

永豐商業銀行股份有限公司(香港分行)
(證監會 CE 編號: ABR747)

致: 貴客戶

關於被視為專業投資者之通知(「本通知」)

根據《證券及期貨事務監察委員會持牌人或註冊人操守準則》(《操守準則》), 當我們跟客戶進行交易時, 倘若我們相信該客戶符合《證券及期貨條例》及《證券及期貨(專業投資者)規則》(《專業投資者規則》)對於「專業投資者」的定義, 我們可界定該客戶為「專業投資者」。

根據閣下的知識、專業技能、經驗、資源及/或閣下在中華人民共和國香港特別行政區(「香港」)及/或閣下本籍司法管轄區的監管註冊狀態, 我們將閣下歸類為專業投資者。

被視為專業投資者的風險及後果

閣下或 貴公司被歸類為專業投資者後, 我們將能夠向閣下或 貴公司提供某些僅向專業投資者提供的投資產品。特別是, 我們將能夠向閣下提供未經證券及期貨事務監察委員會認可的證券或投資產品, 及/或《公司(清盤及雜項條文)條例》(香港法例第 32 章)下的招股章程規定不適用的證券或投資產品。

此外, 閣下或 貴公司應注意, 我們無須以《證券及期貨條例》第 175 條規定的格式向閣下提供與證券發售有關的材料或資料。除非閣下或 貴公司反對, 否則我們沒有責任依據《證券及期貨(成交單據、戶口結單及收據)規則》(香港法例第 571Q 章)向閣下提供任何成交單據、戶口結單或收據(視所屬情況而定)。

被視為機構專業投資者的額外風險及後果*:

如果閣下的實體/公司被歸類為機構專業投資者, 我們亦無須遵守《操守準則》第 15.4 及 15.5 段的規定。特別是, 我們沒有責任:

- 確定閣下的財務狀況(除確定閣下為專業投資者外)、投資經驗及投資目標(《操守準則》附表 6 第 5.1 段及第 2(d) 及 2(e) 段);
- 確保任何向閣下提出的建議或招攬的適合性(《操守準則》附表 6 第 5.2 段及第 49 段);
- 評估閣下對衍生產品的了解程度或據此將閣下歸類(《操守準則》第 5.1A 段);
- 與閣下訂立書面協議及向閣下提供相關的風險披露聲明(《操守準則》附表 3 第 6.1 段、第 20.2(c) 段、第 2 段, 附表 4 第 2 段, 及附表 6 第 1 段);
- 披露與交易相關的資料(《操守準則》第 8.3A 段);
- 在未經閣下明確授權而為閣下進行交易前, 先取得閣下的書面授權(《操守準則》第 7.1(a)(ii) 段);
- 每年向閣下解釋並確認閣下明白《操守準則》第 7.1(a)(ii) 段所述的授權(《操守準則》第 7.1(b) 段);
- 披露透過全權委託帳戶為閣下進行交易可獲得的利益(《操守準則》第 7.2 段);
- 確保複雜產品交易的適合性, 提供關於複雜產品的充分資料, 並提供警告聲明(《操守準則》第 5.5(a) 段);
- 向閣下提供與我們有關的資料, 或與我們的員工及其他代表我們行事的人士的身分及狀況有關的資料(《操守準則》第 8.1 段);
- 在為閣下完成交易後, 及時與閣下確認交易的基本特徵(《操守準則》第 8.2 段、附表 3 第 4 段和附表 6 第 18 段); 及
- 向閣下提供「納斯達克-美國證券交易所試點計劃」的文件(《操守準則》附表 3 第 1 段)。

