

**Supplemental Form**  
**Information on Director/Controller (Body Corporate)**

This Form is to be completed for each director/controller<sup>1</sup> of a licensed insurance agency, a licensed insurance broker company or an applicant for an insurance agency or insurance broker company licence.

|  |  |
|--|--|
| Name of Licensed Insurance Agency or Licensed Insurance Broker Company ("Licensee") or Applicant for Insurance Agency Licence or an Insurance Broker Company licence ("Applicant") |  |
| Insurance Intermediary Licence Number (for Licensee only)  |  |

**I. Particulars of Director/Controller ("the Body Corporate")**

|   |  |                                  |  |
|---|--|----------------------------------|--|
| Name in English   |  |                                  |  |
| Name in Chinese (if any)  |  |                                  |  |
| Former/Other Name(s) in English (if any)  |  |                                  |  |
| Former/Other Name(s) in Chinese (if any)  |  |                                  |  |
| Place of Incorporation  |  | Date of Incorporation (DD/MM/YY) |  |
| Company Registered No. (if any)   |  | Website (if any)                 |  |
| Registered Address  |  |                                  |  |
| Address of Principal Place of Business in Hong Kong (for non-Hong Kong company) |  |                                  |  |
| † Relationship with Licensee/ Applicant   | <input type="checkbox"/> Director<br><input type="checkbox"/> Controller |                                  |  |
| Name of Director(s) of the Body Corporate                                       |  |                                  |  |
|   |  |                                  |  |
| Name of Controller(s) of the Body Corporate                                     |  |                                  |  |
|   |  |                                  |  |

<sup>1</sup> According to section 64F of the Insurance Ordinance (Cap. 41), a controller is a person who meets the following:

- (a) in relation to a sole proprietorship –
  - (i) means an individual who ultimately owns or controls the carrying on of regulated activities by the sole proprietorship; or
  - (ii) if the sole proprietor is acting on behalf of another person, means the other person;
- (b) in relation to a partnership, means an individual who –
  - (i) is entitled to or controls, directly or indirectly, not less than a 15% share of the capital or profits of the partnership;
  - (ii) is, directly or indirectly, entitled to exercise or control the exercise of not less than 15% of the voting rights in the partnership; or
  - (iii) exercises ultimate control over the management of the partnership; or
- (c) in relation to a company, means a person who—
  - (i) owns or controls, directly or indirectly, including through a trust or bearer share holding, not less than 15% of the issued share capital of the company;
  - (ii) is, directly or indirectly, entitled to exercise or control the exercise of not less than 15% of the voting rights at general meetings of the company; or
  - (iii) exercises ultimate control over the management of the company.

**II. Other Licence(s) Granted by Financial Regulators**

Please provide the following information supporting document(s) if the Body Corporate has been registered with the following financial regulators.

1. † Has the Body Corporate ever been registered with the Mandatory Provident Fund Schemes Authority ("MPFA")?  
☐ Yes (If Yes, please provide your MPF registration no.: \_\_\_\_\_) ☐ No
2. † Has the Body Corporate ever been licensed by the Securities and Futures Commission ("SFC")?  
☐ Yes (If Yes, please provide your SFC licence no.: \_\_\_\_\_) ☐ No
3. † Has the Body Corporate ever been registered with the Hong Kong Monetary Authority ("HKMA")?  
☐ Yes (If Yes, please provide your HKMA registration no.: \_\_\_\_\_) ☐ No
4. † Has the Body Corporate ever been licensed by or registered with other financial regulators, or self-regulatory organizations for insurance intermediaries in or outside Hong Kong (including Insurance Agents Registration Board, The Hong Kong Confederation of Insurance Brokers and Professional Insurance Brokers Association)?  
☐ Yes (If Yes, please provide the name of the regulator/organization and registration no.)  
Name: \_\_\_\_\_ (Registration No.: \_\_\_\_\_)  
☐ No

