

SFC Prosecutes Chu Poy Ying, Chan Man Tin Michael, Ping On Securities Limited, Leung Chiu Bun, Chang Shun Yu and Ho Yin Shan

9 Jul 1998

On 24 June 1998, the SFC successfully prosecuted Mr Chu Poy Ying (Chu), Mr Chan Man Tin, Michael (Chan) and Ping On Securities Limited (Ping On) for aiding and abetting three employees of Ping On for unregistered dealing during the period 1 December 1996 to 31 March 1997 (the relevant period). The SFC also successfully prosecuted Mr Leung Chiu Bun, Ms Chang Shun Yu and Ms Ho Yin Shan for short selling of securities on the Stock Exchange of Hong Kong Limited during the relevant period.

Chu and Chan, both dealing directors of Ping On, and Ping On each pleaded guilty before Mr P C White at Western Magistracy to three summonses in relation to aiding and abetting three employees of Ping On who were not registered with the Commission, to perform the functions of a dealer's representative. They were each fined \$3,000 and ordered to pay costs totalling \$30,000 to the SFC.

Leung, a dealer's representative of Ping On, and Chang and Ho, both clients of Ping On, each pleaded guilty before Mr P C White at Western Magistracy to two summonses of short selling of securities in contravention of section 80 of the Securities Ordinance which prohibits the sale of securities when the seller does not have a presently exercisable and unconditional right to sell. Leung was ordered to serve 80 hours of community service and ordered to pay costs of \$5,000 to the SFC. Chang was fined \$2,000 and ordered to pay costs of \$2,000 to the SFC. Mr P C White took into account Ho's old age and previous good record and discharged her unconditionally.

Page last updated : 1 Aug 2012

證監會檢控朱培英、陳聞天、平安股票有限公司、梁朝斌、張淳宇及何燕珊

1998年7月9日

在 1998 年 6 月 24 日，證監會成功檢控朱培英（朱氏）、陳聞天（陳氏）及平安股票有限公司（平安），指其在 1996 年 12 月 1 日至 1997 年 3 月 31 日期間（有關期間），協助及教唆平安 3 名僱員進行無牌交易活動。證監會另又成功檢控梁朝斌、張淳宇及何燕珊，指各人於有關期間在香港聯合交易所有限公司非法沽空證券。

朱氏及陳氏（兩人同為平安的交易董事），以及平安均在西區裁判法院向韋達裁判官分別承認 3 項控罪；有關控罪指其協助及教唆平安 3 名並無在證監會註冊的僱員執行交易商代表的職能。朱氏、陳氏及平安分別被判罰款 3,000 元，以及被飭令向證監會支付合共 30,000 元的調查費用。

梁氏（平安的交易商代表）、張氏及何氏（兩人均為平安的客戶），均在西區裁判法院向韋達裁判官分別承認 2 項非法沽空證券的控罪，違反《證券條例》第 80 條的規定。《證券條例》第 80 條禁止賣方出售其沒有即時行使權及無條件出售權的證券。梁氏被飭令需參與 80 小時的社會服務，並須向證監會支付 5,000 元的調查費用。張氏被判罰款 2,000 元及向證監會支付 2,000 元的調查費用。韋達裁判官考慮到何氏年事已高，且過去紀錄良好，當庭將其無條件釋放。

最後更新日期：2012年8月1日