

VII. Contribution of the Companies Registry to the incorporation process and company registration

Contribution of the Companies Registry to the incorporation process

The Companies Registry has striven to provide its customers with efficient, cost-effective and quality services and facilities to incorporate companies.

As mentioned above, the Companies Registry has continued to enhance, develop and upgrade the service for company incorporation. The time needed for incorporating a company in Hong Kong has been greatly reduced as a result of the Companies Registry's continuous efforts in reviewing internal procedures and making the best use of modern technology. The Companies Registry has also pushed through relevant legislative amendments which

streamlined the incorporation requirements, e.g. the introduction of bilingual specified forms.

In addition, the Companies Registry has cooperated with other government departments to shape the types and quality of service to be delivered. For example, from 1 December 2008, a one-stop service for company incorporation and business registration has been provided with the concerted effort of the Companies Registry and the Inland Revenue Department. A person incorporating a company in Hong Kong, after obtaining the company's certificate of incorporation at the Companies Registry, can immediately submit an application for business

Further improvements to company registration system

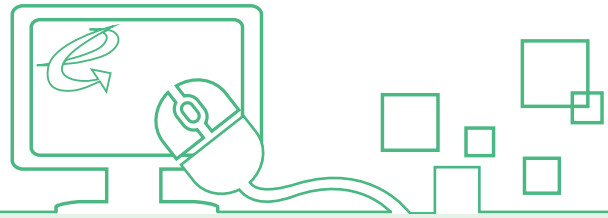
To improve the efficiency of company incorporation, the Companies Registry formally launched the e-Incorporation Service on 18 March 2011. With the introduction of this new service, registered users of the 24-hour internet portal, the "e-Registry", can complete the one-stop company incorporation and business registration procedures online within an hour. With the launch of this system, company incorporation is more convenient and faster, and this strengthens the competitiveness of Hong Kong in the global business world.

In the World Bank's Doing Business 2013 Report, Hong Kong ranked sixth on "Starting a Business" internationally and this has contributed to Hong Kong's overall ranking as the second best in the world on ease of doing business. Hong Kong's ranking in this indicator also reflects the World Bank's recognition of the Companies Registry's on-

going efforts to expedite the process of company incorporation.

In February 2012, the Registry has extended its e-Filing services to include the submission of the more commonly filed specified forms for reporting changes of company information (including changes of registered office address, directors/company secretaries and their particulars and share capital) at the e-Registry. The electronic service for submission of annual returns for local private companies and the Annual Return e-Reminder Service have been available since August 2012.

Following the passage of the Companies Bill on 12 July 2012, an updated and modernised Companies Ordinance will come into operation upon the enactment of all subsidiary legislation, tentatively scheduled for the first quarter of 2014. The new



registration at the Receipt and Despatch Centre of the Business Registration Office set up on the Registry's premises. The related business registration certificate can be collected on the next working day, or the applicant can opt to receive it by post. Without a doubt, such collaboration greatly facilitates the process of starting a business in Hong Kong.

A one-stop company and business registration service has been available since 21 February 2011 upon the implementation of the relevant provisions of the Companies (Amendment) Ordinance 2010 and the Business Registration (Amendment) Ordinance 2010. Under the one-stop service, any person who

applies for incorporation of a local company or registration of a non-Hong Kong company under the Companies Ordinance will be deemed to have made a simultaneous application for business registration. Upon approval of an application for company incorporation or registration, the Registrar will issue a Certificate of Incorporation/Registration and a Business Registration Certificate simultaneously.



Companies Ordinance will facilitate the conduct of business and enhance Hong Kong's competitiveness and attractiveness as a major international business and financial centre. The implementation of the new Companies Ordinance will entail a number of new roles and functions for the Companies Registry. These will include, for example, a new regime for compounding certain specified offences, rather than prosecuting such breaches, and a new system to enhance transparency in the registration of charges. The Registrar of Companies will also have wider regulatory powers to safeguard the register's integrity. In addition, new filing requirements will involve, for example, the submission of a statement of capital every time a company's capital structure is changed, and notices of the redenomination of share capital.

The Companies Registry aims to make the transition to the new regime as smooth as possible. The new

Companies Ordinance contains detailed transitional provisions to ensure that this is the case. Where there are major changes - for example, the abolition of par value for shares and the abolition of the memorandum of association - the new legislation has detailed deeming provisions to ensure that existing companies can make the transition to the new regime without difficulty.

In readiness for the new regime, the Companies Registry is overhauling its information systems and reviewing its policies, forms and operational procedures. It will embark upon a comprehensive publicity campaign and educational programme in 2013-14 to ensure that the business community is aware of the changes that will result from the implementation of the new Companies Ordinance.