

## Joint Press Release - Action Against ASG Brokerage Limited

16 Sep 1998

The Securities and Futures Commission ("SFC") and The Stock Exchange of Hong Kong Limited (the "Exchange") jointly announce today that they have taken action against ASG Brokerage Limited ("ASG"), a Securities Dealer and a Member of the Exchange. The SFC has also taken action against ASG's former managing director, Mr Tran Dinh alias Brian Chen ("Mr Chen"). Mr Chen, although not a person registered with the SFC, was responsible for the day to day operation of ASG.

The action arose because failings were found at ASG as follows:

- trading malpractices were conducted by a former Dealing Director through a nominee account which disadvantaged a client of ASG during the period April 1995 to September 1995; and
- Mr Chen and another had dealt in securities for and on behalf of ASG during the period September 1996 to September 1997, whilst neither were registered with the SFC.

These matters were prejudicial to the interests of the investing public.

The failings identified are attributable to Mr Chen and ASG because Mr Chen failed to exercise proper management and control over ASG's business and ASG failed to institute proper management and supervision structure and internal control procedures to ensure its business was conducted in a proper manner. Mr Chen's unregistered dealing further increases the gravity with which the SFC views his conduct.

The SFC has decided to publicly reprimand ASG and Mr Chen. In addition, the Disciplinary Committee of the Exchange (the "Disciplinary Committee") has decided to publicly reprimand ASG and fine it HK\$30,000.

In deciding on this course of action, the SFC and the Disciplinary Committee took into account that:

- the former Dealing Director who engaged in trading malpractices had left ASG;
- Mr Chen had resigned from ASG;
- ASG had taken steps to strengthen its management structure; and
- ASG had appointed a compliance officer to undertake corporate compliance functions.

A copy of the Notice of Public Censure published by the Exchange is attached for your reference.

For further information, please contact Mr Bill Weeks or Mr Chan Chi-keung of the SFC at 2840-9287 or Mr Henry Law of the Exchange at 2840-3862.

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主頁 ▶ 新聞稿及公布 ▶ 新聞稿 ▶ 執法消息

## 證監會及聯交所對亞洲環球證券經紀有限公司採取紀律行動

1998年9月16日

證券及期貨事務監察委員會（「證監會」）及香港聯合交易所有限公司（「聯交所」）今天聯合公布，已對證券交易商兼聯交所會員亞洲環球證券經紀有限公司（「亞洲環球」）採取紀律行動。證監會亦對亞洲環球的前董事總經理陳楹先生（「陳氏」）採取紀律行動。雖然陳氏未有在證監會註冊，但他負責亞洲環球的日常運作。

證監會及聯交所採取上述紀律行動是由於亞洲環球出現下列缺失：

- 在1995年4月至1995年9月期間，亞洲環球的一名前交易董事透過一個代理人戶口進行不當交易，以致亞洲環球客戶的利益受損；及
- 在1996年9月至1997年9月期間，陳氏及另一名人士代表亞洲環球進行證券買賣活動，但兩人均未有在證監會註冊。

此等事件有損大眾投資者的利益。

上述的缺失是由陳氏及亞洲環球所引致的。原因是陳氏未有妥善管理及監控亞洲環球的業務，而亞洲環球亦未有設立適當的管理及監督架構，以及適當的內部控制程序，以確保其業務運作妥當。陳氏在未有註冊的情況下進行證券買賣活動，進一步加重證監會認為其不當行為的嚴重性。

證監會已決定公開譴責亞洲環球及陳氏。同時，聯交所紀律委員會（「紀律委員會」）亦已決定公開譴責亞洲環球及向其罰款港幣30,000元。

證監會及紀律委員會在決定採取紀律行動時，曾考慮下列因素：

- 曾從事不當交易的前交易董事已離開亞洲環球；
- 陳氏已辭去亞洲環球的職務；
- 亞洲環球已採取措施以加強其管理架構；及
- 亞洲環球已委任一名監察人員，負責該公司的監察功能。

本新聞稿隨附由聯交所發出的公開譴責聲明，以供參照。

如有進一步查詢，請致電證監會韋克志先生(2840-9287)或聯交所羅文慧先生(2840-3862)。

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最後更新日期：2012年8月1日