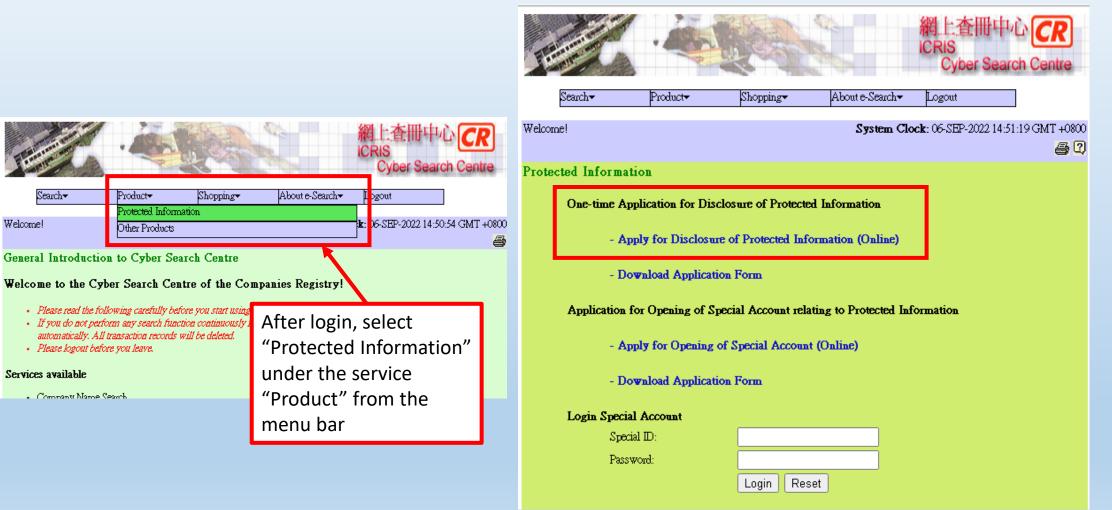


Applications for Disclosure of Protected Information How to apply? (3)



公 司 註 冊 處 COMPANIES REGISTRY

Applications for Disclosure of Protected Information How to apply? (4)





Search

Services available

Welcome!

Product+

Please read the following carefully before you start usin

 If you do not perform any search function continuously automatically. All transaction records will be deleted.

General Introduction to Cyber Search Centre

Please logout before you leave.

Commany Name Search

rotected Information

Other Products

Shopping

Applications for Disclosure of Protected Information How to apply? (5)

- (a) One-time application (online or in paper)
 - ➢ Paper application
 - By all types of specified persons
 - Specified forms to be used:
 - Form PS1 Application for Disclosure of Protected Information

(By data subject / person authorized in writing by a data subject to obtain the information / member of the company)

- Form PS2 Application for Disclosure of Protected Information (By liquidator / trustee in bankruptcy / public officer or public body / scheduled person)
- Form PS3 Application for Disclosure of Protected Information (By solicitor or foreign lawyer / certified public accountant (practising) / financial institution or DNFBP)



Applications for Disclosure of Protected Information How to apply? (6)

- (b) Through a Special Account
 - Online only
 - Only the following designated types of specified persons being a natural person can apply for disclosure of Protected Information through a Special Account:
 - a liquidator
 - a trustee in bankruptcy
 - a public officer or public body
 - a scheduled person
 - a solicitor or foreign lawyer
 - a certified public accountant (practising)
 - a financial institution or DNFBP
 - If the designated specified person is not a natural person, application can be made by its authorised representative through the authorised representative's Special Account



Applications for Disclosure of Protected Information How to apply? (7)





Applications for Disclosure of Protected Information How to apply? (8)





Applications for Disclosure of Protected Information How to apply? (9)

• Applicant has to indicate the scope of Protected Information required in the application, i.e.

Latest Protected Information of a data subject in a company

AND/OR

Protected Information of a data subject reported in a registered document



Applications for Disclosure of Protected Information What is a Special Account?

 Special account is an account specifically opened by the Companies Registry for designated types of specified person for making applications for disclosure of Protected Information to facilitate timely access to Protected Information for the performance of their duties.

> Registered Online User / Unregistered Online User

- Searcher can continue to conduct company searches after the implementation of Phase 2.
- Protected Information will NOT be available for inspection.

