

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

Suspended Jail Term and Fine for Unlicensed Securities Advice Business

24 Apr 2008

A man was convicted of placing a series of advertisements in newspapers promoting unlicensed securities advice business and for conducting that business without an SFC licence.

Mr Cheng Chun Lung Mondy pleaded guilty to 19 charges before Principal Magistrate, Mr Garry Tallentire, in the Eastern Magistracy today.

Cheng received a jail term of four months suspended for two years and a fine of \$10,000 on one count of conducting a securities advice business without a licence. He was also fined a total of \$36,000 in respect of 18 separate offences of issuing advertisements promoting an unlicensed securities advice business. The Court also ordered Cheng to pay total investigation costs of \$7,192 to the SFC.

The SFC prosecuted Cheng after an investigation which found that Cheng placed a total of 18 advertisements in three newspapers -- Apple Daily, Oriental Daily News, and The Sun --between August and November 2007, offering to provide advice on the buying and selling of specified stocks for a fee.

The advertisements, many with bold headings promising "sure wins", invited investors to pay \$5,000 per month, or a trial fee of \$500 for two days, in return for tips on one or two 'must trade stocks' every day.

The SFC told the court that Cheng's advertisements were also misleading because they represented that:

- his advice provided investors with a "sure win";
- he could provide investors with a 90% chance of making intraday profits;
- he could predict the market trend;
- he could guarantee profits in the long run;
- profits are guaranteed or investors can get their money back.

The SFC also found that Cheng had no expertise in advising clients about stock trading.

Mr Mark Steward, the SFC's Executive Director of Enforcement, said: "This was a cold-hearted, cynical rip-off and the SFC's quick action has nipped it in the bud. Investors should only deal with securities advisers licensed by the SFC and should be highly sceptical of promised risk free returns and guaranteed profits. If it sounds too good to be true then most likely it isn't."

Ends

Page last updated : 1 Aug 2012

主頁 ▶ 新聞稿及公布 ▶ 新聞稿 ▶ 執法消息

從事無牌證券投資顧問業務者罪成被判緩刑監禁及罰款

2008年4月24日

一名男子因在報章上刊登一連串廣告推銷無牌的證券顧問業務，並在未領有證監會牌照的情況下經營該等業務，被判罪名成立。

鄭振龍（男）今天在東區裁判法院向鄧立泰主任裁判官(Mr Garry Tallentire)承認19項控罪。

鄭就一項無牌而經營證券顧問業務的控罪被判處監禁四個月，緩刑兩年及罰款10,000元，及就另外18項刊登廣告推銷無牌的證券顧問業務的控罪被判處罰款合共36,000元。法院亦命令鄭須向證監會繳付調查費合共7,192元。

調查發現鄭於2007年8月至11月期間，在《蘋果日報》、《東方日報》及《太陽報》三份報章刊登合共18則廣告，表示可提供買賣特定股票的意見，並徵收服務費；證監會因此向他提出檢控。

該等廣告大多包含保證“必贏”的矚目標題，吸引投資者以每月5,000元的費用或兩天500元的試用價，換取每日一至兩隻“必殺股”的“貼士”。

證監會在向法院陳詞時指出，鄭的廣告亦具誤導性，原因是廣告內聲稱：

- 他會為投資者提供“必贏”的意見；
- 他能夠為投資者帶來90%的即日獲利機會；
- 他能夠預知大市走向；
- 他能夠保證長期賺錢；
- 保證贏錢，否則原銀奉還。

證監會亦發現鄭並無向客戶提供買賣股票意見的專業知識。

證監會法規執行部執行董事施衛民先生(Mr Mark Steward)表示：“本案中的該名男子存心公然斂財，幸得證監會採取迅速行動，使違規者無法得逞。投資者應只光顧已領有證監會牌照的證券顧問，若有人聲稱可以提供完全沒有風險的回報及保證獲得利潤，你便應提高警惕。這種完美得難以置信的承諾，往往都是不可信的。”

完

最後更新日期：2012年8月1日