

# Webinar on New Inspection Regime for Personal Information on the Companies Register

Speakers:

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29 June 2022



# Agenda

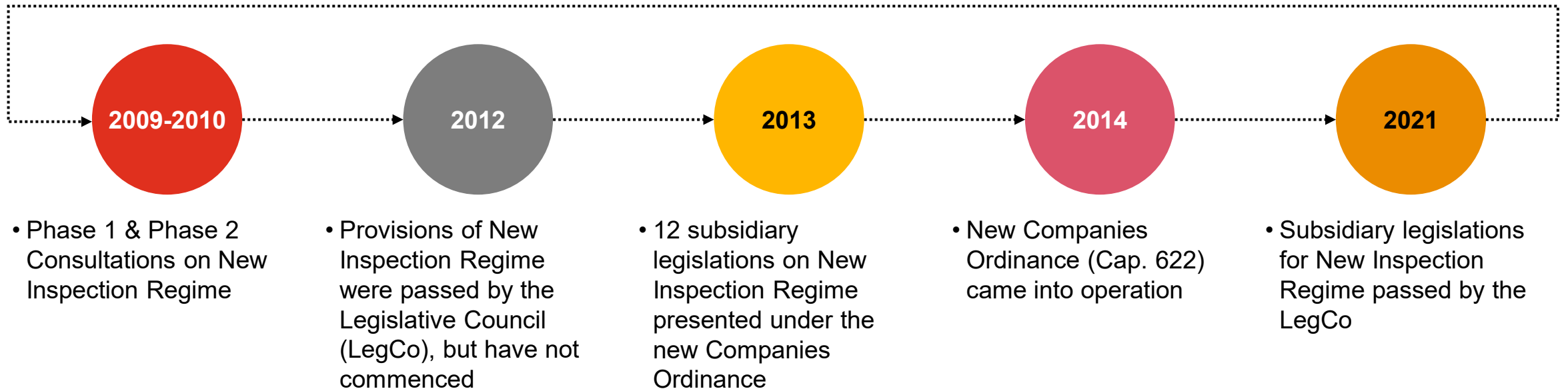
- |    |                                       |    |
|----|---------------------------------------|----|
| 1. | Background of New Inspection Regime   | 03 |
| 2. | Three Phases of New Inspection Regime | 09 |
| 3. | Implications and Key Takeaways        | 45 |
| 4. | Q & A Session                         | 52 |



# Background of New Inspection Regime

# Background of New Inspection Regime

## Development of New Inspection Regime



# Background of New Inspection Regime



**Rising community concern over personal data privacy**

Explore less privacy-intrusive means of public disclosure of personal data (including identification documents and residential addresses) & limit disclosure of personal information filed with the Companies Registry

04

Concerns on whether personal information contained in public registers are adequately protected, especially in light of increased reported cases of doxxing and personal data misuse

01

Around 1,100 to 1,900 complaints were received each year from 2010 to 2018 (including doxxing-related and other categories of complaints)

03

From June 2019 to the end of 2020, the Office of the Privacy Commissioner for Personal Data handled over 5,400 doxxing-related cases

02

# Background of New Inspection Regime

- **Personal Information available for public inspection**
  - **before implementation of New Inspection Regime**

The Companies Register (“**the Register**”) maintained by the Companies Registry (“**the Registry**”) contains personal information available for public inspection. Such personal information includes, among other data, the **usual residential addresses (“URAs”)** and **full identification numbers (“IDNs”)** of directors of companies, and full IDNs of company secretaries and some other individuals (such as liquidators and provisional liquidators). Similar personal information is also contained in the **registers (i.e. register of directors and register of company secretaries) kept by companies** which are open for public inspection.

# Background of New Inspection Regime

- **Personal Information available for public inspection**
  - **upon full operation of New Inspection Regime**

Pursuant to the relevant provisions of the Companies Ordinance (Cap. 622) (“CO”) concerning the New Inspection Regime, **correspondence addresses instead of URAs of directors** and **partial IDNs instead of full IDNs of directors, company secretaries and other relevant persons** would be made available on the Register for public inspection.

The URAs and full IDNs (“**Protected Information**”) would only be accessible by “Specified Persons” upon application. Similarly, companies may withhold from public inspection the Protected Information on the registers they have kept.

# Background of New Inspection Regime

- **Aims of making the relevant provisions of New Inspection Regime**

Enhancing protection for personal information while ensuring transparency of the Companies Register by allowing the public to continue inspecting the Companies Register for the purposes under the CO.



2

Three Phases of  
New Inspection Regime

# Three Phases of New Inspection Regime

## Implementation timeline & key features

### Phase 1

#### Effective from 23 August 2021

- Companies may replace URAs of directors with their correspondence addresses, and replace full IDNs of directors and company secretaries with their partial IDNs on their own registers for public inspection.

### Phase 2

#### Effective from 24 October 2022

- Protected Information on the Index of Directors on the Register will be replaced with correspondence addresses and partial IDNs for public inspection. Protected Information contained in documents filed for registration after commencement of this phase will not be provided for public inspection. “Specified Persons” could apply to the Registry for access to Protected Information of directors and other persons.