*「機構專業投資者」是指符合《證券及期貨條例》附表 1 第 1 部「專業投資者」定義(a)至(i)段的實體。

儘管我們視閣下為專業投資者, 但我們在此提醒閣下有責任遵守所有適用於閣下的香港及其監管機構的規則、規例及法律。因此, 我們建議閣下徵詢閣下的法律顧問。

閣下的專業投資者身份有效期為一年, 到期後我們將會重新評估閣下的專業投資者資格。

請注意, 閣下有權提前一個月以書面通知我們撤銷被視為專業投資者。閣下提出撤銷請求並不損害或影響在撤銷生效前閣下基於專業投資者身份而獲提供的任何服務及/或產品。

現附上《證券及期貨條例》及《專業投資者規則》關於專業投資者的定義, 以便閣下參考。如閣下對本通知有任何疑問, 或需要進一步的澄清或資料, 歡迎隨時與我們聯絡或徵詢專業意見。

本通知的英文與中文版本如有任何差異, 概以英文版本為準。

永豐商業銀行股份有限公司(香港分行)

專業投資者的定義

《證券及期貨條例》（第 571 章）附表 1

「專業投資者」（professional investor）指—

- (a) 認可交易所、認可結算所、認可控制人或認可投資者賠償公司，或根據本條例第 95(2)條獲認可提供自動化交易服務的人；
- (b) 中介人，或經營提供投資服務的業務並受香港以外地方的法律規管的其他人；
- (c) 認可財務機構，或並非認可財務機構但受香港以外地方的法律規管的銀行；
- (d) 根據《保險公司條例》（第 41 章）獲授權的保險人，或經營保險業務並受香港以外地方的法律規管的其他人；
- (e) 符合以下說明的計劃—
 - (i) 屬根據本條例第 104 條獲認可的集體投資計劃；或
 - (ii) 以相似的方式根據香港以外地方的法律成立，並（如受該地方的法律規管）根據該地方的法律獲准許營辦，或營辦任何該等計劃的人；
- (f) 《強制性公積金計劃條例》（第 485 章）第 2(1) 條界定的註冊計劃，或《強制性公積金計劃（一般）規例》（第 485 章，附屬法例 A）第 2 條界定的該等計劃的成分基金，或就任何該等計劃而言屬該條例第 2(1) 條界定的核准受託人或服務提供者或屬任何該等計劃或基金的投資經理的人；
- (g) 符合以下說明的計劃—
 - (i) 屬《職業退休計劃條例》（第 426 章）第 2(1) 條界定的註冊計劃；或
 - (ii) 屬該條例第 2(1) 條界定的離岸計劃，並（如以某地方為本籍而受該地方的法律規管）根據該地方的法律獲准許營辦，或就任何該等計劃而言屬該條例第 2(1) 條界定的管理人的；
- (h) 任何政府（市政府當局除外）、執行中央銀行職能的任何機構，或任何多邊機構；
- (i) （除為施行本條例附表 5 外）符合以下說明的法團—
 - (i) 屬下述者的全資附屬公司—
 - (A) 中介人，或經營提供投資服務的業務並受香港以外地方的法律規管的其他人；或
 - (B) 認可財務機構，或並非認可財務機構但受香港以外地方的法律規管的銀行；
 - (ii) 屬持有下述者的所有已發行股本的控股公司—
 - (A) 中介人，或經營提供投資服務的業務並受香港以外地方的法律規管的其他人；或
 - (B) 認可財務機構，或並非認可財務機構但受香港以外地方的法律規管的銀行；或
 - (iii) 屬第 (ii) 節提述的控股公司的任何其他全資附屬公司；或
- (j) 屬於為施行本段而藉根據本條例第 397 條訂立的規則訂明為就本條例條文屬本定義所指的類別的人，或（如為施行本段而藉如此訂立的規則訂明某類別為就本條例任何條文屬本定義所指的類別）在該範圍內屬於該類別的人；