Special Account User

 Natural person Special Account User can apply for Protected Information online.

Applications for Disclosure of Protected Information How to use a Special Account? (1)

- Special account holder who is a natural person
 - can apply for Protected Information online through his/her Special Account if the holder is a designated specified person
 - can apply for Protected Information online through his/her Special Account on behalf of a designated specified person if the holder is an authorised representative of the designated specified person

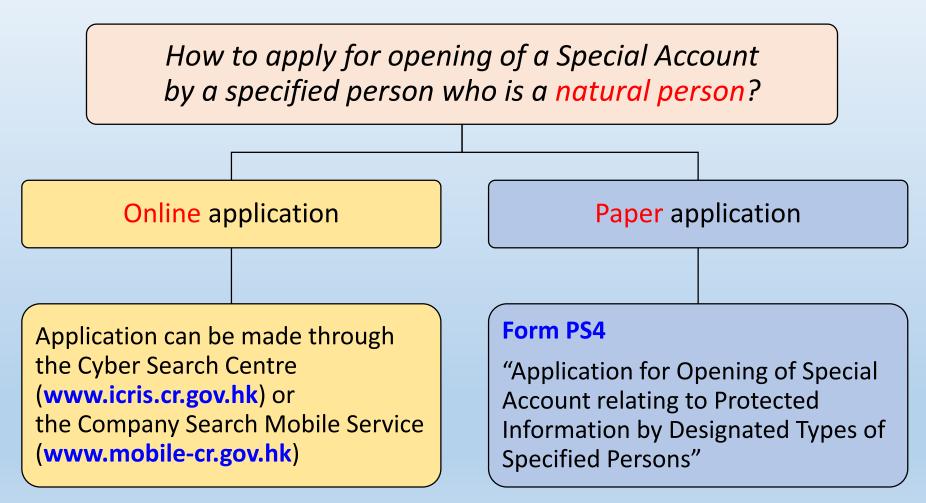


Applications for Disclosure of Protected Information How to use a Special Account? (2)

- Special account holder which is **not** a natural person
 - cannot apply for Protected Information through its Special Account
 - has to apply for another Special Account for its authorised representative to apply for disclosure of Protected Information on its behalf
 - can only use its Special Account to manage the Special Accounts of its authorised representatives, such as :
 - to submit application of opening of Special Account of its newly appointed authorised representative;
 - > to terminate the Special Account of its authorised representative.



Applications for Disclosure of Protected Information How to apply for a Special Account? (1)



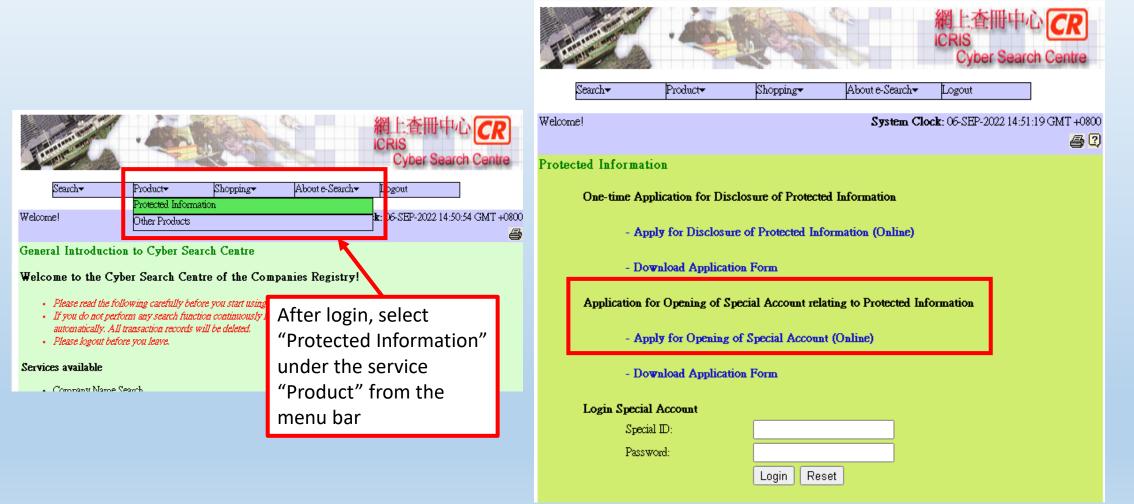


Applications for Disclosure of Protected Information How to apply for a Special Account? (2)