### Phase 3

#### Effective from 27 December 2023

- Data subjects could apply to the Registry for protecting from public inspection their Protected Information contained in documents registered with the Registry (“Withheld Information”), and replace such information with their correspondence addresses and partial IDNs. “Specified Persons” could apply to the Registry for access to Withheld Information of directors and other persons.

# Three Phases of New Inspection Regime

## ❖ Why is New Inspection Regime implemented in three phases?


Substantial system and operation modifications of the Integrated Companies Registry Information System (“ICRIS”) are involved.

Revamp project for upgrading the ICRIS is targeted to complete in end of 2023

ICRIS can then cope with the requirements for full operation of New Inspection Regime

# Actions required by a local company after commencement of Phase 1 of New Inspection Regime

# Phase 1 – Actions required (for directors' correspondence address)


	Actions required
<p><b>Phase 1</b> <b><i>(Commencing from 23 August 2021)</i></b></p> 	<p>A company's <b>register of directors is required to contain a correspondence address of its director (including reserve director)</b> who is a natural person and such address <u>must not be a post office box number</u>.</p> <p><i>*Pursuant to section 643(1)(a)(ii), (2)(b) or (3)(b) (in so far as it relates to a correspondence address) and section 643(5) of the CO.</i></p>

# Phase 1 – Timeline & Transitional Arrangements


	Transitional Arrangements
<b>Phase 1</b> <b>(Commencing from</b> <b>23 August 2021)</b>	<p>The register of directors of a company need not contain a specified director's correspondence address <b>before the company's first annual return date on or after the commencement date of Phase 2 (i.e. 24 October 2022) of the New Inspection Regime</b>, unless –</p> <ul style="list-style-type: none"><li>(i) the particulars of the specified director are first entered in the register of directors on or after the commencement date of Phase 2; or</li><li>(ii) any change is made to the particulars of the specified director contained in the register of directors on or after the commencement date of Phase 2.</li></ul> <p>The <b>address of the company's registered office is to be regarded as the correspondence address of the specified director</b> until whichever is the earlier of the following –</p> <ul style="list-style-type: none"><li>(i) the date on which the company enters the specified director's correspondence address in its register of directors;</li><li>(ii) the company's first annual return date on or after the commencement date of Phase 2.</li></ul>




# Phase 1 – Timeline & Transitional Arrangements

	Transitional Arrangements
<p><b>Phase 1</b> <i>(Commencing from 23 August 2021)</i></p> 	<p>Before the commencement of Phase 2 (i.e. 24 October 2022), <b>a company does not need to deliver to the Registrar of Companies (“the Registrar”) a notice under section 645(4) of the CO</b> for –</p> <ul style="list-style-type: none"><li>(i) entering in the company’s register of directors a correspondence address of a specified director; or</li><li>(ii) making any change to a specified director’s correspondence address contained in the company’s register of directors.</li></ul> <p><b>However</b>, if, immediately before the commencement of Phase 2,</p> <ul style="list-style-type: none"><li>a) a specified director’s correspondence address was contained in the company’s register of directors; and</li><li>b) such address was not the address of the company’s registered office,</li></ul> <p>the company is required to deliver to the Registrar a notice under section 645(4) in relation to the specified director’s correspondence address within 15 days after the commencement of Phase 2 (i.e. 8 November 2022).</p>

# Phase 1 – Actions required *(for URA and IDN)*

	Actions required
<p><b>Phase 1</b> <b><i>(Commencing from 23 August 2021)</i></b></p> 	<p>A company <b>may withhold</b> from public inspection the URA and full IDN <b><i>(except <u>the first part</u>)</i></b> of a director (including a reserve director) contained in its register of directors, and the full IDN <b><i>(except <u>the first part</u>)</i></b> of a company secretary contained in its register of company secretaries. <b>However, this is NOT a mandatory requirement.</b></p> <p><i>*Pursuant to sections 644 and 651 of the CO, and the Companies Records (Inspection and Provision of Copies) (Amendment) Regulation 2021.</i></p>

- 
- Changes made on the registers will not affect the information reported/kept by the Registry
  - The Registry continues to keep records of URA and full IDN



# Phase 1 – Withholding IDN of a director or company secretary contained in registers from public inspection

**Pursuant to the Companies Records (Inspection and Provision of Copies) (Amendment) Regulation 2021, a company may -**

- withhold from public inspection **the number of an identity card or a passport of a director (including a reserve director) or company secretary except the first part** of the number.

# What is the first part of IDN?

If the number of an IDN comprises a sequence of an **even** number of alphanumeric characters

- the first half of the sequence

If the IDN comprises a sequence of an **odd** number of alphanumeric characters

- the part that begins with the first character in the sequence and ends with the character that falls on the middle of the sequence



# What is the first part of IDN?

## Hong Kong Identification Card Number

Full Number	First part of the Number
A123456(7)	A123
XA123456(7)	XA123

## Passport Number

Full Number	First part of the Number
ABCD1234567	ABCD12
ABCD12345678	ABCD12
ABCD123456789	ABCD123
ABC-123-4	ABC1
#A1234567H(*)	A1234

# Register of Directors

## Pursuant to section 641 of the CO:-

- A company must keep in the English or Chinese language a register of directors.
- Subject to section 56(5), (6)(a) and (7)(a), a company must enter in the register of directors the required particulars specified in section 643 of each person who is a director or reserve director (if any) of the company.
- A company must keep the register of directors at—
  - (a) the company's registered office; or
  - (b) a prescribed place.