**III. Character, Financial Status, Disciplinary Action & Investigation**

<sup>†</sup>If the Body Corporate answered “Yes” to any of the questions below, please provide details of the case or matter in a separate document including date of event, name of regulatory, criminal investigatory or professional body (if applicable), description of the case/matter, the Body Corporate’s role or involvement in the case/matter, outcome or current status of the case/ matter.

|   |  |
|---|--|
| 1. Has the Body Corporate ever failed to comply with any requirements in relation to the carrying on of regulated activities?   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. Has the Body Corporate ever been refused or restricted from the right to carry on any trade, business or profession by any professional, trade or regulatory body in Hong Kong or elsewhere?   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. Has the Body Corporate ever been censured, disciplined or publicly criticized by any professional, trade or regulatory body in Hong Kong or elsewhere?   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 4. Is the Body Corporate the subject of an investigation and/or disciplinary action or proceeding conducted by any professional body established under any laws, regulatory authority or law enforcement agency in Hong Kong or elsewhere?  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 5. Has the Body Corporate ever been:<br>(a) a controller, director or partner of another business entity in Hong Kong or elsewhere <sup>#</sup> ; and if so<br>(b) whilst it was (or within 1 year after he/she ceased to be) such a controller, director or partner, was the business entity compulsorily wound up, or did the business entity make any compromise or arrangement with its creditors, or cease trading in circumstances where its creditors did not receive or have not yet received full settlement of their claims?  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 6. Has the Body Corporate ever been a controller, director or partner of another business entity <sup>#</sup> in Hong Kong or elsewhere, which,<br>(a) with the consent or connivance of, or because of the neglect or omission by it, failed to comply with any requirements under any laws, or any rules, regulations, codes or guidelines made or issued under any laws, or any other regulatory requirements;<br>(b) has been convicted of a criminal offence <sup>2</sup> (except for a minor offence) by any court in Hong Kong or elsewhere or is the subject of unresolved criminal charges <sup>2</sup> (except for a criminal charge in relation to a minor offence) in Hong Kong or elsewhere; or<br>(c) has been adjudicated by any court or other competent authority in Hong Kong or elsewhere civilly liable for any fraud, misfeasance or misconduct? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 7. Has the Body Corporate ever been subject to receivership, administration, liquidation or other similar proceedings?  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 8. Has the Body Corporate ever entered into a voluntary arrangement and/ or scheme of arrangement with creditors (“Arrangement”) or been adjudicated bankrupt by a court (regardless of the period of time elapsed since the cessation, completion, discharge or termination of the Arrangement or the bankruptcy), or are you currently involved in or subject to any bankruptcy, Arrangement and/ or other similar proceedings, in Hong Kong or elsewhere?  | <input type="checkbox"/> Yes <input type="checkbox"/> No |

<sup>#</sup> Business entity means a sole proprietorship, a partnership or a company.

<sup>2</sup>Section 2(1) and (1A) of the Rehabilitation of Offenders Ordinance (Cap. 297) (“ROO”) provides the legal basis for a person not to have to disclose certain convictions when asked for past conviction records. However, there are exceptions to this. One of the exceptions concerns applications to the Insurance Authority to be licensed as a licensed insurance broker or a licensed insurance agent, or to be approved as a responsible officer of a licensed insurance broker company or a licensed insurance agency within the meaning of that Ordinance.

This means applicants must disclose to the Insurance Authority any records of conviction of a criminal offence including any conviction that falls under the ambit of section 2(1) and (1A) of the ROO, when applying for an intermediary licence or approval with the Insurance Authority.