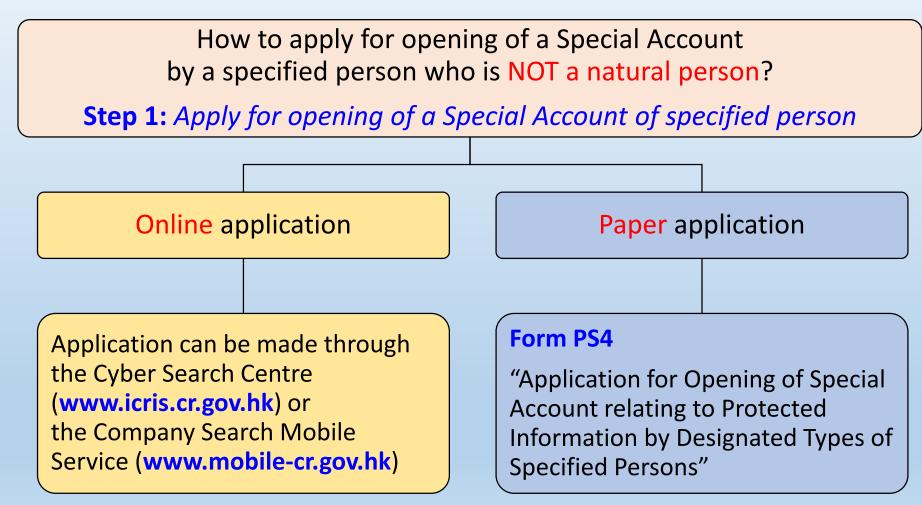
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Applications for Disclosure of Protected Information How to apply for a Special Account? (3)



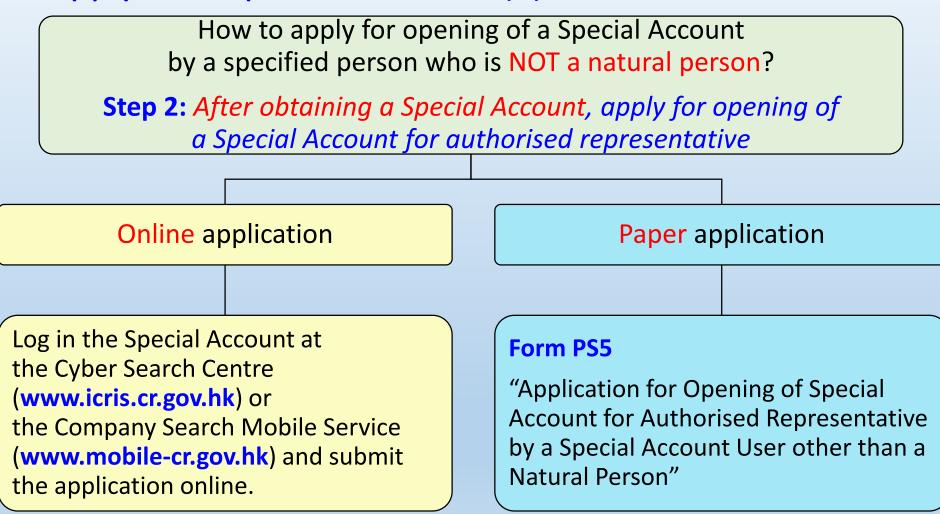


Applications for Disclosure of Protected Information How to apply for a Special Account? (4)





Applications for Disclosure of Protected Information How to apply for a Special Account? (5)





Applications for Disclosure of Protected Information How to apply for a Special Account? (6)