# Register of Directors

**Pursuant to section 643 of the CO, register of directors must contain the following particulars with respect to each director—**

- i. the present forename and surname, former forename or surname (if any), and aliases (if any);
- ii. the usual residential address and a correspondence address; and
- iii. the number of the identity card or, if the director does not have an identity card, the number and issuing country of any passport held by the director.

# Register of Directors

For own records



ROD (for own record) - contain CA, URA and full IDN

## Register of Directors

<b>Company: ABC Limited</b>			
<b>Full Name:</b>	Chan Siu Ming	<b>HKID number:</b>	A123456(7)
<b>Alias:</b>		<b>Passport number and Issuing Country / Company number:</b>	N/A
<b>Any former name:</b>		<b>Date of appointment:</b>	8-Jul-2021
<b>Usual residential address / registered or principal office address:</b>	2/F., ABC Building, ABC Road, Kwun Tong, Hong Kong	<b>Date of cessation:</b>	
<b>Correspondence address:</b>	21st Floor, Edinburgh Tower, The Landmark, 15 Queen's Road Central, Hong Kong		
<b>Position:</b>	Director		
<b>Remarks:</b>			

For public inspection



ROD (for public inspection) - withhold protected information (i.e. URA and full IDN)

## Register of Directors

<b>Company: ABC Limited</b>			
<b>Full Name:</b>	Chan Siu Ming	<b>HKID number:</b>	A123[REDACTED]
<b>Alias:</b>		<b>Passport number and Issuing Country / Company number:</b>	N/A
<b>Any former name:</b>		<b>Date of appointment:</b>	8-Jul-2021
<b>Usual residential address / registered or principal office address:</b>	[REDACTED]	<b>Date of cessation:</b>	
<b>Correspondence address:</b>	21st Floor, Edinburgh Tower, The Landmark, 15 Queen's Road Central, Hong Kong		
<b>Position:</b>	Director		
<b>Remarks:</b>			

# Register of Company Secretaries

## Pursuant to section 648 of the CO:-

- A company must keep in the English or Chinese language a register of company secretaries.
- A company must enter in the register of company secretaries the required particulars specified in section 650 of a person who is, or persons who are the company secretary or joint company secretaries of the company.
- A company must keep the register of company secretaries at—
  - (a) the company's registered office; or
  - (b) a prescribed place.

# Register of Company Secretaries

**Pursuant to section 650 of the CO, register of company secretaries must contain the following particulars with respect to the company secretary or, if there are joint company secretaries, with respect to each of them—**

- if the company secretary is a natural person—
  - i. the present forename and surname, former forename or surname (if any), and aliases (if any);
  - ii. the correspondence address; and
  - iii. the number of the identity card or, if the company secretary does not have an identity card, the number and issuing country of any passport held by the company secretary; and
- if the company secretary is a body corporate, the corporate name and the address of its registered or principal office.



# Register of Company Secretaries

For own records

For public inspection

ROS (for own record) – contain CA and full IDN

ROS (for public inspection) - withhold full IDN

## Register of Secretaries


## Register of Secretaries

<b>Company: ABC Limited</b>			
<b>Full Name:</b>	Ho Siu Keung	<b>HKID number:</b>	B456789(0)
<b>Alias:</b>		<b>Passport number and Issuing Country / Company number:</b>	N/A
<b>Any former name:</b>		<b>Date of appointment:</b>	8-Jul-2021
<b>Correspondence address:/ registered or principal office address:</b>	21st Floor, Edinburgh Tower, The Landmark, 15 Queen's Road Central, Hong Kong	<b>Date of cessation:</b>	
<b>Remarks:</b>			

<b>Company: ABC Limited</b>			
<b>Full Name:</b>	Ho Siu Keung	<b>HKID number:</b>	B456[REDACTED]
<b>Alias:</b>		<b>Passport number and Issuing Country / Company number:</b>	N/A
<b>Any former name:</b>		<b>Date of appointment:</b>	8-Jul-2021
<b>Correspondence address:/ registered or principal office address:</b>	21st Floor, Edinburgh Tower, The Landmark, 15 Queen's Road Central, Hong Kong	<b>Date of cessation:</b>	
<b>Remarks:</b>			

# Implementation details of Phase 2 of New Inspection Regime

# Phase 2 – Implementation Details (1)

	Implementation Details
<p data-bbox="107 382 504 525"><b>Phase 2</b> <i>(Commencing from 24 October 2022)</i></p> 	<p data-bbox="746 382 2364 464">Protected Information (i.e. URAs and full IDNs) on the Index of Directors on the <b>Companies Register</b> will be replaced with <b>correspondence addresses</b> and partial IDNs for public inspection.</p>

# Searches on the Companies Register

## The Cyber Search Centre of the ICRIS ([www.icris.cr.gov.hk](http://www.icris.cr.gov.hk))

- Company Particulars Search (*directors and company secretaries*)
- Directors Index Search (*directors*)
  - *Directors Index Search (Company-based)*
  - *Directors Index Search (Director-based)*
  - *Directors Particulars Search*



公司註冊處綜合資訊系統 (ICRIS) 的網上查冊中心可以英文或中文進行聯線查冊，客戶可查閱由公司註冊處處長登記和備存的公司現況資料，以及文件的影像紀錄。

The Cyber Search Centre of the Integrated Companies Registry Information System (ICRIS) enables you to conduct searches online in either English or Chinese on the current data of registered companies and the image records of documents registered and kept by the Registrar of Companies.

