

Enforcement Actions

15 October 2002

SFC Prosecutes Chan Kwan Shat and Wong Wai Gin Lydia for Contravening the Securities (Disclosure of Interests) Ordinance

The SFC has successfully prosecuted Mr Chan Kwan Shat, and Ms Wong Wai Gin Lydia, the wife of Chan, under the Securities (Disclosure of Interests) Ordinance.

Chan and Wong today pleaded guilty to a total of 12 summonses relating to their failure to notify both Hong Kong Exchanges and Clearing Limited (HKEx) and China Motor Bus Company Limited (CMB) regarding three acquisitions in CMB shares made between 14 October 1998 and 11 January 2001, which increased their joint interests to 10%, 11% and 12% respectively of the issued share capital of CMB. They did not report the above acquisitions until 3 June 2002.

Ms Polly Lo, a Magistrate at Western Magistracy, fined Chan and Wong a total of \$60,000 and ordered them to pay total costs of \$16,352 to the SFC.

An SFC spokesman reminds investors to check their shareholdings against the nominal value of the issued share capital of the stocks they hold to ensure that once their shareholding reaches 10% they notify both HKEx and the listed company within five days. Similarly, such duty also arises whenever there is a whole figure change in the percentage level of the shareholding. Investors are recommended to seek professional advice on their disclosure requirements.

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證監會檢控陳君實及黃慧貞違反《證券(披露權益)條例》的規定

2002年10月15日

證監會已根據《證券(披露權益)條例》成功檢控陳君實及其妻黃慧貞。

陳氏及黃氏今天合共承認12項控罪。該等控罪指陳氏及黃氏曾在1998年10月14日至2001年1月11日進行三項交易，以取得中華汽車有限公司的股份。有關交易分別將二人就中華汽車的已發行股本所擁有的共同權益提高至10%、11%及12%，但二人未有向香港交易及結算所有限公司及中華汽車作出具報。陳氏及黃氏直至2002年6月3日才就上述交易作出具報。

西區裁判法院裁判官盧恒福判處陳氏及黃氏罰款合共60,000元，並命令二人須向證監會支付16,352元調查費用。

證監會發言人提醒投資者，他們必須參照其所持股份的已發行股本額，查核其本身的持股比例，以確保當持股量達10%時，他們會在5天內向香港交易所及有關上市公司作出具報。同樣，凡股權的改變涉及一個整數百分比，投資者亦須履行有關的具報責任。投資者應就有關權益披露的規定，諮詢專業意見。

最後更新日期：2012年8月1日