

Reference No (HKICS Use):

Subscription Application/Agreement  
to the HKICS Anti-Money Laundering and Counter-Terrorist Financing Charter  
for Self-Regulation amongst HKICS AML/CFT Organisations (*Charter*)

Date: [insert date]

The Hong Kong Institute of Chartered Secretaries (HKICS)  
3/F, Hong Kong Diamond Exchange Building  
8 Duddell Street, Central  
Hong Kong

Dear Sirs,

1. Reference is made to the HKICS Anti-Money Laundering and Counter-Terrorist Financing Charter for Self-Regulation amongst HKICS AML/CFT Organisations (*Charter*) dated as of 17 May 2016. Words and expressions used herein shall have the meanings set out under the Charter, unless the context otherwise requires.
2. We confirm that we have read and understood the Charter, and we are willing to be accredited as an *HKICS AML/CFT Organisation* as part of self-regulation of the *Corporate Service Providers (CSP)* sector, of which we have substantial business interest.
3. Accordingly, subject to and upon HKICS admission of us as an HKICS AML/CFT Organisation, we agree to abide by the Charter and all its related obligations as if the Charter was deemed repeated herein and entered by us with the other subscribers, past, present and future (which HKICS may admit), along with HKICS.
4. In support of our application for subscription to the Charter, please find:
  - (a) [Description of the document containing an independent and professional review of the test of controls of the organisation's AML/CFT risks, on a risk based approach].
  - (b) The undertaking by our Responsible Person, who we confirm is fit and proper for the purposes of being the Responsible Person under the Charter.
  - (c) Our authorisation to enter into the Charter and to appoint the Responsible Person for our organisation.
  - (d) A cheque for the requisite annual fee of HK\$[amount] to [date] as advised by you.

We consent to our organisation's name, contacts and those of our Responsible Person, along with changes and updates thereof from time-to-time supplied under and pursuant to the Charter to be publicly disclosed by you on your website for the purpose of self-regulation, including public search, inquiry and verification, and all related purposes that you deem suitable and/or appropriate for so long we remain subscriber to the Charter, to implement the Charter and its related obligations, and in the event of discipline to other relevant persons.

We further request for a limited licence to use the HKICS AML/CFT Logo for the duration that we remain an HKICS AML/CFT Organisation in our company's publications and marketing collaterals, and we agree to immediately cease all usage, and deliver up any infringing items upon our ceasing of being an HKICS AML/CFT Organisation, including on any temporary basis by reason of any disciplinary proceedings.

We further undertake to sign such documents and provide such information as reasonably requested by you for the purpose of better administration of the Charter and its related obligations, from time-to-time including any further independent and professional review of tests of controls and/or random audit at our own expense.

The contents herein are subject and to be interpreted in accordance with the Laws of Hong Kong SAR

Yours faithfully

[Name of Organisation]

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[Name] – [Title]

Undertaking by Responsible Person  
to the HKICS Anti-Money Laundering and Counter-Terrorist Financing Charter  
for Self-Regulation amongst HKICS AML/CFT Organisations (*Charter*)

Date: [insert date]

The Hong Kong Institute of Chartered Secretaries (HKICS)  
3/F, Hong Kong Diamond Exchange Building  
8 Duddell Street, Central  
Hong Kong

Dear Sirs,

Reference is made to the HKICS Anti-Money Laundering and Counter-Terrorist Financing Charter for Self-Regulation amongst HKICS AML/CFT Organisations (*Charter*) dated as of 17 May 2016. Words and expressions used herein shall have the meanings set out under the Charter, unless the context otherwise requires.

I confirm that I have read and understood the Charter, and undertake to HKICS that I am willing to serve as Responsible Person, upon admission of my organisation as an HKICS AML/CFT Organisation by HKICS, to comply and to ensure that my organisation's compliance with the Charter and its related obligations for so long as my organisation has any outstanding obligations under the Charter.

I further confirm that I am an HKICS member and by reason of my training in company secretarial matters and AML/CFT practices a 'fit and proper' person to be the Responsible Person OR I confirm that I have the (1) relevant educational qualifications, and (2) at least three years' relevant experiences in CSP business and related AML/CFT practices and therefore a 'fit and proper' person to be the Responsible Person<sup>1</sup>.

I certify that I have not been (1) convicted of any offences involving (a) the Organized and Serious Crimes Ordinance (b) Anti-Money Laundering and Counter-Terrorist Financing (Financial Institutions) Ordinance (c) AML/CFT related offences or (d) dishonesty, (2) disqualified from acting as a company director, liquidator, receiver, manager of any property or business, (3) disciplined by any other professional institutes in Hong Kong or overseas, and/or (4) an undischarged bankrupt, in the absence of relevant mitigation circumstances acceptable to HKICS.

I consent to my information relating to my name, title and contact details, along with the changes and updates thereof from time-to-time supplied under and pursuant to the Charter to be publicly disclosed by you on your website for the purpose of self-regulation, including public search, inquiry and verification, and all related purposes that you deem suitable and/or appropriate for so long as I remain Responsible Person, to implement the Charter and its related obligations and in the event of discipline to other relevant persons. The certified true copy of my identification, along with my address proof within the last month is enclosed for your information.

I further undertake to sign such documents and provide such information as reasonably requested by you for the purpose of better administration of the Charter and its related obligations, from time-to-time including to procure any further independent and professional review of tests of controls and/or random audit of my organisation at its expense.

The contents herein are subject and to be interpreted in accordance with the Laws of Hong Kong SAR

Yours faithfully

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[Name] – [Title]

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<sup>1</sup> Please delete as appropriate. For non-HKICS member, please provide the necessary documentary records for HKICS's considerations relating to the confirmations, including proper certified true copies of educational certificates and/or transcripts, along with reference letters and/or referees on the relevant AML/CFT experiences.

Acceptance Letter  
to the HKICS Anti-Money Laundering and Counter-Terrorist Financing Charter  
for Self-Regulation amongst HKICS AML/CFT Organisations (*Charter*)

Date: [insert date]

[Name of applicant]

Dear Sirs,

Your application to be an HKICS AML/CFT Organisation containing the Undertaking by Responsible Person has been approved [OR] rejected which is without derogation to you and your Responsible Person making a fresh application and/or supplying further information for our reconsideration in our absolute and unfettered discretion. In the meantime, your cheque for the annual fee is returned herewith<sup>2</sup>.

You are hereby granted a limited licence to use the HKICS AML/CFT Logo for the duration that you remain an HKICS AML/CFT Organisation in your company's publications and marketing collaterals, and on the basis that you agree to immediately cease all usage, and deliver up any infringing items upon your ceasing of being an HKICS AML/CFT Organisation, including on any temporary basis by reason of any disciplinary proceedings. We also reserve the additional right to terminate the limited licence herein on any other basis whether on temporary or permanent basis, as we in our absolute discretion deem appropriate.

Your cheque for the annual fee will be presented for payment within the next 30 days. Any delays in payment of the annual fees may result in your and your Responsible Person's removal from our lists and ceasing of the licensed use of the HKICS AML/CFT Logo.

Yours faithfully,

The Hong Kong Institute of Chartered Secretaries  
(Incorporated in Hong Kong with limited liability by guarantee)

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[Name] – [Title]

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<sup>2</sup> In case of rejection, this will be the end of the letter.