請選擇登入方式：  
Please select the type of login :

登記用戶  
Registered User

無帳戶使用者  
Unregistered User

要申請成為登記用戶，請按此。  
To become a Registered User, please click here.

公司查冊流動版  
Company Search Mobile Service

服務組支援隊  
電郵地址 : [cr.helpdesk@icris.cr.gov.hk](mailto:cr.helpdesk@icris.cr.gov.hk)  
電話號碼 : (852) 8201 8273  
傳真號碼 : (852) 8300 1004

Help Desk Support Service Team  
Email address : [cr.helpdesk@icris.cr.gov.hk](mailto:cr.helpdesk@icris.cr.gov.hk)  
Telephone number : (852) 8201 8273  
Fax number : (852) 8300 1004

# Protected Information on the Companies Register

## Company Particulars Search (Before commencement of Phase 2)

Company Particulars Search

Your Search: CR No.: = 1729832

CR No.: 1729832  
 Company Name: ELECTRONIC SEARCH COMPANY LIMITED  
 電子查冊有限公司  
 Company Type: Private company limited by shares  
 Date of Incorporation: 19-NOV-2013  
 Active Status: Live  
 Remarks: -  
 Winding Up Mode: -  
 Date of Dissolution: -  
 Register of Charges: Unavailable  
 Important Note: -

Name History

Effective Date	Name Used
19-NOV-2013	ELECTRONIC SEARCH COMPANY LIMITED 電子查冊有限公司

Registered Office

Registered Office: ROOM 888, 8/F. COMMERCIAL BUILDING CENTRAL, HONG KONG, HONG KONG

Share Capital

Issued: HKD 1  
 Paid-Up: HKD 1

List of Directors

Director

No.	Name in English	Name in Chinese	HKID No. / CR No.	Overseas Passport No.	Passport Issuing Country	Director Type	Director Particulars	All Directorships
1	LEE, ONE ONE	李一一	A234567(6)	-	-	Natural Person		

Displays Director's full IDN

Company Particulars Search

Your Search: CR No.: = 1729832

CR No.: 1729832  
 Company Name: ELECTRONIC SEARCH COMPANY LIMITED  
 電子查冊有限公司  
 Company Type: Private company limited by shares  
 Date of Incorporation: 19-NOV-2013  
 Active Status: Live  
 Remarks: -  
 Winding Up Mode: -  
 Date of Dissolution: -  
 Register of Charges: Unavailable  
 Important Note: -

Name History

Effective Date	Name Used
19-NOV-2013	ELECTRONIC SEARCH COMPANY LIMITED 電子查冊有限公司

Registered Office

Registered Office: ROOM 888, 8/F. COMMERCIAL BUILDING CENTRAL, HONG KONG, HONG KONG

Share Capital

Issued: HKD 1  
 Paid-Up: HKD 1

List of Directors

Director

No.	Name in English	Name in Chinese	HKID No. / CR No.	Overseas Passport No.	Passport Issuing Country	Director Type	Director Particulars	All Directorships
1	LEE, ONE ONE	李一一	A234567(6)	-	-	Natural Person		

Only shows Director's partial IDN

## Company Particulars Search (On or after commencement of Phase 2)

# Protected Information on the Companies Register

## Company Particulars Search (Before commencement of Phase 2)

No.	Name in English	Name in Chinese	HKID No.	Overseas Passport No.	Passport Issuing Country	Reserve Director Nominated By	Remarks	Director Particulars	All Dir.
1	LEE ONE THREE	李一三	B234567(3)	-	-	李一三 LEE ONE THREE	-		

**Particulars of Company Secretary**

*Particulars of Company Secretary (Natural Person) #1*

Surname: LEE  
 Other Names: ONETWO  
 Chinese Name: 李一二  
 Previous Name: -  
 Alias: -  
 Correspondence Address: ROOM 1E, 2/F. HAPPY BUILDING, 3 HAPPY ROAD HAPPY VALLEY, HONG KONG  
 HKID No.: C234567(3)  
 Overseas Passport No.: -  
 Passport Issuing Country: -  
 Date of Appointment: 19-NOV-2013  
 Important Note: -

**Particulars of Receiver and Manager**

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**Particulars of Liquidator**

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Please select the Order Type:

Order certified report HK\$152.00 plus additional handling charges for different delivery mode(\*)  
 HK\$152.00  
 (\*) Handling charges for different delivery mode will be shown when check out shopping cart.

No.	Name in English	Name in Chinese	HKID No.	Overseas Passport No.	Passport Issuing Country	Reserve Director Nominated By	Remarks	Director Particulars	All Dir.
1	LEE ONE THREE	李一三	B234567(3)	-	-	李一三 LEE ONE THREE	-		

**Particulars of Company Secretary**

*Particulars of Company Secretary (Natural Person) #1*

Surname: LEE  
 Other Names: ONETWO  
 Chinese Name: 李一二  
 Previous Name: -  
 Alias: -  
 Correspondence Address: ROOM 1E, 2/F. HAPPY BUILDING, 3 HAPPY ROAD HAPPY VALLEY, HONG KONG  
 HKID No.: C234567(3)  
 Overseas Passport No.: -  
 Passport Issuing Country: -  
 Date of Appointment: 19-NOV-2013  
 Important Note: -

**Particulars of Receiver and Manager**

---

**Particulars of Liquidator**

---

Please select the Order Type:

Order certified report HK\$152.00 plus additional handling charges for different delivery mode(\*)  
 HK\$152.00  
 (\*) Handling charges for different delivery mode will be shown when check out shopping cart.

