

2008年9月29日

致持牌法團的通函

申請證監會電子證書 — 須簽署及遞交半年申報表的人士

以電子方式遞交財務申報表將由 2008 年 11 月 1 日起強制實施，本通函是證監會就這項措施向持牌法團發出的第四份通函¹。

申請證監會電子證書

須每半年簽署及遞交《財政資源規則》申報表的持牌法團請注意，所有須簽署及遞交該等申報表並有意使用證監會電子證書的有關人士²，均應在現時至 2008 年 10 月 24 日期間提出申請。每家持牌法團一般會獲發兩張證監會電子證書。如欲申請額外的證監會電子證書，應以書面向證監會解釋為何認為有此需要。

擬作出申請的人士須填妥隨附的申請表（**附件 1**），並經專人或郵遞將已簽署及填妥的申請表交回證監會。申請表亦可從證監會網站下載³。

有關報名參加證監會培訓及試用新電子申報表系統的詳情，請分別參閱第二及第三份通函。如欲參與業界測試，必須持有有效的證監會電子證書。

如有任何疑問，或需任何協助，請致電本會的電子申報表系統求助台熱線 (852) 2283 6883。

證券及期貨事務監察委員會
中介團體監察科

完

SFO/IS/021/2008

¹ 第一、第二及第三份通函已分別於 2008 年 6 月 19 日、2008 年 7 月 30 日及 2008 年 8 月 29 日發出。請登入以下網址 <http://www.sfc.hk/sfc/html/TC/intermediaries/supervision/supervision.html>，瀏覽證監會網站中〈與中介團體監察有關的事宜〉的〈通函〉分節。

² 根據《證券及期貨條例》第 126(1)條獲核准的持牌法團負責人員或根據《證券及期貨(財政資源)規則》第 58(5)(e)條獲證監會核准簽署申報表的持牌法團高級人員。

³ <http://www.sfc.hk/sfc/html/TC/forms/supervision/ecert/ecert.html>

SFC e-Certificate (Note 1) Application Form 證監會電子證書(註一) 申請表

Important: Please read carefully all Notes and “Section D – Terms and Conditions” before completing this application form. If you have any questions regarding the application and usage of an SFC e-Certificate, please call the e-FRR System Helpdesk at (852) 2283 6883. The original of this application form, duly completed and signed, should be returned to the Intermediaries Supervision of SFC by post/hand at 8/F Chater House, 8 Connaught Road Central, Hong Kong. Please state “Application for SFC e-Certificate” on the cover of the envelope.

重要提示: 在填寫本申請表前，請先小心閱讀所有備註及「丁部 - 條款及條件」。假如你有任何關於證監會電子證書的申請和使用的疑問，請致電證監會熱綫 (852) 2283 6883。
填妥及已簽署的申請表正本，請經郵遞／由專人交回香港中環干諾道中八號遮打大廈八樓，香港證券及期貨事務監察委員會中介團體監察科收。信封面請註明「申請證監會電子證書」。

Notes 備註

1. (i) For the purpose of submitting a FRR return electronically, by means of an online communication system approved by the SFC (“e-FRR return”) under section 56 of the Securities and Futures (Financial Resources) Rules (“FRR”), the e-FRR return shall be signed by attaching a digital signature or an electronic signature to the return. This application form shall be used to apply for an SFC e-Certificate which provides an electronic signature.

為透過證監會根據《證券及期貨(財政資源)規則》(《財政資源規則》)第 56 條核准的聯線通訊系統以電子方式遞交《財政資源規則》申報表(“電子申報表”)，電子申報表須以在申報表上附上數碼簽署或電子簽署的方式簽署。本申請表用於申請能提供電子簽署的證監會電子證書。

- (ii) An SFC e-Certificate will only be granted, upon application to the SFC, to a responsible officer or officer approved under section 58(5)(e) of the FRR of a licensed corporation.

證監會只會在接獲申請後，向持牌法團的負責人員或根據《財政資源規則》第 58(5)(e)條獲核准的高級人員批出證監會電子證書。

Section A 甲部 - Particulars of the Applicant 申請人資料

Please the box below to indicate your capacity for making this Application:

請在下面的空格內加上 號，以說明你是以甚麼身分提出申請:

- Responsible Officer of a licensed corporation approved under section 126(1) of the Securities and Futures Ordinance

根據《證券及期貨條例》第 126(1)條獲核准的持牌法團負責人員

- Officer of a licensed corporation approved by the SFC to sign a return under section 58(5)(e) of the Securities and Futures (Financial Resources) Rules (“approved officer”)

根據《證券及期貨(財政資源)規則》第58(5)(e)條獲證監會核准簽署申報表的持牌法團高級人員(“獲核准高級人員”)



