

[Home](#) ▶ [News & announcements](#) ▶ [News](#) ▶ [Enforcement news](#)

SFC Suspends Chan Kin Pong Kimball for Aiding and Abetting Unlicensed Activities

5 Sep 2006

The SFC has suspended Mr Chan Kin Pong Kimball, a licensed representative of Ho Fung Shares Investment Limited, for six weeks from 5 September 2006 to 16 October 2006 for aiding and abetting unlicensed activities. The suspension is the result of a settlement between Chan and the SFC (Note 1).

The suspension follows an SFC inquiry in which Chan was found to have aided and abetted Mr Ng Yuk Chan Michael, who was not licensed by the SFC, to set up a website and publish advice on trading in Hang Seng Index futures contracts in the paid section of the website. Chan acted as a channel of communication for the website's technical and administrative matters, and an intermediary for the transfer of funds relating to the website between Ng and other parties. Ng was convicted of unlicensed investment advising in July 2005 (Note 2).

The SFC concludes that Chan has been guilty of misconduct and that his fitness and properness has been called into question.

The SFC considers the settlement to be in the interest of the investing public and in the public interest. In considering the penalty, the SFC has taken into account all the circumstances of the case, including the following:

- Chan frankly admitted his wrongdoing during the investigation;
- Chan was remorseful and fully co-operated in settling the disciplinary action;
- Chan received no benefit from assisting Ng's unlicensed activities; and
- Chan had a clean disciplinary record.

Mr Eugène Goyne, an SFC Senior Director of Enforcement, said: "The licensing system is fundamental to the regulatory regime. Investors are entitled to be served by licensed representatives. The SFC will take regulatory action against those who engage in unlicensed activities and anyone aiding and abetting them."

Ends

Notes:

1. Chan is licensed under the Securities and Futures Ordinance to carry on Type 1 (dealing in securities) regulated activity. He is a licensed representative accredited to Ho Fung Shares Investment Limited.
2. Please see [SFC press release dated 7 July 2005](#).

Page last updated : 1 Aug 2012

[主頁](#) ▶ [新聞稿及公布](#) ▶ [新聞稿](#) ▶ [執法消息](#)

證監會暫時吊銷陳健邦的牌照 指其協助進行無牌活動

2006年9月5日

證監會暫時吊銷浩豐證券投資有限公司持牌代表陳健邦(男)的牌照，為期六個星期，由2006年9月5日起至2006年10月16日止，原因是他協助他人進行無牌活動。暫時吊銷牌照是證監會與陳達成和解的結果(註1)。

該項暫時吊銷牌照行動源於證監會所進行的一項查訊，當中發現陳曾協助從未獲證監會發牌的吳育贊(男)設立一個網站，並在該網站的收費區內登載有關買賣恒生指數期貨合約的意見。陳就該網站的技術及行政事宜充當溝通渠道，並就與該網站有關的資金轉移在吳與其他人士之間擔任中介人。吳在2005年7月被裁定無牌提供投資意見罪名成立(註2)。

證監會經仔細研究後認為陳犯有失當行為，而其適當人選資格亦受到質疑。

證監會認為是次和解符合投資大眾的利益及公眾利益。證監會在釐定罰則時，已考慮這宗個案的所有情況，當中包括以下各項：

- 陳在調查期間坦白承認過失；
- 陳感到懊悔，並在以和解方式解決有關紀律處分行動一事上充分合作；
- 陳並無因協助吳進行無牌活動而取得任何利益；及
- 陳並無遭受紀律處分的紀錄。

證監會法規執行部一名高級總監江宇行先生(Mr Eugène Goyne)表示：“發牌制度是監管制度的關鍵所在。投資者有權享有由持牌代表提供的服務。證監會將會對從事無牌活動及協助他人從事無牌活動的人士採取規管行動。”

完

備註：

1. 陳根據《證券及期貨條例》獲發牌進行第1類(證券交易)受規管活動。他是隸屬於浩豐證券投資有限公司的持牌代表。
2. 請參閱證監會於2005年7月7日發出的新聞稿。

最後更新日期：2012年8月1日