## Company Particulars Search (On or after commencement of Phase 2)

# Protected Information on the Companies Register




## Directors Index Search (Before commencement of Phase 2)

Directors Index Search (Company-based)

Your Search: CR No.: = 1729832




CR No.: 1729832  
Company Name: ELECTRONIC SEARCH COMPANY LIMITED  
電子查冊有限公司

Director

No.	Name in English	Name in Chinese	HKID No./ CR No.	Overseas Passport No.	Passport Issuing Country	Director Type	Director Particulars	All Directorships
1	LEE, ONE ONE	李一一	A234567(6)	-	-	Natural Person	 	

Displaying: Record 1 to 1 of 1 records.


Reserve Director

No.	Name in English	Name in Chinese	HKID No.	Overseas Passport No.	Passport Issuing Country	Reserve Director Nominated By	Remarks	Director Particulars	All Dir.
1	LEE, ONE THREE	李一三	B234567(3)	-	-	李一一 LEE ONE ONE	-	 	

Displaying: Record 1 to 1 of 1 records.

Jump to page  of 1

Please select the Order Type

 Order certified report HK\$141.00 plus additional handling charges for different delivery mode(\*)




*Displays Director's full IDN*

Directors Index Search (Company-based)

Your Search: CR No.: = 1729832




CR No.: 1729832  
Company Name: ELECTRONIC SEARCH COMPANY LIMITED  
電子查冊有限公司

Director

No.	Name in English	Name in Chinese	HKID No./ CR No.	Overseas Passport No.	Passport Issuing Country	Director Type	Director Particulars	All Directorships
1	LEE, ONE ONE	李一一	A234567(6)	-	-	Natural Person	 	

Displaying: Record 1 to 1 of 1 records.


Reserve Director

No.	Name in English	Name in Chinese	HKID No.	Overseas Passport No.	Passport Issuing Country	Reserve Director Nominated By	Remarks	Director Particulars	All Dir.
1	LEE, ONE THREE	李一三	B234567(3)	-	-	李一一 LEE ONE ONE	-	 	

Displaying: Record 1 to 1 of 1 records.

Jump to page  of 1

Please select the Order Type

 Order certified report HK\$141.00 plus additional handling charges for different delivery mode(\*)

*Only shows Director's partial IDN*

## Directors Index Search (On or after commencement of Phase 2)

# Protected Information on the Companies Register

## Director Particulars Search (Before commencement of Phase 2)

**Director Particulars Search**  
Your Search: CR No.: = 1729832, No. = 1, Director Type = Natural Person

**Director Particulars - Natural Person Director**

CR No.:	1729832
Company Name:	ELECTRONIC SEARCH COMPANY LIMITED 電子查冊有限公司
Surname (English):	LEE
Other Names (English):	ONE ONE
Chinese Name:	李一一
Previous Name:	-
Alias:	-
Residential Address:	ROOM 1E, 2/F. HAPPY BUILDING, 3 HAPPY ROAD HAPPY VALLEY, HONG KONG
HKID No.:	A234567 (6)
Overseas Passport No.:	-
Passport Issuing Country:	-
Date of Appointment:	19-NOV-2013
Remarks:	-

**Please select the Order Type**

 Order certified report (Director Particulars) HK\$141.00 plus additional handling charges for different delivery mode(\*)

*Displays Director's Residential Address*

*Displays Director's full IDN*

**Director Particulars Search**  
Your Search: CR No.: = 1729832, No. = 1, Director Type = Natural Person

**Director Particulars - Natural Person Director**

CR No.:	1729832
Company Name:	ELECTRONIC SEARCH COMPANY LIMITED 電子查冊有限公司
Surname (English):	LEE
Other Names (English):	ONE ONE
Chinese Name:	李一一
Previous Name:	-
Alias:	-
<del>Residential Address:</del>	<del>ROOM 1E, 2/F. HAPPY BUILDING, 3 HAPPY ROAD HAPPY VALLEY, HONG KONG</del>
HKID No.:	<del>A234567 (6)</del>
Overseas Passport No.:	-
Passport Issuing Country:	-
Date of Appointment:	19-NOV-2013
Remarks:	-

**Please select the Order Type**

 Order certified report (Director Particulars) HK\$141.00 plus additional handling charges for different delivery mode(\*)

*Replaced with Correspondence Address*

*Only shows partial IDN*

## Director Particulars Search (On or after commencement of Phase 2)




# How could searchers identify different directors having identical full name and partial IDN on the Companies Register?


Additional digit will be provided to differentiate different directors who have identical full names and partial IDN

English Name	Chinese Name	Partial IDN (1 <sup>st</sup> alphabet & 3 digits that follow)
CHAN TAI MAN	陳大文	A123*8*
CHAN TAI MAN	陳大文	A123*4*