Section A 甲部 - Particulars of the Applicant (Con't) 申請人資料 (續)		
Name of Applicant (Note 2) 申請人姓名 (註二)	_____ (Surname 姓)	_____ (Given Name 名) (CE No. of Applicant) (申請人的中央編號)
Contacts Details 聯絡方法	Applicant 申請人: Telephone No. 電話: _____ E-mail Address 電郵: _____	
	Contact person for the SFC inquiries (if applicable) 證監會查詢的聯絡人(如適用): Name 姓名: _____ Post/Title 職位: _____ Telephone No. 電話: _____ E-mail Address 電郵: _____	
Correspondence Address (Note 3) 通訊地址 (註三)	Please state below the name of a licensed corporation on behalf of which you intend to sign an e-FRR return. This corporation's correspondence address will be used to contact you: 請於下欄列出一家你打算代表其簽署電子申報表的持牌法團的名稱。本會將利用其通訊地址與你聯絡:	
	_____ (Name of Licensed Corporation) (持牌法團的名稱)	_____ (CE No. of Licensed Corporation) (持牌法團的中央編號)
Notes 備註		
2. The name of Applicant should be identical to the name as shown on the identity document (i.e. HKID/passport) and/or the name on the SFC licence(s). 申請人姓名必須與身分證明文件 (即香港身分證/護照) 及/或證監會牌照上所示的姓名相同。		
3. All correspondence, including the SFC e-Certificate and password, will be sent to the Applicant at the correspondence address of the licensed corporation specified in Section A of this application form. 所有往來文件 (包括證監會電子證書及密碼) 將會寄往本申請表甲部所指明的持牌法團的通訊地址, 以送交申請人。		

Section B - Particulars of SFC e-Certificate Application (Note 4)	
乙部 - 證監會電子證書申請詳情 (註四)	
Type of Application (#) 申請類別	<input type="checkbox"/> 1. Application for a new SFC e-Certificate (Note 5) 申請新的證監會電子證書 (註五)
	<input type="checkbox"/> 2. Add / remove licensed corporation(s) to/from an SFC e-Certificate (Note 6) 將持牌法團加入/刪除自證監會電子證書(註六)
	<input type="checkbox"/> 3. Re-issuance of an SFC e-Certificate, please specify the reason below: 補領證監會電子證書, 請在下文說明原因: <input type="checkbox"/> Lost certificate <input type="checkbox"/> Damaged certificate/USB token <input type="checkbox"/> Forgotten password 遺失證書 電子證書/USB 記憶體損壞 忘記密碼 <input type="checkbox"/> Other, please specify _____ 其他原因, 請註明
	<input type="checkbox"/> 4. Surrender of an SFC e-Certificate 放棄證監會電子證書

Please as appropriate. 請在適當的空格內填上號。



Notes 備註

4. The term “SFC e-Certificate” refers to an electronic signature key file secured by a password (or PIN) and stored in a USB storage token. It is issued by a certification authority, on the instructions of the SFC, for the purpose of electronic signing of an e-FRR return and authentication of the person who signs and submits an e-FRR return.
“證監會電子證書”一詞，指根據證監會指示的核證機構所發出並以密碼（或私人密碼）保密和儲存在 USB 記憶體內的電子簽署匙檔案。電子證書旨在利便以電子方式簽署電子申報表及鑑定簽署和遞交電子申報表人士的身分。
5. Two SFC e-Certificates will generally be issued to each licensed corporation. If additional SFC e-Certificate(s) is/are applied for, please provide written explanation to the SFC as to why such is considered to be necessary.
每家持牌法團一般會獲發兩張證監會電子證書。如需要申請額外的證監會電子證書，請提供書面理由予證監會解釋為何這些申請被視為有必要。
6. For an Applicant who is also a responsible officer of another licensed corporation(s) within the same group, or who is also an officer of that other licensed corporation(s) approved by the SFC under section 58(5)(e) of the FRR, he/she may use the same SFC e-Certificate to sign the financial return(s) of that licensed corporation. In this case, he/she should provide the name(s) of that/those other licensed corporation(s) that he/she wishes to add to his/her SFC e-Certificate, in Section C of this application form. The Applicant should notify the SFC by filling in this form if he/she no longer signs the financial return of a particular licensed corporation within the group and wants to delete the name(s) of that/those licensed corporation(s) from his/her SFC e-Certificate.
如申請人同時是同一集團內另一家持牌法團的負責人員或根據《財政資源規則》第 58(5)(e)條獲核准的該另一家持牌法團的高級人員，他便可以使用同一張證監會電子證書簽署該持牌法團的財務申報表。在這種情況下，他應在本申請表丙部提供擬加入其證監會電子證書內的該另一（或多）家持牌法團的名稱。如申請人不再簽署集團內某一持牌法團的財務申報表，並擬在其證監會電子證書內刪除該（等）持牌法團的名稱，便應填寫這表格通知本會。

