

## SFC Reprimands National Resources Securities Limited

6 Mar 1997

The Securities and Futures Commission ("SFC") announced today that it had reprimanded National Resources Securities Ltd ("National Resources") and two of its securities dealer's representatives, Mr Ho Chi Kwong ("Ho") and Mr Yu Kwok Pui ("Yu").

The SFC's action stemmed from an investigation covering a period from 12 September 1994 to 30 June 1995, in which the SFC found that National Resources had:

- condoned short selling conducted by clients and staff of National Resources and failed to implement adequate controls to prevent such short selling from occurring;
- failed to provide adequate supervision to ensure that staff of National Resources did not perform the function of dealer's representatives before they became registered under the Securities Ordinance; and
- failed to ensure that adequate controls and procedures were in place to monitor clients' and staff's trading with a view to preventing trading malpractices by staff of National Resources.

In the course of the SFC's investigation, Ho and Yu were both convicted of short selling contrary to subsections 80(1) and (2) of the Securities Ordinance. Ho had pleaded guilty at Western Magistracy on 20 August 1996 to one summons for short selling and Yu had pleaded guilty on 23 July 1996 to two summonses for short selling. Both Ho and Yu were reprimanded for their short selling activities.

In addition to short selling, Ho, who was found to have had a degree of supervisory responsibility at National Resources, was reprimanded for failing to properly discharge this responsibility in that he did not take sufficient action to discourage/prevent short selling by National Resources' clients and staff at the Mongkok office of National Resources or to prevent unregistered staff of National Resources from carrying out the functions of dealer's representatives at National Resources' Mongkok office.

Page last updated : 1 Aug 2012

## 證監會譴責中潤證券有限公司

1997年3月6日

證券及期貨事務監察委員會("證監會")今天公布,該會已譴責中潤證券有限公司("中潤")及其兩名證券交易商代表何志光("何氏")及余國培("余氏")。

證監會就1994年9月12日至1995年6月30日期間,中潤的證券買賣活動進行調查後,作出以上決定。調查發現中潤於該段期間曾:

- 容許中潤的客戶及職員沽空證券,及未能實施充分的監控措施,防止沽空活動發生;
- 未能提供足夠的監察,確保中潤的職員在根據《證券條例》註冊為交易商代表前,不會執行交易商代表的職能;及
- 未能確保該公司已設立足夠的監控措施及程序,監控客戶及職員的買賣活動,防止中潤職員以不當手法進行買賣活動。

證監會調查期間,何氏及余氏均被裁定曾進行違反《證券條例》第80(1)及(2)條的沽空活動。何氏已於1996年8月20日在西區裁判法院承認一項沽空的控罪,而余氏亦已於1996年7月23日承認兩項同類控罪。何氏及余氏均因為他們的沽空活動而遭譴責。

調查發現何氏於中潤亦承擔一定程度的監督責任。因此何氏亦遭證監會譴責未能適當地履行監督責任,即沒有採取足夠行動去勸阻或防止中潤旺角分行的客戶及職員沽空證券,或防止未經註冊的中潤職員在中潤旺角分行執行交易商代表的職能。

最後更新日期:2012年8月1日