# What address will be recorded by the Registry as **directors' correspondence addresses** for public inspection?

- Hong Kong Companies  Registered Office address
  - Non-Hong Kong Companies  Principal Place of Business in Hong Kong
- ✓ *until a change of correspondence address notice is filed with the Registry*

# Phase 2 – Implementation Details (2)

	Implementation Details
<p><b>Phase 2</b> <b><i>(Commencing from 24 October 2022)</i></b></p> 	<p>Documents filed for registration with the Registry <u>after commencement of Phase 2</u> :-</p> <ul style="list-style-type: none"><li>▪ report correspondence address of directors and partial IDNs of relevant individuals</li><li>▪ contain Protected Information</li><li>▪ <u>but</u> Protected Information will be withheld from public inspection</li></ul> <p><i>(Note: The public can still conduct company search to obtain the previously filed documents which contain Protected Information)</i></p>

# Revision of Specified Forms

- To facilitate the implementation of Phase 2 of the New Inspection Regime, **26 specified forms** which pertain to the reporting of Protected Information have been revised.
- The revised specified forms:
  - i. were published in the Gazette (G.N.3130 and 3168) on 24 June 2022
  - ii. starting from **22 July 2022**, can be downloaded from the thematic section on “New Inspection Regime” on the Registry’s website at [www.cr.gov.hk/en/legislation/nir/forms.htm](http://www.cr.gov.hk/en/legislation/nir/forms.htm)
  - iii. will be available for purchase at the Registry’s office on the 14th floor of the Queensway Government Offices, 66 Queensway, Hong Kong with effect from **23 September 2022**

# Revision of Specified Forms (Con't)

- Major changes include:
  - Modification of the relevant fields for reporting **correspondence address** of directors and **partial IDNs** of relevant persons
  - Introduction of a “**PI-sheet**” to individual form for reporting Protected Information (Note: The **PI-sheet** will NOT be available for public inspection)

# Major Changes at a glance

## Form ND2A (Before commencement of Phase 2)

表格 Form **ND2A** 公司編號 Company Number

**3 委任公司秘書/董事 (自然人) Appointment of Company Secretary/Director (Natural Person)**  
(如委任超過一名自然人為公司秘書/董事, 請用續頁 B 項附 Use Continuation Sheet B if more than 1 natural person is appointed as company secretary/director)

請在適用的空格內加上 ✓ 號 Please tick the relevant boxes!

12 身分 Capacity  公司秘書 Company Secretary  董事 Director  候補董事 Alternate Director

代管 Alternate to

中文姓名 Name in Chinese

英文姓名 Name in English 姓氏 Surname

名字 Other Names

13 前用姓名 Previous Names 中文 Chinese

英文 English

14 別名 Alias 中文 Chinese

英文 English

15 地址 Address

國家/地區 Country/Region

16 電郵地址 Email Address

17 身分證明 Identification

(a) 香港身分證號碼 Hong Kong Identity Card Number

(b) 護照 Issuing Country/Region

18 委任日期 Date of Appointment

日 DD 月 MM 年 YYYY

19 上述董事或候補董事在獲得這次委任時, 是否已經是該公司的現任候補董事或董事?  
 Is this director or alternate director already an existing alternate director or director in this company at the time of this appointment?  是 Yes  否 No

20 提示 Advisory Note 所有公司董事均應閱讀公司總務處編制的《董事責任指引》, 並熟悉該指引所編錄的董事一般責任。  
 All directors of the company are advised to read "A Guide on Directors' Duties" published by the Companies Registry and acquaint themselves with the general duties of directors outlined in the Guide.

21 出任董事職位同意書 Consent to Act as Director \*請刪去不適用者 Delete whichever does not apply\*  
 本人同意擔任公司的董事/候補董事, 並確認本人已年滿 18 歲。  
 I consent to act as director/alternate director\* of this company and confirm that I have attained the age of 18 years.

簽署 Signed : \_\_\_\_\_

指明編號 1/2014 (2014 年 3 月) Specification No. 1/2014 (March 2014) 第二頁 Page 2

# Major Changes at a glance

## 表格 ND2A

### 3 委任公司秘書/董事 (自然人) Appointment of Company Secretary/Director (Natural Person)

(如委任超過一名自然人為公司秘書/董事，請用續頁 B 填報 Use Continuation Sheet B if more than 1 natural person is appointed as company secretary/director)

請在適用的空格內加上 ✓ 號 Please tick the relevant box(es)

13 身分 Capacity  公司秘書 Company Secretary  董事 Director  候補董事 Alternate Director  代晉 Alternate to

14 中文姓名 Name in Chinese

14 英文姓名 Name in English

14 前用姓名 Previous Names

14 別名 Alias

15 通訊地址 Correspondence Address

15 國家/地區 Country/Region

16 電郵地址 Email Address

17 身分類別 Identification

17 (a) 香港身分證部分號碼 Partial Number of Hong Kong Identity Card

17 (b) 護照 Issuing Country/Region

17 委任日期 Date of Appointment

18 上述董事或候補董事在獲得這次委任時，是否已經是該公司的現任候補董事或董事？

19 提示 Advisory Note

19 出任董事職位同意書 Consent to Act as Director

簽署 Signed

冊明編號 1/2022 (2022 年 10 月) Specification No. 1/2022 (October 2022)

第二頁 Page 2

## PI-ND2A

公司編號 Company Number

### 委任公司秘書/董事 (自然人) - 受保護資料 Appointment of Company Secretary/Director (Natural Person) - Protected Information

公眾紀錄不會顯示此頁 This page will not be shown on the public record

- 公司須於本頁申報新委任公司秘書的香港身分證或護照的完整號碼。 The full number of Hong Kong Identity Card or passport of the newly appointed company secretary should be reported on this page.
- 公司須於本頁申報新委任董事的香港身分證或護照的完整號碼及通常住址。 The full number of Hong Kong Identity Card or passport and usual residential address of the newly appointed director should be reported on this page.

