

SFC Reprimands K.K.M. Securities Limited, Wong Mo Kit Bernard, Au Yeung Tung Yiu Eleanor and Wong Yun Ha

10 Aug 2000

The Securities and Futures Commission (SFC) announced today that it had publicly reprimanded K.K.M. Securities Limited (KKM), its dealing director, Mr Wong Mo Kit Bernard (Bernard Wong), and two of its dealer's representatives, Ms Au Yeung Tung Yiu Eleanor (Au Yeung) and Ms Wong Yun Ha (YH Wong), under the Securities Ordinance.

The action stemmed from an investigation in which it was found that a dealer's representative and a settlement clerk of KKM had extensively dealt with client assets without authorization in different periods between February 1996 and May 1998 causing losses to clients in excess of \$6 million. The registration of that dealer's representative has already been revoked as a result.

In the course of its investigation, the SFC also found that:

- there were no adequate supervision of the settlement clerk and proper segregation of duties in respect of settlement matters;
- the settlement clerk was able to perform both the dealing and settlement functions in respect of his unauthorized trading through clients' accounts;
- there was no proper control over the access to KKM's computer system which allowed unauthorized access to amend transaction records;
- there was no proper control over the keeping and issuing of trade documents such as contract notes; and
- account executives were allowed to handle settlement matters for their clients without proper authority.

The above deficiencies in KKM's internal controls and supervision had facilitated the misconduct of its staff. Bernard Wong, who was the dealing director responsible for managing the day-to-day operation of KKM, had the direct responsibility for the above matters. YH Wong, who was the account executive for some of the clients concerned, allowed the settlement clerk to perform the dealing function whilst unregistered. Au Yeung, who was the immediate supervisor of the settlement clerk, failed to properly supervise his activities. Accordingly the SFC concluded that the fitness and properness of KKM, Bernard Wong, Au Yeung and YH Wong as registered persons had been impugned.

In deciding upon this course of action, the SFC took into account that :

- KKM had commissioned an accountancy firm to conduct a comprehensive review of its internal control system;
- KKM had significantly improved its internal controls following the review; and
- KKM had compensated the clients who suffered financial losses as a result of the misconduct of its staff.

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證監會譴責新同得有限公司、王武傑、歐陽同堯及黃潤霞

2000年8月10日

證券及期貨事務監察委員會（證監會）今天公布，本會已根據《證券條例》公開譴責新同得有限公司（新同得）、其交易董事王武傑（王氏），以及其兩名交易商代表歐陽同堯（歐陽氏）及黃潤霞（黃氏）。

上述行動源自證監會的一項調查，當中發現新同得的一名交易商代表及一名交收員曾於1996年2月至1998年5月期間的不同時期內，在未獲客戶授權的情況下大量處理客戶的資產，導致有關客戶損失超過600萬元。該交易商代表的註冊已因此被撤銷。

證監會在調查期間亦發現：

- 該公司沒有對該交收員進行妥善的監督，同時亦無就交收事宜適當地劃分職責；
- 該交收員能夠就其在未獲授權的情況下透過客戶的帳戶而進行的買賣，同時執行交易及交收的職能；
- 新同得未有適當地監控其職員使用公司的電腦系統，導致有人得以在未獲授權的情況下進入該系統並更改交易紀錄；
- 該公司並無妥善地監控交易文件（如成交單據）的備存及印發；及
- 該公司容許客戶主任在未獲適當授權的情況下，為他們的客戶處理交收事宜。

新同得的上述內部監控及監督缺失利便其職員進行失當行為。王氏身為新同得的交易董事，負責公司的日常運作，因此須對上述事宜直接負責。黃氏身為部分受影響的客戶的客戶主任，曾容許該交收員在未獲註冊的情況下執行交易職能。歐陽氏雖然是該交收員的直屬上司，但卻未有妥善監督其活動。因此，證監會認為新同得、王氏、歐陽氏及黃氏的行為令人質疑他們是否適宜繼續獲得註冊。

證監會決定採取上述行動時已考慮到：

- 新同得已聘請會計師行全面檢討其內部監控制度；
- 繼檢討完成後，新同得已大大改善其內部監控制度；及
- 新同得已對因其職員的失當行為而蒙受金錢損失的客戶作出賠償。

最後更新日期：2012年8月1日