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Applications for Disclosure of Protected Information How to apply for a Special Account? (7)

| Step 1 | Search Product Product Product Product Shopping About e-Search Logout |
|---|---|
| Standar Product Shopping* About e-Search peout Velcorne! Product* Shopping* About e-Search peout Velcorne! Product* Shopping* About e-Search peout Other Products Product* Search peout Other Products Product* Product* Search peout Other Products Product* Product* Search Peout Other Products Product* Product* Product* Product* Other Products Product* Product* Product* Product* Product* Other Products Product* Produc | Welcome! System Clock: 06-SEP-2022 14:51:19 GMT +0800 Protected Information One-time Application for Disclosure of Protected Information Apply for Disclosure of Protected Information (Online) Download Application Form Application for Opening of Special Account relating to Protected Information Apply for Opening of Special Account (Online) Download Application Form |
| menu bar | Login Special Account Special ID: Image: Comparison of the sector o |



Applications for Disclosure of Protected Information How to apply for a Special Account? (8)

| Search v Produ | ict v Shopping v | About e-Search ▼ | Logout |
|---------------------------|--|-----------------------------|----------------------------|
| Welcome! | | System Clo | c k : 06-SEP-2022 1 |
| Protected Information | | | |
| One-time Application | for Disclosure of Protec | ted Information | |
| - Apply for l | Disclosure of Protected L | nformation (Online) | |
| - Download | Application Form | Log in the S | pecial Acc |
| Application for Open | ing of Special Account re | elating to Protected Info | orn ation |
| - Apply for (| Opening of Special Accor | ınt (Online) | |
| - Download | Application Form | | |
| Login Special Account | at | | |
| Special ID: | | | |



S

Applications for Disclosure of Protected Information How to apply for a Special Account? (9)



Applications for Disclosure of Protected Information What supporting documents are required? (1)

Applicable to the

- one-time application for Protected Information
- application for opening of Special Accounts by designated specified persons
- application for opening of Special Account for authorised representative by a Special Account user other than a natural person



Applications for Disclosure of Protected Information What supporting documents are required? (2)

For one-time application for disclosure of Protected Information

- a. Identification document of the applicant, and in case the applicant is not a natural person together with the identification documents of its authorized representative who is a natural person;
- b. Documents evidencing the capacity of the applicant as one of the types of the specified persons; and
- c. Authorisation documents (if applicable).
 - If the applicant is a natural person who is authorized by a data subject to make an application on his/her behalf, an authorization letter by the data subject
 - If the applicant is not a natural person, an authorization letter by the applicant to authorise the natural person representative named in the application to apply for Protected Information on its behalf



Applications for Disclosure of Protected Information What supporting documents are required? (3)

For application for opening of Special Accounts by designated specified persons

- a. Identification document of the applicant;
- b. Documents evidencing the capacity of the applicant as one of the types of the specified persons; and
- c. Authorisation letter issued by the applicant in case the applicant is not a natural person to authorise the natural person named in the application to make the application.



Applications for Disclosure of Protected Information What supporting documents are required? (4)

For application for opening of authorised representative's Special Account

- a. Identification document of the authorised representative; and
- Authorisation letter issued by the applicant to authorise the natural person authorized representative to apply for Protected Information on its behalf in future.



Applications for Disclosure of Protected Information What supporting documents are required? (5)

The type of identification document required:

For applicant being a natural person or for authorized representative:

- His/her Hong Kong Identity Card; or
- His/her passport; or
- His/her identity card issued by a government authority outside Hong Kong

For applicant other than a natural person:

- For a body corporate: its certificate of incorporation or its equivalent
- For a partnership or a sole proprietorship: its business registration certificate or its equivalent
- **Together with** the identification documents of its authorised representative who is a natural person



Applications for Disclosure of Protected Information What supporting documents are required? (6)

Mode of Submission of Supporting Documents

- Certified true copy of the supporting documents submitted with the application
- Present the original supporting documents in person for checking at:
 - **Public Search Centre**
 - **Companies Registry**
 - 13th floor, Queensway Government Offices, 66 Queensway, Hong Kong



Applications for Disclosure of Protected Information What supporting documents are required? (7)

Supporting documents not submitted in original should be certified as true copy by:

- (a) a notary public practising in Hong Kong;
- (b) a solicitor practising in Hong Kong;
- (c) a certified public accountant (practising);
- (d) an officer of the court in Hong Kong who is authorised by law to certify documents for any judicial or other legal purpose;
- (e) a professional company secretary practising in Hong Kong;
- (f) a consular officer of Applicant's home country, in case the applicant is a non-Hong Kong resident or entity not registered in Hong Kong; or
- (g) the authority or body which issues the document.