(每一頁 PI-ND2A 只可填報一名自然人的受保護資料。如超過一名自然人資料，請另加 PI-ND2A 頁填報。 Each PI-ND2A sheet can only report the protected information of 1 natural person. If there is information for more than 1 natural person, please report separately on additional PI-ND2A sheet(s).)

請在適用的空格內加上 ✓ 號 Please tick the relevant box(es)

身分 Capacity  公司秘書 Company Secretary  董事 Director  候補董事 Alternate Director

14 英文姓名 Name in English

14 身分類別 Identification

14 (a) 香港身分證 (完整號碼) Hong Kong Identity Card (Full Number)

14 (b) 護照 Issuing Country/Region

14 董事/候補董事的通常住址 Usual Residential Address of Director/Alternate Director

14 國家/地區 Country/Region

14 國家/地區 Country/Region

14 國家/地區 Country/Region

14 國家/地區 Country/Region

14 國家/地區 Country/Region

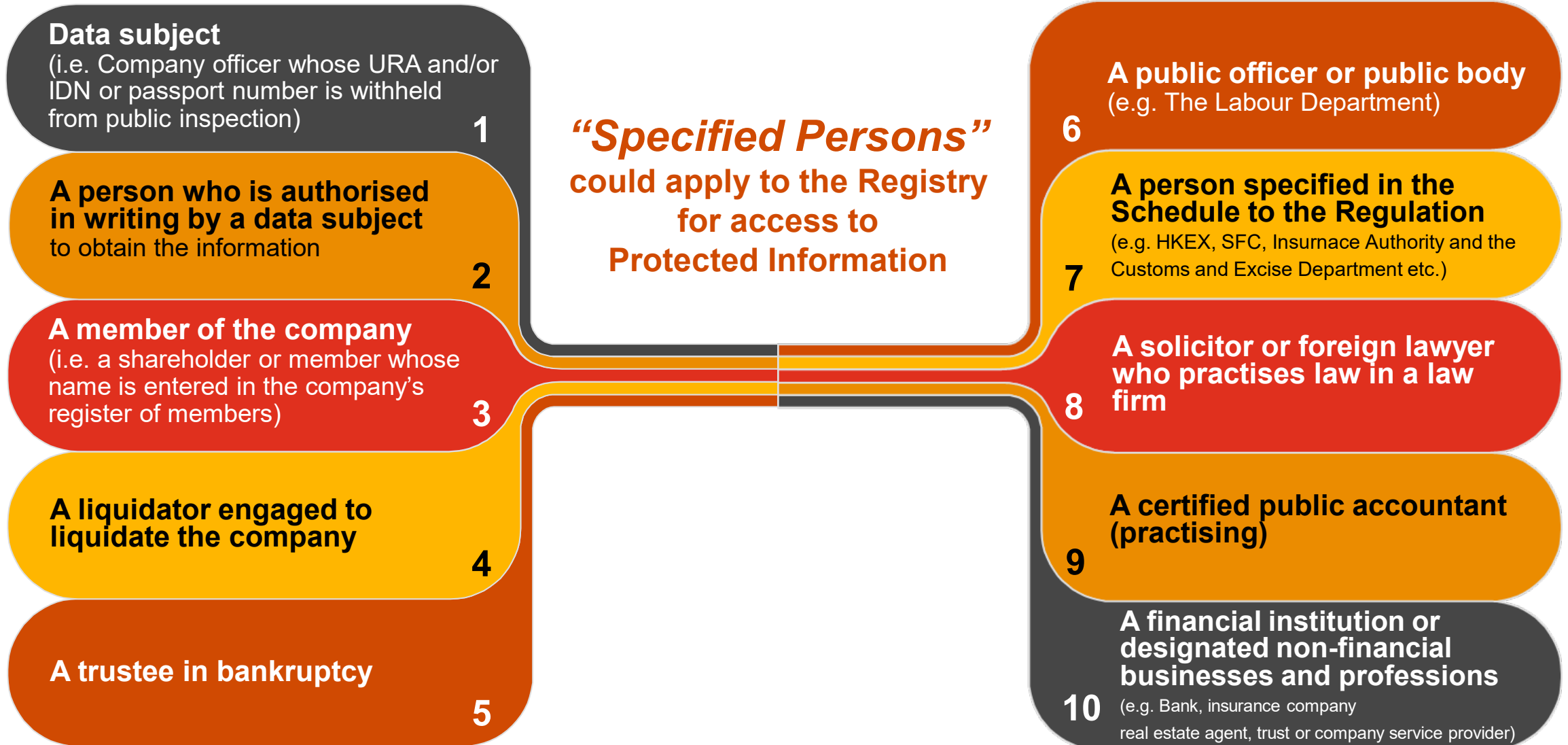
(交付表格 ND2A 時，請將所有 PI-ND2A 頁置於最後。 Please place all PI-ND2A sheets at the end when delivering the Form ND2A.)

