

# HEINBRO GROUP

17 Apr 2023

## **SFC Circular - SFC issues restriction notices to three brokers to freeze accounts of clients involved in suspected corporate misconduct**

The Securities and Futures Commission (SFC) has issued restriction notices to Emperor Securities Limited (Emperor), CS Wealth Securities Limited (CS Wealth) and CMB International Securities Limited (CMB), prohibiting them from dealing with or processing certain assets held in their client accounts which are beneficially owned by three individuals who are suspected of committing misconduct and breaching their duties towards FingerTango Inc..

The SFC is not investigating Emperor, CS Wealth or CMB, all of which have cooperated with the SFC's investigation. The restriction notices do not affect them or their other clients.

The restriction notices prohibit the three brokers, without the SFC's prior written consent, from disposing of or dealing with, assisting, counselling or procuring another person to dispose of or deal with certain assets in any way in those accounts. They are also required to notify the SFC if they receive any instructions regarding the prohibitions specified above.

The SFC will soon commence civil proceedings under section 214 of the SFO in the Court of First Instance against the current or former management team of FingerTango Inc and the three individuals will be named as respondents in the same legal proceedings. The SFC will also seek court orders against the three individuals to pay compensation to FingerTango Inc.

The SFC considers that the issue of the restriction notices, which preserves the assets in those accounts, is desirable in the interest of the investing public or in the public interest.

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中文版本

## 證監會向三家經紀行發出限制通知書以凍結涉及懷疑曾從事企業失當行為的客戶帳戶

證券及期貨事務監察委員會（證監會）向英皇證券有限公司（英皇）、中策富滙證券有限公司（中策富滙）及招銀國際證券有限公司（招銀）發出限制通知書，禁止它們處置或處理其若干客戶帳戶內持有的資產。實益擁有該等資產的三名人士涉嫌犯了失當行為，及違反了對指尖悅動控股有限公司的責任。

英皇、中策富滙及招銀並非證監會今次的調查對象，而它們均已就有關調查作出配合。有關限制通知書並不影響該等經紀行的運作或它們的其他客戶。

有關限制通知書禁止這三家經紀行在未取得證監會的事先書面同意的情況下，以任何方式處置或處理、輔助、慫使或促致另一人以任何方式處置或處理該等帳戶內的若干資產。若該等經紀行接獲任何與上述指明的限制有關的指示，亦須通知證監會。

證監會即將根據《證券及期貨條例》第214條在原訟法庭對指尖悅動控股有限公司的現任或前任管理團隊展開民事法律程序，而該三名人士在該民事法律程序中為答辯人。證監會亦將尋求法庭對該三名人士頒布須向指尖悅動控股有限公司作出賠償的命令。

證監會認為，就維護投資大眾的利益或公眾利益而言，發出有關限制通知書是可取的做法。

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