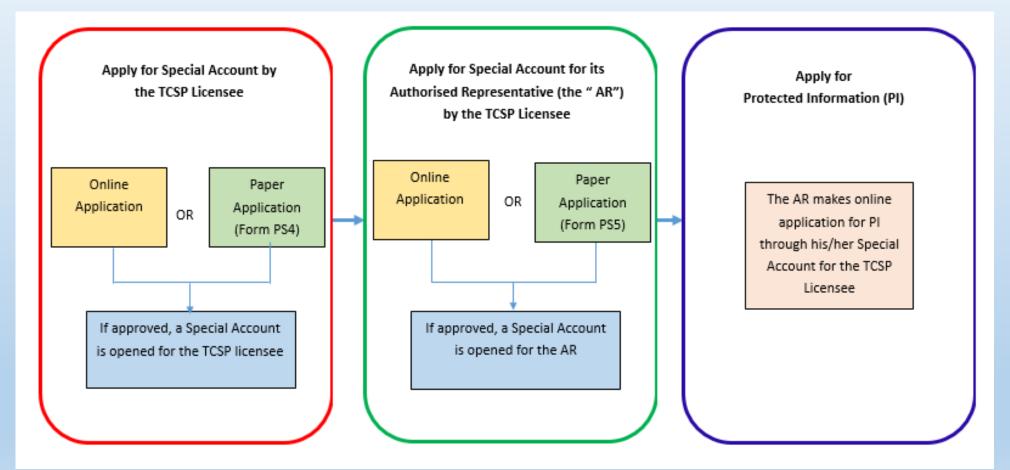


Applications for Disclosure of Protected Information An example

A TCSP licensee which is a limited company intends to apply for disclosure of Protected Information through a Special Account in future to perform its functions conferred or imposed on it as a DNFBP under the Anti-Money Laundering and Counter-Terrorist Financing Ordinance



Applications for Disclosure of Protected Information An example (Cont'd)





Applications for Disclosure of Protected Information How much to pay?

• A fee of \$10 for obtaining Protected Information of each data subject is payable by the following types of specified persons:

➤a solicitor or foreign lawyer

➤a certified public accountant (practising)

➤a financial institution or DNFBP

(section 10(c)(iii) of the Regulation)

• A deposit account is also opened upon the opening of Special Account for the specified person which is-

➢Not a natural person; and

Required to pay fee for obtaining Protected Information

to facilitate the authorised representative to deduct the fees for obtaining Protected Information through the authorised representative's Special Account.



Applications for Disclosure of Protected Information What can be obtained? (1)

- If an application is approved, a Protected Information Report on the selected data subject will be provided to the applicant.
- The Report
 - will be sent to the Applicant by email (for one-time application); or
 - provided in a designated area in Cyber Search Centre for downloading by the Applicant (for application through Special Account)



Applications for Disclosure of Protected Information

What can be obtained? (2)

| | 私人及機密 Private and Confidential | | |
|---|--|---|--|
| Latest Protected Information of a data subject in a | 訂單編號 Order No.: PS00000654321 受保護資料報告 Protected Information Report | | |
| | 申請人的詳情 Particulars of Applicant | | |
| company | 申請人的姓名/名稱 Name of Applicant: | 陳大文 CHAN TAI MAN | |
| | 指明人士的類別 Type of Specified Person: | 律師 Solicitor | |
| | 專屬帳戶號碼(如適用) | S0009999 | |
| | Special Account Number (if applicable) : | | |
| | 資料當事人的詳情 Particulars of Data Subject | | |
| | 資料當事人的姓名 Name of Data Subject: | 高鼓植 KO GOO JIK JACKIE | |
| | 資料當事人所屬公司的名稱 | 大展鴻圖有限公司 | |
| | Name of Data Subject's Company : | GREAT RICH SUCCESS LIMITED | |
| | 資料當事人所屬公司的編號 | 99999999 | |
| | Number of Data Subject's Company : | | |
| | 資料當事人於所屬公司的身分 | 董事/候補董事 | |
| | Capacity of Data Subject in the Company : | Director / Alternate Director | |
| | 最新受保護資料 Latest Protected Information | | |
| | 完整香港身分證號碼 | AB888888(8) | |
| | Full Hong Kong Identity Card Number : | 7000000 | |
| | 完整護照號碼 Full Passport Number: | P9999999 (演門 MACAU) | |
| | 通常住址: | 「次口 MACAU」 FLAT D, 21/F, MOON TING MANSION, 909 TAI PO | |
| | Usual Residential Address : | ROAD, SHATIN, NEW TERRITORIES, HONG KONG | |
| | | terre, children i that of the forther forther | |

