

From: Ricky Lam [REDACTED]
Sent: 14 September 2016 20:43
To: response
Subject: Opposition of the composition of Listing Regulatory Committee

Dear Sir/Madam,

I oppose the composition of Listing Regulatory Committee of joint consultation paper.

In the proposed structures, the Listing can only decide on routine IPO and Post IPO matters. All suitability queries, all policies matters have been taken away from the Listing Committee.

All IPO suitability matters are given to the new Listing Regulatory Committee which are comprised of SFC and members of the Listing Committee (who must be approved by SFC). It is definitely not a balanced structure.

All Policy and Rules changes are decided by the new Listing Policy Committee which again are dominated by SFC. Furthermore, the Listing Department staff's performance would be appraised by the Listing Policy Committee.

It seems that the Proposed Structure will give SFC the Front and Back Regulatory authority without check and balance of its all encompassing power. This will lead to a regulator led regulatory regime or a merit based regime, as opposed to a market led regulatory regime which is practiced in most jurisdictions globally.

The biggest worry is that with the Proposed New Structure, power would be concentrated in few hands under control of SFC which is regulator – minded. This mindset will tend to protect the regulator by shutting off the door to many companies, or raising the threshold to such high level that less and less listings will be attracted to Hong Kong. This would compromise Hong Kong's position as an international financial center.

Please lay aside the proposal.

Yours sincerely,

Lam Siu Wa