



公 司 註 冊 處
COMPANIES REGISTRY

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Companies Registry External Circular No. 3 / 2021

Companies Ordinance (Cap. 622) Translation and Certification of Documents

This circular seeks to update the reference to a professional company secretary owing to the change of name of The Hong Kong Institute of Chartered Secretaries to The Hong Kong Chartered Governance Institute.

Background

2. Sections 4 and 775 of the Companies Ordinance (Cap. 622) (“CO”) set out respectively the requirements for translating documents for the purposes of the CO and for certifying documents for the purposes of Part 16 of the CO. Persons who can certify the competence of a translator and certify documents include notaries public, practising lawyers, professional accountants and professional company secretaries. This circular seeks to clarify the definition of “professional accountants” and “professional company secretaries” referred to in the two provisions.

Professional Accountants

3. An accountant in Hong Kong who certifies the competence of a person making a translation of documents and who certifies documents as referred to in sections 4(3)(c) and 775(2)(b)(iii) respectively of the CO must be a certified public accountant (practising) within the meaning of section 2 of the Professional Accountants Ordinance (Cap. 50). In other words, he must be a member of the Hong Kong Institute of Certified Public Accountants (“HKICPA”) holding a practising certificate. The reference to “a professional accountant practising in the place” contained in section 4(5)(c) of the CO and the reference to “a professional accountant practising in that place” contained in section 775(2)(a)(iv) of the CO mean a professional accountant who is a member of a recognized accounting body in the relevant jurisdiction, holding a practising certificate issued by a competent authority in that jurisdiction.

4. Any enquiries regarding the qualifications of certified public accountant (practising) should be made to the HKICPA at (852) 2287 7228 or by email to hkicpa@hkicpa.org.hk.

Professional Company Secretaries

5. The reference to “a professional company secretary practising in Hong Kong” as referred to in sections 4(3)(e) and 775(2)(b)(vi) of the CO means a member of The Hong Kong Chartered Governance Institute (“HKCGI”) (formerly known as The Hong Kong Institute of Chartered Secretaries (“HKICS”)) holding the professional designations of FCG* / FCS* / HKFCG* or ACG* / ACS* / HKACG*, and optionally in combination with the professional qualifications of CS* / CGP*.

6. The reference to “a professional company secretary practising in the place” contained in section 4(5)(f) of the CO and the reference to “a professional company secretary practising in that place” in section 775(2)(a)(vi) of the CO mean a member of The Chartered Governance Institute (“CGI”) holding the professional designations of either FCG* or ACG*, and optionally in combination with the professional qualifications of CS* / CGP*.

7. Any enquiries on the qualifications of professional company secretaries should be made to the Membership Section of the HKCGI at (852) 2881 6177 or by email to member@hkcgi.org.hk.

8. This circular supersedes the Companies Registry External Circular No. 3/2020 issued on 28 August 2020.

9. Enquiries concerning this circular may be directed to Miss Karen Chan, Assistant Registry Manager (New Companies)1, at (852) 2867 4790.

Ms Kitty TSUI
Registrar of Companies

- * FCG : Fellow of CGI
- FCS : Fellow of HKCGI (can be used up to 31 January 2022)
- HKFCG : Fellow of HKCGI (effective as from 1 January 2022)
- ACG : Associate of CGI
- ACS : Associate of HKCGI (can be used up to 31 January 2022)
- HKACG : Associate of HKCGI (effective as from 1 January 2022)
- CS : Chartered Secretary
- CGP : Chartered Governance Professional