Section C – Licensed Corporation(s) to be added to/removed from SFC e-Certificate

丙部 - 將加入／刪除自證監會電子證書內的持牌法團

[For Type 1 or 2 application in Section B, Applicant must complete this section]

[如屬乙部第 1 或 2 類的申請，申請人必須填寫這部分]

Name(s) of Licensed Corporation(s) 持牌法團名稱	CE No. 中央編號	Add to / Remove from the SFC e-Certificate (#) 加入／刪除自證監會電子證書	
1. (Including the licensed corporation stated in Section A) (包括於甲部所列出的持牌法團)		<input type="checkbox"/> Add 加入	<input type="checkbox"/> Remove 刪除
2.		<input type="checkbox"/> Add 加入	<input type="checkbox"/> Remove 刪除
3.		<input type="checkbox"/> Add 加入	<input type="checkbox"/> Remove 刪除
4.		<input type="checkbox"/> Add 加入	<input type="checkbox"/> Remove 刪除
5.		<input type="checkbox"/> Add 加入	<input type="checkbox"/> Remove 刪除
6.		<input type="checkbox"/> Add 加入	<input type="checkbox"/> Remove 刪除

The Applicant may attach additional sheets of paper if the space provided above is not sufficient.

如空位不敷應用，申請人可另頁填寫。

Please as appropriate. 請在適當的空格內填上號。



Section D 丁部 – Terms and Conditions 條款及條件

1. The SFC e-Certificate shall only be used for the purpose of submitting e-FRR returns to the SFC and for no other purpose.
證監會電子證書只能用作向證監會遞交電子申報表之用，及不得用作其他用途。
2. The SFC may, at its absolute discretion, revoke any SFC e-Certificate(s) without notice.
證監會可行使絕對酌情權撤銷證監會電子證書，而無須作出任何通知。
3. The Applicant will be strictly responsible for all e-FRR return(s) submitted and signed by using his/her SFC e-Certificate(s) unless he/she has notified the SFC about any loss/compromise of the SFC e-Certificate(s).
除非申請人已將遺失證監會電子證書／證監會電子證書資料外洩一事通知證監會，否則他將須對使用其證監會電子證書簽署及遞交的所有電子申報表負上全部責任。
4. The Applicant shall notify the SFC immediately upon the occurrence of the following:
 - loss of the SFC e-Certificate;
 - compromise or suspected compromise of the SFC e-Certificate; or
 - failure of the protection of the SFC e-Certificate, or suspected failure of the protection.如發生下列事件，申請人須即時通知證監會：
 - 遺失證監會電子證書；
 - 證監會電子證書資料外洩／懷疑外洩；或
 - 未有保護，或懷疑未有保護證監會電子證書。
5. The Applicant shall follow the SFC's directions and instructions in using the SFC e-Certificate.
申請人在使用證監會電子證書時，須遵照證監會的指令及指示。
6. These Terms and Conditions shall also apply to any renewal or re-issuance of SFC e-Certificate(s).
本條款及條件同樣適用於證監會電子證書的續期或補領。
7. These Terms and Conditions shall be governed by and construed in accordance with the laws of the Hong Kong Special Administrative Region.
本條款及條件須受香港特別行政區的法例管限及按照該等法例詮釋。



Section E 戊部 – Declaration 聲明

I, the Applicant as specified in Section A, declare that:

我，甲部所指明的申請人，現作出聲明：

- I have read the Terms and Conditions in this application form and agree to observe and abide by them
- 我已閱讀本申請表的條款及條件，並同意遵守及遵從該等條款及條件；
- the licensed corporation specified in Section A and where applicable any licensed corporation(s) to be added to my SFC e-Certificate as listed in Section C, has/have duly authorized me to sign and to submit the e-FRR return(s) on behalf of it/them;
- 甲部所指明的持牌法團及任何在丙部所列將加入我的證監會電子證書內的持牌法團，已正式授權我代表該持牌法團簽署及遞交電子申報表；
- all the information and the accompanied supporting documents provided in this application are true, complete and accurate.
- 在本申請表內提供的所有資料及隨附的證明文件均屬真實、完整和準確。

I am aware that the Securities and Futures Commission will rely on the information provided by me to determine my eligibility for an SFC e-Certificate.

我知悉證券及期貨事務監察委員會將會根據由我提供的資料，決定我是否符合資格申請證監會電子證書。

I undertake to inform the SFC in writing immediately if there are any changes in my circumstances so that the information provided in this application is no longer accurate.