The only exception to this is that a “minor offence” need not be disclosed. A “minor offence” is an offence punishable by a fixed penalty under the Fixed Penalty (Traffic Contraventions) Ordinance (Cap. 237), the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240), the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance (Cap. 570), the Fixed Penalty (Smoking Offences) Ordinance (Cap. 600) or the Motor Vehicle Idling (Fixed Penalty) Ordinance (Cap. 611), an offence under regulation 33(6) of Road Traffic (Traffic Control) Regulations (Cap. 374G), any offence under the now expired Prevention and Control of Disease (Wearing of Mask) Regulation (Cap. 599I), or an offence of similar nature committed in a place outside Hong Kong.

<sup>†</sup> Please tick the appropriate box.

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**IV. † Capacities in a Licensed Insurance Intermediary**

1. Does the Body Corporate manage or control any matter relating to a regulated activity of the Licensee/ Applicant?
- ☐ Yes
- ☐ No
2. Is the Body Corporate related to any licensed insurance intermediary **OTHER THAN** the Licensee or Applicant?
- ☐ Yes
- ☐ The Body Corporate is a Licensed Insurance Agency (Licence No: \_\_\_\_\_);
- ☐ The Body Corporate is a *\*Director/ Controller* of another Licensed Insurance Agency (Licence No: \_\_\_\_\_); and
- ☐ manages or controls any matter relating to a regulated activity of that other agency; **OR**
- ☐ does not manage or control any matter relating to a regulated activity of that other agency.
- ☐ The Body Corporate is a Licensed Insurance Broker Company (Licence No: \_\_\_\_\_);
- ☐ The Body Corporate is a *\*Director/ Controller* of another Licensed Insurance Broker Company (Licence No: \_\_\_\_\_); and
- ☐ manages or controls any matter relating to a regulated activity of that other company; **OR**
- ☐ does not manage or control any matter relating to a regulated activity of that other company.
- ☐ Others. Please specify: \_\_\_\_\_
- ☐ No

*\*please delete as appropriate*

**V. Declaration**

We, \_\_\_\_\_, hereby declare and confirm that:

*Name of the Body Corporate*

- All the information provided in this form and any documents in connection with this form are **COMPLETE, TRUE and CORRECT**.
- We have read, understood and we agree to the attached Personal Information Collection Statement.
- We consent to the Insurance Authority ("IA") using any personal data we have provided to the IA in (or in support of) this form for the purposes described in the attached Personal Information Collection Statement.
- We understand that the IA may make enquiries and seek further information or documents from us as it thinks appropriate. We also understand that the IA may ask us to give written consent to enable it to assess our fitness and properness.

Date: \_\_\_\_\_

Signature of authorized person: \_\_\_\_\_

Company Chop (if applicable):

Full Name of authorized person: \_\_\_\_\_

\_\_\_\_\_

Designation: \_\_\_\_\_

## **Personal Information Collection Statement (“PICS”)**

This PICS is made by the Insurance Authority (“IA”) to comply with the notification requirements of the Personal Data (Privacy) Ordinance (Cap. 486) (the “PDPO”). You are advised to read it carefully as it sets out the policies and practices of the IA in relation to your personal data (as defined in the PDPO), the purposes for which the IA may collect and use your personal data and the persons to whom your personal data may be transferred.

### **Purpose of Collection**

Your personal data provided in (and in support of or in connection with) this application by you or by any other persons may be used and held by the IA for one or more of the following purposes:

(a) to administer and/or enforce the provisions of any relevant ordinances (including the Insurance Ordinance (Cap. 41) (the “Ordinance”)) and any regulations, rules, codes, guidelines, circulars or other regulatory instruments made or promulgated pursuant to the powers vested in the IA as in force at the relevant time and to carry out its functions as a regulator of the insurance industry, including:

(i) to process any application made to or received by the IA under the Ordinance;

(ii) to assess your fitness and properness in relation to any application or approval under the Ordinance;

(iii) to assess and monitor your fitness and properness and your status for appointment or approval or to remain to be a controller, shareholder, controller, director, key person in control functions, appointed actuary and/or licensed insurance intermediary (as the case may be) under the Ordinance;

(iv) to consider any application under the Ordinance where you may otherwise have a connection;