註 Note:

請參看隨附的注意事項並遵從有關的規定。

Please read the attached Points to Note and comply with the requirements.



公司註冊處 Companies Registry

CR

私人及機密 Private and Confidential

訂單編號 Order No.: PS000000123456

受保護資料報告

Protected Information Report

| 申請人的詳情 Particulars of Applicant | | - | |
|---|--|--------------------|--|
| 申請人的姓名/ 名稱 Name of Applicant: | 陳大文 | lnfo | |
| | CHAN TAI MAN | _ | |
| 指明人士的類別 Type of Specified Person: | 律師 | data | |
| where the state and the best of the state state is a | Solicitor | | |
| 専屬根戶號碼(如適用) | S0009999 | 10000 | |
| Special Account Number (if applicable): 資料當事人的詳情 Particulars of Data Subject | | 🗕 repo | |
| 資料當事人的姓名 Name of Data Subject: | 高鼓棺 | - · . | |
| 資料畫事入出來已 Name of Data Subject | KO GOO JIK JACKIE | _ regi | |
| 資料當事人所屬公司的名稱 | 大展鴻圖有限公司 | | |
| Name of Data Subject's Company : | GREAT RICH SUCCESS LIMITED | – doci | |
| 資料當事人所屬公司的編號 | 9999999 | | |
| Number of Data Subject's Company : | | | |
| 資料當事人於所屬公司的身分 | 董事/候補董事 | | |
| Capacity of Data Subject in the Company : | Director / Alternate Director | | |
| 載於以下指定文件内的受保護資料 Protected] | Information Reported in the following Specific Docum | ent | |
| 文件名稱 Name of Document: | (英)表格ND2A - 更改公司秘書及董事通知書(委任/停任) | | |
| | (E)FND2A - Notice of Change of Company Sect | etary and Director | |
| | (Appointment/ Cessation) | | |
| 文件參考編號 Document Reference Number: | 20000088888 | | |
| 存檔日期 (日/月/年) | 24/10/2022 | | |
| Filing Date (DD / MM / YYYY) : | | | |
| 完整香港身分證號碼 | AB888888(8) | | |
| Full Hong Kong Identity Card Number : | | | |
| 完整護照號碼 Full Passport Number: | P8888888 | | |
| WEAK ALL FILL | (演門 MACAU) | | |
| 通常住址: | FLAT A, 18/F, FORTUNE MANSION, 1 CHEUNG SHA WAN | | |
| Usual Residential Address : | ROAD, KOWLOON, HONG KONG | | |

註 Note:

 本報告載列指定文件內有關資料當事人的受保護資料,該等受保護資料其後因其他文件而作出的任何更改 或修訂並不包括在內。

This report contains the protected information of the data subject reported in the specific document. Any subsequent changes or amendment to the said protected information as reported in other documents are not included.

2. 請參看隨附的注意事項並遵從有關的規定。

Please read the attached Points to Note and comply with the requirements.

Protected Information of a data subject reported in a registered document

Please visit

Thematic section on "New Inspection Regime" on the Companies Registry's website

(www.cr.gov.hk/en/legislation/nir/overview.htm)

where you can obtain:

- Information Pamphlets
 - How to Obtain Protected Information
 - > How to Apply for Opening of Special Account for Disclosure of Protected Information
 - Additional Documents for the Application for Disclosure of Protected Information
- Frequently Asked Questions on Company Search in Phase 2
- External Circular No. 5/2022 Implementation of Phase 2 of New Inspection Regime Major Changes in Public Search Services



Thank You!