《證券及期貨（專業投資者）規則》（第 571D 章）– 第 3 條

為施行本條例附表 1 第 1 部第 1 條「專業投資者」的定義的 (j) 段，現就本條例的任何條文（附表 5 除外）訂明以下人士屬該定義所指的人—

- (a) 符合以下說明的任何信託法團：擔任一項或多於一項信託的信託人，而在該項或該等信託下獲託付的總資產，在有關日期或通過參閱以下任何一項或多於一項而獲確定，不少於港幣 40,000,000 元或等值外幣—
 - (i) 就信託法團（或其擔任信託人的任何信託）而言，在有關日期前 16 個月內擬備的最近期的經審計的財務報表；
 - (ii) 在有關日期前 12 個月內發出或呈交的任何一份或多於一份以下文件—
 - (A) 由保管人發出的帳戶結單或證明書；
 - (B) 由核數師或會計師發出的證明書；
 - (C) 由或代表該信託法團（不論是代表其本身或就其擔任信託人的任何信託）呈交的公開檔案。
- (b) 符合以下說明的任何個人：擁有的投資組合，在有關日期或通過參閱在有關日期前 12 個月內發出或呈交的任何一份或多於一份以下文件而獲確定，不少於港幣 8,000,000 元或等值外幣—
 - (i) 由保管人發出的帳戶結單或證明書；
 - (ii) 由核數師或會計師發出的證明書；
 - (iii) 由或代表該個人呈交的公開檔案，而已考慮以下任何一項或多於一項：
 - (1) 該個人本人的帳戶內的投資組合；
 - (2) 該個人聯同其有聯繫者於某聯權共有帳戶內的投資組合；
 - (3) 該個人在聯同一名或多於一名其有聯繫者以外的人士於某聯權共有帳戶內的投資組合中所佔部分；
 - (4) 在有關日期的主要業務是持有投資項目並在有關日期由該個人全資擁有的法團的投資組合。

註：就上述第 (3) 項而言，某名個人在聯同一名或多於一名其有聯繫者以外的人士於某聯權共有帳戶內的投資組合中所佔部分—

(I) 為帳戶持有人之間訂立的書面協議中指明，該個人於該投資組合中所佔部分；或

(II) （如沒有訂立 (I) 段所述的協議）為該投資組合中平均所佔部分。

- (c) 符合以下說明的任何法團（符合 (a) 段說明的信託法團除外）或合夥：在有關日期或通過參考以下任何一項或多於一項—
 - (A) 就法團或合夥而言，在有關日期前 16 個月內擬備的最近期的經審計的財務報表；
 - (B) 在有關日期前 12 個月內發出或呈交的任何一份或多於一份以下文件—
 - 由保管人發出的帳戶結單或證明書；
 - 由核數師或會計師發出的證明書；
 - 由或代表該法團或合夥呈交的公開檔案，

而獲確定—

- (i) 擁有的投資組合不少於港幣 8,000,000 元或等值外幣；或
- (ii) 擁有的總資產不少於港幣 40,000,000 元或等值外幣，

- (d) 在有關日期的主要業務是持有投資項目並在有關日期由以下任何一名或多於一名人士全資擁有的任何法團——
- (i) 符合 (a) 段描述的信託法團；
 - (ii) 符合 (b) 段描述的個人；
 - (iii) 本 (d) 段指明的法團或符合 (c) 段描述的法團；
 - (iv) 符合 (c) 段描述的合夥；
 - (v) 屬本條例附表 1 第 1 部第 1 條「專業投資者」的定義的 (a)、(d)、(e)、(f)、(g) 或 (h) 段所指的專業投資者。
- (e) 在有關日期全資擁有符合 (c) 段描述的法團的法團。

就上文而言：

有聯繫者（associate）就任何個人而言，指該人的配偶或任何子女；

保管人（custodian）指——

- (a) 主要業務是作為另一人的證券或其他財產的保管人（不論是以信託或合約形式保管）的法團；或
- (b) 業務包括作為另一人的證券或其他財產的保管人（不論是以信託或合約形式保管）的下述人士——
 - (i) 認可財務機構；
 - (ii) 並非認可財務機構但根據香港以外地方的法律受規管的銀行；
 - (iii) 持牌法團；
 - (iv) 經營提供投資服務的業務並根據香港以外地方的法律受規管的人；