(v) to investigate complaints and non-compliance, handle enquiries, supervise and monitor compliance with the requirements under the insurance regulatory framework administered by the IA

(vi) to conduct legal proceedings, inspection, investigation, and taking enforcement/ disciplinary actions;

(vii) to disclose personal data in relation to the decision of disciplinary actions and to display personal data on the public registers maintained by the IA (where applicable);

(b) to co-operate with and assist other regulatory body and/or law enforcement body of Hong Kong, or of any place outside Hong Kong, whenever appropriate, and to the extent permitted by the laws of Hong Kong;

(c) for any statistical and research purposes; and/or

(d) any other purposes as permitted by the laws of Hong Kong.

You are obliged to supply the requested personal data where a specified requirement has been imposed upon you under the laws and regulations (including the Ordinance) or in response to any request from the IA in exercising its powers or carrying out its functions (including processing your application(s)). Failure to provide the requested personal data may result in the IA being unable to exercise its powers or carrying out its functions (including processing your application(s)) and may affect the IA's assessment of your fitness and properness under the Ordinance.

### **Transfer/Matching of Personal Data**

In performing the IA's functions under the relevant laws and regulations, your personal data held by the IA may, for the aforesaid purposes, be disclosed or transferred to any third parties, including financial regulators in Hong Kong (including but not limited to the Mandatory Provident Fund Schemes Authority, the Securities and Futures Commission and the Hong Kong Monetary Authority), educational institutions/examination bodies in or outside of Hong Kong (e.g. for the purposes of conducting qualifying examinations or verifying academic/professional qualifications), relevant appointing principals (authorized insurer, licensed insurance agency and/or licensed insurance broker company (as the case may be)), the Travel Industry Authority, the Travel Industry Council of Hong Kong, law enforcement agencies, the relevant courts, tribunals and committees and/or other local and/or overseas regulatory/government/judicial bodies as permitted and/or required under the laws of Hong Kong, pursuant to any regulatory/supervisory/investigatory assistance arrangements between the IA and such regulators/bodies (within or outside of Hong Kong) or persons engaged by the IA to assist it in the performance of its functions.

Personal data may also be used by the IA and/or disclosed or transferred by the IA to the above parties for the purposes of comparing, verifying and/or carrying out a matching procedure<sup>1</sup> of those data.

### **Public Registers**

The IA is required to maintain public registers with specified data related to licensed insurance intermediaries under the Ordinance or any related subsidiary legislation. Any member of the public can inspect the public registers free of charge for the purposes of ascertaining whether he/she is dealing with a licensed insurance intermediary or an approved responsible officer of a licensed insurance agency/insurance broker company in respect of any regulated activity, and the particulars of the licensing of a person as a licensed insurance intermediary and/or the approval of such person as a responsible officer.

### **Access to Data**

Under the PDPO, you have the right to request access to, and to request the correction of, your personal data held by the IA. If you wish to request access to or correction of your data held by the IA, you may do so by filling in a “Data Access Request Form”<sup>2</sup> and sending it by post to the Data Privacy Officer of the IA at 19/F, 41 Heung Yip Road, Wong Chuk Hang, Hong Kong for processing of your request. The IA has the right to charge a reasonable fee for processing any such request.

### **Enquiries**

Any enquiries regarding the personal data collected, used or transferred by the IA, or requests for access to personal data or correction of personal data should be addressed to the Data Privacy Officer of the IA at the above address.

A copy of the IA's Privacy Policy is made available at the IA's website:  
[www.ia.org.hk](http://www.ia.org.hk)

<sup>1</sup> “matching procedure” is defined in section 2 of the PDPO.

<sup>2</sup> A copy of the Data Access Request Form is available at: [https://www.pcpd.org.hk/english/resources\\_centre/publications/forms/files/Dform.pdf](https://www.pcpd.org.hk/english/resources_centre/publications/forms/files/Dform.pdf)