

CONFIDENTIAL**DECLARATION OF INVESTMENTS BY CIVIL SERVANTS****Report on Investment Transactions (Acquisitions and Disposals)**

(within seven days of the transactions between the annual/biennial declarations)

To :

*SCS/Permanent Secretary/Head of Department **

Serial No.	(a) Particulars of Transactions (see notes)	(b) Date of Acquisition/ Disposal * (dd/mm/yy)	(c) Quantity/ Units Acquired/ Disposed *	(d) Price of Acquisition/ Disposal * [HK \$ as at (b)]	(e) Use of Investment at (a) (Please ✓ as appropriate)	
(I) <u>Land or buildings owned in Hong Kong and/or places outside Hong Kong</u>						
					Self-use	Leased

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Serial No.	Particulars of Transactions (see notes)	(a) Date of Acquisition/ Disposal * (dd/mm/yy)	(b) Quantity/ Units Acquired/ Disposed *	(c) Price of Acquisition/ Disposal * [HK \$ as at (a)]
(II) <u>Shareholdings of the issued share capital in any company</u>				
(i) Listed Public Company				

Notes for Investment Declaration Form [GF 389(II) (Rev. 6/2008)]
[Report on Investment Transactions (Acquisition and Disposal)]

- (1) To report within seven days each single investment transaction equivalent to or exceeding HK\$200,000 or three months' salary, whichever is the less.
- (2) Under CSR 463(1), the “investments” for declaration and reporting -
 - (a) include any investment, shareholding or direct or indirect interest in any company or undertaking (including company directorship), and any interest in land or buildings (including self-occupied property) in Hong Kong and/or in places outside Hong Kong;
 - (b) include but are not limited to –
 - (i) securities listed on the Stock Exchange of Hong Kong;
 - (ii) futures and options contracts and other products traded on the Hong Kong Futures Exchange;
 - (iii) Tracker Fund of Hong Kong;
 - (iv) The Link Real Estate Investment Trust; and
 - (v) any investment listed above which belongs to an officer but is held in the name of his/her spouse or of any other person or agent or company acting on his/her behalf,
 - (c) but, subject to CSR 464(a), **exclude** –
 - (i) unit trusts, mutual funds¹ and life insurance policies;
 - (ii) bank deposits (irrespective of currencies) and currency transactions;
 - (iii) government bills and notes and multilateral agency debt instruments; and
 - (iv) any investment held by an officer as a trustee or for charitable purposes where the officer has no beneficiary interest.
- (3) By virtue of CSR 464(a), an officer may be required during a posting to declare his investments under CSR 463(1)(a) and (b) and other investments to be specified from a current date and thereafter on a regular basis. For investments not specified above, an officer should consult his/her Permanent Secretary/Head of Department on whether such investments should be declared.
- (4) For reporting of land or buildings owned in or outside Hong Kong, detailed address is required. Whether the land or buildings owned in Hong Kong or elsewhere is for residential or commercial use should be specified.
- (5) For reporting of the use of land or buildings, “self-use” includes self-occupied, occupied by family and relatives, vacant or any other purposes for which no income is derived. 622
- (6) With reference to the relevant definitions under the Companies Ordinance (Cap. 32) and Securities and Futures Ordinance (Cap. 571), the meaning of “private”, “unlisted public” and “listed public” companies for the purpose of this form are as follows –
 - (i) *private company* – those with an upper limit of 50 members (excluding staff) and are prohibited from inviting the public to subscribe to their shares;
 - (ii) *unlisted public company* – those not falling under the definition under (i) above and are not listed on a recognised stock market (local or overseas); and
 - (iii) *listed public company* – those not falling under the definition under (i) above and its shares are listed on a recognised stock market (local or overseas).

¹ The unit trusts and mutual funds to be excluded refer to those where the fund managers make active investment decisions completely independent of beneficial ownership, thus rendering the chance of potential conflict of interest between such investment and official duties minimal.

- (7) If interests in a private company are included, a brief indication of the following should be given –
 - (a) the nature of its business;
 - (b) whether the company has active business activities; if it is solely for holding land or properties, please provide details of the land and properties;
 - (c) whether the officer has actively participated in the business(es) of the company; and
 - (d) the officer's shareholding and names of other shareholders which are known.
- (8) The information provided in this declaration form (GF 389(II) (Rev. 6/2008)) will be used by SCS/Permanent Secretary/Head of Department or his designated officer(s) as appropriate to assess whether there is any conflict of interest between the private investments (in and/or outside Hong Kong) declared by the officer and his official duties or any non-compliance with relevant Civil Service rules and regulations and/or whether any action, including disciplinary proceedings, should be taken as appropriate.
- (9) Under CSR 466, an officer who fails to observe any of the regulations on investments renders himself liable to disciplinary proceedings, and may in addition be required to divest himself of any or some of the investments, refrain from acquiring or disposing of the investments or place the investments in a blind trust.
- (10) The officer making the declaration will have a right to request access to and correction of the information provided herewith. Such requests may be made in writing to SCS/Permanent Secretary/Head of Department [Attn: (name and title of responsible officer) at (officer's address) if possible] as appropriate.