投資組合（portfolio）指由任何下述項目組成的投資組合——

- (a) 證券；
- (b) 由——
 - (i) 認可財務機構發行的存款證；或
 - (ii) 並非認可財務機構但根據香港以外地方的法律受規管的銀行發行的存款證；
- (c) 就任何個人、法團或合夥而言，由保管人替該人、法團或合夥持有的款項；

公開檔案（public filing）指由或代表——

- (a) 信託法團（不論是代表其本身或就其擔任信託人的任何信託）；
- (b) 個人；
- (c) 法團（(a) 段提述的信託法團除外）；或
- (d) 合夥，

依據香港或香港以外地方的法律規定或規管性規定而呈交給某人士或團體的文件，而該人士或團體有責任向香港或香港以外地方的公眾發表該文件，或以其他方式提供該文件予有關的公眾查閱；

有關日期（relevant date）——

- (a) 就本條例第 103(3)(k) 條所描述的廣告、邀請或文件而言，指發出或為發出而管有該廣告、邀請或文件的日期；
- (b) 就本條例第 174(2)(a) 條所描述的造訪而言，指進行該造訪的日期；
- (c) 就本條例第 175(5)(d) 條所描述的要約而言，指提出該要約的日期；或
- (d) 就憑藉根據本條例訂立的規則而規定須於某日期或之前或須於某日期履行某項責任的其他情況而言，指該日期；

信託法團（trust corporation）指——

- (a) 根據《受託人條例》（第 29 章）第 8 部註冊的任何信託公司；或
- (b) 符合以下說明的其他法團——
 - (i) 所經營的業務的性質與 (a) 段提述的信託公司所經營的業務的性質相似；並
 - (ii) 根據香港以外地方的法律受規管。

BANK SINOPAC, HONG KONG BRANCH**(CE Number with The Securities & Futures Commission: ABR747)**

To: CUSTOMER

Notice of treatment as a Professional Investor (“this Notice”)

Under the Code of Conduct for Persons Licensed by or Registered with the Securities and Futures Commission (the “Code of Conduct” or the “Code”), we may, in dealing with a client, classify such client as a “Professional Investor” where we believe such client falls within the definition of “Professional Investor” under the Securities and Futures Ordinance (the “SFO”) and the Securities and Futures (Professional Investor) Rules (“Professional Investor Rules”).

In light of your knowledge, expertise, experience, resources and/or your regulatory registration status in the Hong Kong Special Administrative Region of the People’s Republic of China (“Hong Kong”) and/or your home jurisdiction, we have classified you as a Professional Investor.

Risks and consequences of being treated as a Professional Investor

As a consequence of being classified as a Professional Investor, we will be able to offer you or your company certain investment products which are only available to Professional Investor. In particular, we will be able to offer you securities or investment products which are not authorised by the Securities and Futures Commission and/or in relation to which the prospectus requirements under the Companies (Winding Up and Miscellaneous Provisions) Ordinance (Cap.32 of the Laws of Hong Kong) do not apply.

In addition, you or your company should be aware that we would not be required to provide you with materials or information in relation to any offer of securities in the form prescribed in section 175 of the SFO.

Unless you or your company object, we will not be obliged to provide you with any contract notes, statements of account or receipts (as the case may be) under the Securities and Futures (Contract Notes, Statements of Account and Receipts) Rules (Cap.571Q of the Laws of Hong Kong).

