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Circular on disciplinary proceedings under Part 5B of the Anti-Money Laundering and Counter-Terrorist Financing Ordinance

The Securities and Futures Commission (**SFC**) today published a guide entitled *Disciplinary Proceedings at a Glance (for regulated persons under Part 5B of the Anti-Money Laundering and Counter-Terrorist Financing Ordinance)* to outline the disciplinary process under the new licensing regime for virtual asset trading platforms (**VATP**). This aims to help regulated persons understand the disciplinary process.

The guide provides the reasons for the SFC's disciplinary actions, persons subject to them, criteria for determining to take action, potential disciplinary measures and disciplinary process, amongst others.

Under the new VATP licensing regime under the Anti-Money Laundering and Counter-Terrorist Financing Ordinance (Cap. 615)(**AMLO**) (**AMLO VATP Regime**), the SFC is given the power to discipline a regulated person¹ who is, or was at any time, guilty of misconduct or not fit and proper to be or to remain the same type of regulated person.

The disciplinary process under the AMLO VATP Regime is based largely on the disciplinary process applicable to persons licensed by or registered with the SFC (including those involved in their management) under the Securities and Futures Ordinance (Cap. 571).

The guide is available on the [SFC's website](#). Persons subject to disciplinary proceedings under Part 5B of the AMLO will be given a copy of the guide together with the document initiating the proceedings.

Enforcement Division
Securities and Futures Commission

End

¹ Under section 53ZSO of the AMLO, a "regulated person" means (a) a licensed person; (b) a responsible officer of a licensed provider; or (c) a person involved in the management of the business of a licensed provider.