我承諾如我的狀況有變以致於申請表內所提供的資料有欠準確時，我會即時以書面方式通知證監會。

I accept the responsibility to safeguard the security and integrity of the SFC e-Certificate(s) once granted to me.

在獲批證監會電子證書後，我會負責確保證監會電子證書的安全和完整性。

<p>_____</p> <p>Applicant's Signature 申請人簽署</p>	<p>_____</p> <p>Name In Print 姓名</p>	<p>_____</p> <p>Post/Title 職位</p>
<p>_____</p> <p>HKID / Passport* No. (Note 7) 香港身份證 / 護照* 號碼 (註七)</p>	<p>_____</p> <p>Date 日期</p>	

Notes 備註

7. If you have not previously submitted a copy of this particular identity document (i.e. HKID/passport) to the SFC, please attach a copy with this application form for verification.
假如申請人從沒有提交過此身分證明文件(即香港身分證/護照)的副本予證監會，請隨本申請表附上以便核對。

* Please delete as appropriate. 請刪去不適用者



Section F 己部 – Reference Information 參考資料

1. To be an Officer of a licensed corporation approved by the SFC to sign a return under section 58(5)(e) of the Securities and Futures (Financial Resources) Rules, a person must apply to Licensing of SFC and request for approval.
Please refer to the Circular of Licensing dated 4 July 2003 at the website below for details:
<http://www.sfc.hk/sfcRegulatoryHandbook/EN/displayFileServlet?docno=H234>
任何人如欲獲證監會根據《證券及期貨(財政資源)規則》第 58(5)(e)條核准為符合資格簽署申報表的持牌法團高級人員，便須向證監會發牌科申請要求核准。
詳情請參閱以下網站，發牌科於 2003 年 7 月 4 日發出的通函：
<http://www.sfc.hk/sfcRegulatoryHandbook/TC/displayFileServlet?docno=H234>
2. For the approval of additional request of SFC e-Certificate (i.e. more than 2 per licensed corporation), the following factors will generally be considered: 如持牌法團申請額外的證監會電子證書（即每家持牌法團申請超過兩份電子證書），本會在審批時一般將考慮以下因素：
 - i) whether there is an actual business need rather than just for extra backup?
有否實際業務需要，還是作為額外後備之用？
 - ii) whether the applicant had signed on any FRR return in the previous year?
申請人在去年曾否簽署財務申報表？
 - iii) whether there is apparent immediate need for the applicant to sign any e-FRR return?
申請人是否有明顯及即時的需要使用證監會電子證書去簽署電子申報表？
3. The normal processing time for your application upon receipt of a valid application is about 7 to 14 working days.
由收到有效申請起計，處理每份申請一般需時大約 7 至 14 個工作天。
4. For first-time application of SFC e-Certificate accepted by SFC, the applicant will receive:
首次申請證監會電子證書並獲證監會批核的人士，將會收到：
 - i) a USB storage token containing the SFC e-Certificate to be delivered by courier;
一個內藏有證監會電子證書的 USB 儲存記憶體，並由專人送遞；
 - ii) a sealed envelop containing the PIN of SFC e-Certificate to be delivered by post;
一封載有證監會電子證書私人密碼的密封函件，並經郵遞寄出；
 - iii) a SFC letter containing the login password of e-FRR system to be delivered by post.
一封載有電子申報表系統登入密碼的證監會函件，並經郵遞寄出。
5. For re-issuance application of SFC e-Certificate accepted by SFC, the applicant will receive:
申請重發證監會電子證書並獲證監會批核的申請人，將會收到：
 - i) a USB storage token containing the SFC e-Certificate to be delivered by courier;
一個內藏有證監會電子證書的 USB 儲存記憶體，並由專人送遞；
 - ii) a sealed envelop containing the PIN of SFC e-Certificate to be delivered by post;
一封載有證監會電子證書私人密碼的密封函件，並經郵遞寄出；In the case of re-issuance application of SFC e-Certificate, the login password of e-FRR system will remain the same and no SFC letter will be sent again.
如申請重發證監會電子證書，電子申報表系統的登入密碼將維持不變，證監會不會另發函件。
6. If you have any question related to the application, please contact our e-FRR System Helpdesk:
如對申請手續有任何查詢，請聯絡本會電子申報表系統求助台熱線：
E-mail 電郵: e-frrhelp@sfc.hk
Telephone 電話: (852) 2283 6883
Fax 圖文傳真: (852) 2293 5824

Normal service hours 辦公時間：

Monday to Friday (except for Hong Kong SAR public holidays)

星期一至星期五（香港公眾假期除外）

9:00am to 12:30pm and 2:00pm to 6:00pm

上午 9 時至下午 12 時 30 分及下午 2 時至 6 時