Additional risk and consequences of being treated as an Institutional PI*:

If your entity/company is classified as an Institutional PI, we would also be exempted from the provisions set out in paragraphs 15.4 and 15.5 of the Code. In particular, we would not be obliged to:

- establish your financial situation (other than to establish your status as a Professional Investor), investment experience and investment objectives (paragraphs 5.1 and paragraphs 2(d) and 2(e) of Schedule 6 to the Code);
- ensure the suitability of any recommendation or solicitation to you (paragraph 5.2 and paragraph 49 of Schedule 6 to the Code);
- assess your knowledge of derivatives or characterize you based thereon (paragraph 5.1A of the Code);
- enter into a written agreement with you and provide you with the relevant risk disclosure statements (paragraph 6.1, paragraph 20.2(c), paragraph 2 of Schedule 3, paragraph 2 of Schedule 4 and paragraph 1 of Schedule 6, to the Code);
- disclose transaction related information (paragraph 8.3A of the Code);
- obtain from you an authority in a written form prior to effecting transactions for you without your specific authority (paragraph 7.1(a)(ii) of the Code);
- explain to you the authority described under paragraph 7.1(a)(ii) of the Code and confirm your understanding thereof, on an annual basis (paragraph 7.1(b) of the Code);
- disclose benefits receivable for effecting transactions for you under a discretionary account (paragraph 7.2 of the Code);
- to ensure the suitability of a transaction in a complex product, to provide sufficient information about a complex product and to provide warning statements (paragraph 5.5(a) of the Code);
- provide you with information in relation to us or, the identity and status of our employees and others acting on our behalf (paragraph 8.1 of the Code);
- confirm promptly with you the essential features of a transaction after effecting such transaction for you (paragraph 8.2, paragraph 4 of Schedule 3 and paragraph 18 of Schedule 6 to the Code); and
- provide you with documentation on the Nasdaq-Amex Pilot Program (paragraph 1 of Schedule 3 to the Code).

*“Institutional PI” means an entity falling under paragraph (a) to (i) of the definition of “Professional Investor” in Part 1 of Schedule 1 to the SFO.

Notwithstanding your Professional Investor status with us, we should remind you that you are obliged to observe all rules, regulations and laws of Hong Kong or any of its regulatory authority which apply to you. Accordingly, we should advise that you consult your own legal advisers.

Your Professional Investor status is valid for one year, and we will re-assess your Professional Investor status after expiration.

Please note that you have the right to withdraw from being treated as a Professional Investor by giving us one month’s prior notice in writing. Any request of withdrawal given by you shall be without prejudice to and shall not affect the provision of any services rendered and/or products offered to you on the basis that you are a Professional Investor prior to such withdrawal taking effect.

For your easy reference, we enclose the Definition of Professional Investor under the SFO and the Professional Investor Rules. Should you have any questions regarding this Notice or require further clarification or information, please feel free to contact us or seek professional advice.

In the event of there being any difference between the English and Chinese versions of this Notice, the English version shall prevail for all purposes.

For and on behalf of
Bank SinoPac, Hong Kong Branch

Definition of Professional Investor

Securities and Futures Ordinance (Cap.571) Schedule 1

“professional investor” (專業投資者) means-

- (a) any recognized exchange company, recognized clearing house, recognized exchange controller or recognized investor compensation company, or any person authorized to provide automated trading services under section 95(2) of this Ordinance;
- (b) any intermediary, or any other person carrying on the business of the provision of investment services and regulated under the law of any place outside Hong Kong;
- (c) any authorized financial institution, or any bank which is not an authorized financial institution but is regulated under the law of any place outside Hong Kong;
- (d) any insurer authorized under the Insurance Companies Ordinance (Cap.41), or any other person carrying on insurance business and regulated under the law of any place outside Hong Kong;
- (e) any scheme which-
 - (i) is a collective investment scheme authorized under section 104 of this Ordinance; or
 - (ii) is similarly constituted under the law of any place outside Hong Kong and, if it is regulated under the law of such place, is permitted to be operated under the law of such place,or any person by whom any such scheme is operated;
- (f) any registered scheme as defined in section 2(1) of the Mandatory Provident Fund Schemes Ordinance (Cap.485), or its constituent fund as defined in section 2 of the Mandatory Provident Fund Schemes (General) Regulation (Cap.485 sub. leg. A), or any person who, in relation to any such registered scheme, is an approved trustee or service provider as defined in section 2(1) of that Ordinance or who is an investment manager of any such registered scheme or constituent fund;
- (g) any scheme which-
 - (i) is a registered scheme as defined in section 2(1) of the Occupational Retirement Schemes Ordinance (Cap. 426); or
 - (ii) is an offshore scheme as defined in section 2(1) of that Ordinance and, if it is regulated under the law of the place in which it is domiciled, is permitted to be operated under the law of such place,or any person who, in relation to any such scheme, is an administrator as defined in section 2(1) of that Ordinance;
- (h) any government (other than a municipal government authority), any institution which performs the functions of a central bank, or any multilateral agency;

