

## SFC Reprimands Ma Tak Ming Dick

20 Nov 1998

The Securities and Futures Commission announced today that it had publicly reprimanded Mr Ma Tak Ming, Dick (Ma), who was registered as a securities dealer's representative of Uni-Crown Investment Limited (Uni-Crown) under the Securities Ordinance.

The SFC conducted an inquiry under section 56 of the Securities Ordinance which revealed that during January to September 1997 Ma had:

- (a) knowingly facilitated two persons to open nominee accounts with Uni-Crown to enable those persons to circumvent the staff dealing policies of another brokerage with whom they were employed;
- (b) executed orders for a prospective client even though that prospective client had not opened an account with Uni-Crown; and
- (c) breached Code 12.2 of the Commission's "Code of Conduct for Persons Registered with the Securities and Futures Commission" in that he had knowingly dealt in securities for two employees of another registered person without having first sought the written consent of that other registered person.

On this basis the SFC concluded that Ma's fitness and properness as a registered person has been impugned.

An SFC spokesman, commenting on the action against Ma, noted that a registered person cannot knowingly deal in securities or futures contracts for another registered person's employee unless he has written to that registered person and received his written consent. This rule is designed to allow brokers to monitor their staff's trading when permitted to do so through other brokers. In this manner brokers are able to ensure that their staff's trading does not conflict with their own clients' trading.

Page last updated : 1 Aug 2012

## 證監會譴責馬德銘

1998年11月20日

證券及期貨事務監察委員會今天宣布公開譴責根據《證券條例》註冊成為道詠投資有限公司（道詠投資）證券交易商代表的馬德銘（馬氏）。

證監會根據《證券條例》第56條進行的查訊，發現馬氏於1997年1月至9月期間：

(a) 在知情的情況下，協助兩名人士在道詠投資開設代名人賬戶，令該兩名人士可以避免遵行其受僱的經紀行的員工交易政策；

(b) 替一名準客戶執行交易指示，惟該名準客戶當時仍未在道詠投資開設賬戶；

(c) 違反本委員會《證監會註冊人操守準則》第12.2條，在知情的情況下，為另一名註冊人的兩名僱員買賣證券，但事前卻沒有取得該名註冊人的同意。

基於上述原因，證監會認為馬氏作為註冊人的適當人選的資格已受到質疑。

證監會發言人評論對馬氏採取的行動時指出，註冊人除非已致函有關的另一註冊人，並得到其書面同意，否則不可在知情的情況下，替該另一名註冊人的僱員買賣證券及期貨合約。此項規則旨在允許經紀在批准員工透過其他經紀行進行交易時，仍可監管員工的交易情況，以確保其員工的交易不會與其本身的客戶交易有所衝突。

最後更新日期：2012年8月1日