冊明編號 1/2022 (2022 年 10 月) Specification No. 1/2022 (October 2022)

## Form ND2A

(On or after commencement of Phase 2)

# Phase 2 – Implementation Details (3)





# Phase 2 – Access to Protected Information

## Application made by the Specified Persons for access to Protected Information:

### How to apply?

- Online application (through Cyber Search Centre: [www.icris.cr.gov.hk](http://www.icris.cr.gov.hk) or Company Search Mobile Services: [www.mobile-cr.gov.hk](http://www.mobile-cr.gov.hk))
- Paper application (must be in the specified form)

### Supporting documents:-

- For an application made by a person authorised by a data subject - an authorisation letter by the data subject
- Specified Persons (4) – (10) need to confirm that the Protected Information -
  - a. is required for performance of their function purpose; and
  - b. would only be used for that purpose

# Phase 2 – Access to Protected Information

## Application made by the Specified Persons for access to Protected Information:

### How much to pay?

- Specified Persons (1) to (7): exemption from fees
- Specified Persons (8) to (10): a fee of HK\$10 for obtaining Protected Information of each data subject

➤ *(Note: The Registry will release more details nearer the commencement of Phase 2)*

# Implementation details of Phase 3 of New Inspection Regime

# Phase 3 – Implementation Details

	Implementation Details
<p><b>Phase 3</b> <i>(Commencing from 27 December 2023)</i></p> 	<ol style="list-style-type: none"><li>1. Data subjects could apply to the Registry to withhold their Protection Information contained in documents filed <b><u>before commencement of Phase 2</u></b></li><li>2. Ex-data subjects could also apply to the Registry to withhold their Protection Information in:-<ul style="list-style-type: none"><li>• a company that is still in existence</li><li>• a dissolved company</li></ul></li><li>3. “Specified Persons” could continue to apply to the Registry for access to Protected Information</li></ol>

*(Note: The Registry will release more details nearer the commencement of Phase 3)*

# 3

Implications and  
Key Takeaways

# Who may be affected by the New Inspection Regime?

## General Public & Searchers including:-

- A party intending to transact or deal with a company registered with the Registry and to perform a due diligence check against such company including the identities of its directors
- A service provider intending to perform a know-your-customer check against a company registered with the Registry

## Implications

- Only able to access the correspondence address of a director instead of his/her URA, and the partial IDN of a director or a company secretary instead of his/her full IDN.
- Only access to the Protection Information through Specified Persons.
- When conducting any searches, the searcher (including any Specified Persons) should consider carefully and take necessary measures to ensure the accuracy of the Purpose(s) indicated in conducting searches.

# Who may be affected by the New Inspection Regime?

**Companies registered with the Registry & their respective directors and company secretaries**

## **Implications**

- Companies can protect the Protected Information of their directors and company secretaries.
- Companies, directors and company secretaries should consider their approach to limit disclosure of Protected Information.

# Key Takeaways on the way forward



## Phase 1

Consider to limit disclosure of Protected Information in the companies' statutory registers



## Phase 2

Discuss with directors if he/she would like to use other designated address (i.e. not the registered office address) as his/her correspondence address (CA). If yes, the company is required to deliver to the Registry a specified form in relation to the CA after commencement of this Phase.



# Key Takeaways on the way forward



## Phase 2 (Con't)

Update Register of Directors and Register of Company Secretaries after commencement of this Phase.

	Register of Directors	Register of Company Secretaries
For own record	Must contain CA, URA and full IDN	Must contain CA and full IDN (URA not required since 2014)
For public inspection	May withhold Protected Information (URA and full IDN) - <b><i>not mandatory</i></b>	May withhold full IDN - <b><i>not mandatory</i></b>

# Key Takeaways on the way forward



## Phase 2 (Con't)

Access Protection Information through Specified Persons

- *consider performing due diligence investigation against a company and its directors through person authorised by data subject or lawyer etc.*



## Phase 3

Companies, directors and company secretaries should consider to make application to the Registry for replacing the URAs and full IDNs of directors and company secretaries on documents filed with the Registry before Phase 2 with their CA and partial IDNs.

# Useful links and materials

1. Legislative Council Brief on Companies Ordinance (Cap. 622) with subsidiary legislations  
[https://www.legco.gov.hk/yr20-21/english/brief/co220c2021pt9\\_20210616-e.pdf](https://www.legco.gov.hk/yr20-21/english/brief/co220c2021pt9_20210616-e.pdf)
2. Companies Registry External Circular No. 1 / 2021 - Commencement of New Inspection Regime – Phase 1  
<https://www.cr.gov.hk/en/publications/docs/ec1-2021-e.pdf>
3. Companies Registry External Circular No. 1 / 2022 - Revision of Specified Forms for Implementation of Phase 2 of New Inspection Regime  
<https://www.cr.gov.hk/en/publications/docs/ec1-2022-e.pdf>
4. New Inspection Regime - Frequently Asked Questions  
<https://www.cr.gov.hk/en/legislation/nir/faq.htm>

4

Q & A Session

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