- (i) except for the purposes of Schedule 5 to this Ordinance, any corporation which is-
 - (i) a wholly owned subsidiary of
 - (A) an intermediary, or any other person carrying on the business of the provision of investment services and regulated under the law of any place outside Hong Kong; or
 - (B) an authorized financial institution, or any bank which is not an authorized financial institution but is regulated under the law of any place outside Hong Kong;
 - (ii) a holding company which holds all the issued share capital of
 - (A) an intermediary, or any other person carrying on the business of the provision of investment services and regulated under the law of any place outside Hong Kong; or
 - (B) an authorized financial institution, or any bank which is not an authorized financial institution but is regulated under the law of any place outside Hong Kong; or
 - (iii) any other wholly owned subsidiary of a holding company referred to in subparagraph (ii); or
- (j) any person of a class which is prescribed by rules made under section 397 of this Ordinance for the purposes of this paragraph as within the meaning of this definition for the purposes of the provisions of this Ordinance, or to the extent that it is prescribed by rules so made as within the meaning of this definition for the purposes of any provision of this Ordinance;

Securities and Futures (Professional Investor) Rules (Cap.571D) Section 3

For the purposes of paragraph (j) of the definition of “professional investor” in section 1 of Part 1 of Schedule 1 to the Ordinance, the following persons are prescribed as within the meaning of that definition for the purposes of any provision of the Ordinance other than Schedule 5-

- (a) any trust corporation having been entrusted under one or more trusts of which it acts as a trustee with total assets of not less than HK\$40 million or its equivalent in any foreign currency at the relevant date or as ascertained by referring to any one or more of the following-
 - (i) the most recent audited financial statement prepared within 16 months before the relevant date in respect of the trust corporation (or a trust of which it acts as a trustee);
 - (ii) any one or more of the following documents issued or submitted within 12 months before the relevant date-
 - (A) a statement of account or a certificate issued by a custodian;
 - (B) a certificate issued by an auditor or a certified public accountant;
 - (C) a public filing submitted by or on behalf of the trust corporation (whether on its own behalf or in respect of a trust of which it acts as a trustee);
- (b) any individual having a portfolio of not less than HK\$8 million or its equivalent in any foreign currency at the relevant date or as ascertained by referring to any one or more of the following documents issued or submitted within 12 months before the relevant date -
 - (i) a statement of account or a certificate issued by a custodian;
 - (ii) a certificate issued by an auditor or a certified public accountant;
 - (iii) a public filing submitted by or on behalf of the individual, when any one or more of the following are taken into account -
 - (1) a portfolio on the individual’s own account;
 - (2) a portfolio on a joint account with the individual’s associate;
 - (3) the individual’s share of a portfolio on a joint account with one or more persons other than the individual’s associate;
 - (4) a portfolio of a corporation which, at the relevant date, has as its principal business the holding of investments and is wholly owned by the individual.

Note: For the purposes of (3) above, an individual’s share of a portfolio on a joint account with one or more persons other than the individual’s associate is -

- (I) the individual’s share of the portfolio as specified in a written agreement among the account holders; or*
- (II) in the absence of an agreement referred to in paragraph (I), an equal share of the portfolio.*

- (c) any corporation (other than a trust corporation that falls within the description in paragraph (a)) or partnership having-
 - (i) a portfolio of not less than HK\$8 million or its equivalent in any foreign currency; or
 - (ii) total assets of not less than HK\$40 million or its equivalent in any foreign currency, at the relevant date or as ascertained by referring to any one or more of the following -
 - (A) the most recent audited financial statement prepared within 16 months before the relevant date in respect of the corporation or partnership;
 - (B) any one or more of the following documents issued or submitted within 12 months before the relevant date -
 - a statement of account or a certificate issued by a custodian;
 - a certificate issued by an auditor or a certified public accountant;
 - a public filing submitted by or on behalf of the corporation or partnership;
- (d) any corporation which, at the relevant date, has as its principal business the holding of investments and is wholly owned by any one or more of the following persons-
 - (i) a trust corporation that falls within the description in paragraph (a);
 - (ii) an individual who falls within the description in paragraph (b);
 - (iii) a corporation specified in this paragraph (d) or a corporation that falls within the description in paragraph (c);
 - (iv) a partnership that falls within the description in paragraph (c);
 - (v) a professional investor within the meaning of paragraph (a), (d), (e), (f), (g) or (h) of the definition of **professional investor** in section 1 of Part 1 of Schedule 1 to the Ordinance.
- (e) a corporation which, at the relevant date, wholly owns a corporation that falls within the description in paragraph (c).

For the purpose of the foregoing:

associate, in relation to an individual, means the spouse or any child of the individual.

custodian means -

- (a) a corporation the principal business of which is to act as a custodian of securities or other property for another person, whether on trust or by contract; or
- (b) any of the following persons whose business includes acting as a custodian of securities or other property for another person, whether on trust or by contract -
 - (i) an authorized financial institution;
 - (ii) a bank which is not an authorized financial institution but is regulated under the law of any place outside Hong Kong;

- (iii) a licensed corporation;
- (iv) a person carrying on the business of the provision of investment services and regulated under the law of any place outside Hong Kong.

portfolio means a portfolio comprising any of the following –

- (a) securities;
- (b) a certificate of deposit issued by –
 - (i) an authorized financial institution; or
 - (ii) a bank which is not an authorized financial institution but is regulated under the law of any place outside Hong Kong;
- (c) in relation to an individual, corporation or partnership, money held by a custodian for the individual, corporation or partnership.

public filing means a document that, pursuant to the legal or regulatory requirements in Hong Kong or in a place outside Hong Kong, has been submitted to a person or body that is under a duty to publish the document to, or otherwise make the document available for inspection by, members of the public in Hong Kong or in a place outside Hong Kong, by or on behalf of –

- (a) a trust corporation (whether on its own behalf or in respect of a trust of which it acts as a trustee);
- (b) an individual;
- (c) a corporation (other than a trust corporation referred to in paragraph (a)); or
- (d) a partnership.

relevant date –

- (a) in the case of an advertisement, invitation or document described in section 103(3)(k) of the Ordinance, means the date on which the advertisement, invitation or document is issued, or possessed for the purposes of issue;
- (b) in the case of a call described in section 174(2)(a) of the Ordinance, means the date on which the call is made;
- (c) in the case of an offer described in section 175(5)(d) of the Ordinance, means the date on which the offer is made; or
- (d) in any other case which, by virtue of any rules made under the Ordinance, requires compliance with an obligation, means the date by or on which the obligation is required to be complied with.

trust corporation means –

- (a) any trust company registered under Part 8 of the Trustee Ordinance (Cap. 29); or
- (b) any other corporation which –
 - (i) carries on a business which is of a nature similar to that of a trust company referred to in paragraph (a); and
 - (ii) is regulated under the law of any place outside Hong Kong.