

**THE GOVERNMENT OF THE  
HONG KONG SPECIAL ADMINISTRATIVE REGION  
TRADE AND INDUSTRY DEPARTMENT  
RESERVED COMMODITIES ORDINANCE (CAP 296)**

**Reserved Commodities (Control of Imports,  
Exports and Reserve Stocks) Regulations  
Application for Registration as a Stockholder of Rice**

**PART I REGISTRATION PARTICULARS**

(1) NAME OF COMPANY/  
REGISTERED BUSINESS : \_\_\_\_\_  
(English in block letters)

\_\_\_\_\_  
(Chinese)

(2) ADDRESS

Head Office : \_\_\_\_\_

Tel. No.: \_\_\_\_\_ Fax. No.: \_\_\_\_\_

Email address (optional): \_\_\_\_\_

Branch Office : \_\_\_\_\_

Tel. No.: \_\_\_\_\_ Fax. No.: \_\_\_\_\_

(3) BUSINESS REGISTRATION NO. : \_\_\_\_\_

(4) CERTIFICATE OF  
INCORPORATION NO. (if any) : \_\_\_\_\_

(5) DATE OF ESTABLISHMENT : \_\_\_\_\_

(6) NATURE OF BUSINESS  
(and commodities traded) : \_\_\_\_\_

(7) NAME(S) OF SOLE PROPRIETOR\*/PARTNERS\*/SHAREHOLDERS<sup>@</sup> OF VOTING  
SHARES AND DIRECTORS\*<sup>@</sup> OF THE APPLICANT (for public companies, state shareholders  
<sup>@</sup> holding more than 5% of voting shares):

<u>Name</u> (English and Chinese)	<u>HKID Card/ Passport No.</u>	Percentage of Voting Shares owned */ Percentage of the partnership profits <u>to which the partner is entitled*</u> (not applicable for sole proprietor)
_____	_____	_____
_____	_____	_____
_____	_____	_____

<sup>@</sup> Names of shareholders should be the names of beneficial owners

\* Delete whichever is not applicable

## PART II IMPORT QUANTITY

### TOTAL IMPORT QUANTITY FOR THE REGISTRATION PERIOD

(the amount of rice which the applicant is prepared  
to import and hold as a stockholder) : \_\_\_\_\_

(Note: This stated quantity should be inclusive of the quantity for sales and for keeping as a reserve stock at all times during the continuance of the certificate of registration.)

## PART III DECLARATION AND UNDERTAKING

- (1) I, the undersigned, signing for and on behalf of the company/registered business as registered in Part I, declare that the information given in this application is true and correct to the best of my knowledge.
- (2) I also declare that I give consent to the Trade and Industry Department that it may publish and/or disclose any particulars of the company/registered business, including the name, address, telephone and facsimile numbers, and email address, to any third parties. The personal data provided in this application form may also be disclosed to the Food and Environmental Hygiene Department in accordance with the provisions of the Food Safety Ordinance.
- (3) I undertake to state an import quantity for an import period before the commencement of that import period and within the time limit specified by the Director-General of Trade and Industry and to import that undertaken quantity in full within the import period.
- (4) I also undertake to at all times during the registration period maintain as reserve stock which shall be in my sole ownership and immediate possession not less than the amount specified in the certificate of registration as a stockholder of rice which will be issued to the company/registered business if it is registered as a stockholder of rice.
- (5) I also undertake to abide by any conditions as the Director-General of Trade and Industry may impose for the registration of a stockholder of rice.
- (6) I also undertake to inform the Director-General of Trade and Industry in writing immediately of any change of the particulars as provided on this form or cessation of business or the filing of any winding up/bankruptcy petition or the issue of any winding up/bankruptcy order against the company/registered business or the proprietor thereof.
- (7) I also undertake to provide any other information as required by the Director-General of Trade and Industry in support of this application. I fully understand that the Director-General of Trade and Industry has absolute and sole discretion in selecting the successful applicants.

Name of Signatory : \_\_\_\_\_  
(in full and in block letters) HKID Card/  
Passport No. : \_\_\_\_\_

Position : \_\_\_\_\_ Business Chop : \_\_\_\_\_

Signature : \_\_\_\_\_ Date : \_\_\_\_\_

## **Notes:**

- (1) Any person carrying on business registered in Hong Kong under the Business Registration Ordinance (Cap 310)<sup>Note<sup>1</sup></sup> interested in dealing with rice importing business may apply to be registered as a stockholder any time. Normally, import licences will be issued only to registered stockholders to cover their rice imports for local consumption.
- (2) Among other relevant circumstances, an applicant's past record in compliance with conditions of registration is a relevant consideration of the Director-General of Trade and Industry (the Director-General) in determining whether to register him or not.
- (3) This application must be signed by :
  - (a) for sole proprietorship: the proprietor;
  - (b) for partnership, one of the partners; or
  - (c) for limited company: a director or a responsible person authorised by the board of directors (a letter of authorisation is required to be provided in the latter case).
- (4) In Part II, the applicant should state the total quantity of rice which he is prepared to import and hold as a stockholder for the registration period. This stated quantity should be inclusive of the quantity for sales and for keeping as a reserve stock at all times. The stated quantity is the quantity of rice referred to under regulations 12(2)(b) and 14(4) of the Reserved Commodities (Control of Imports, Exports and Reserve Stocks) Regulations (Cap. 296 Sub. leg. A).
- (5) The amount of reserve stock which a registered stockholder is required to hold for an import period normally is:
  - (a) for the first import period in which a newly registered stockholder commences operation to import and maintain stock of rice, 17% of the quantity the stockholder has undertaken to import for that import period; and
  - (b) for a stockholder who has been a registered stockholder in the immediately preceding import period, 17% of the stockholder's offtake of rice in the immediately preceding import period. Such offtake means the total of the quantity of rice he delivered from rice storage place(s) in the immediately preceding import period. If both the stockholder's offtake and the import quantity undertaken in the immediately preceding import period are zero, the amount of reserve stock for the current import period will be 17% of the quantity he has undertaken to import for the current import period.

The Director-General has the full discretion to specify the amount of reserve stock which a registered stockholder is required to maintain at all times. The stockholder will be informed of the quantity of reserve stock which he is required to hold at all times via the certificate of registration issued to him by the Director-General.

- (6) The undertakings in Part III are required to be given by the company where the applicant is a company, the partnership where the applicant is a partnership, the sole proprietor where the applicant is a sole proprietorship.
- (7) Attachments should be used if the space provided for a particular item in the application form is insufficient.
- (8) **Documents in support** : This application must be accompanied by :
  - (a) a photocopy of a valid Business Registration Certificate of the applicant;
  - (b) a photocopy of the ID card/passport of the signatory in Part III of this application form;
  - (c) for sole proprietorships/partnerships, a Certified True Copy of an "Extract of Information on the Business Registration Register" from the Business Registration Office; and
  - (d) for limited companies, (i) a copy of the Certificate of Incorporation and/or Certificate of Incorporation on change of name as appropriate, (ii) a copy of the latest Annual Return under the Companies Ordinance and (iii) a copy of the Form D1/D2 (Directors' List), if any. For (iii), please provide a Certified True Copy from the Companies Registry or a copy certified by either a Certified Public Accountant or a Solicitor.

## **Warning:**

By regulation 24(1)(b) of the Reserved Commodities (Control of Imports, Exports and Reserve Stocks) Regulations (Cap. 296 Sub. leg. A), any person who in an application for registration as a stockholder makes any statement or furnishes any information which he knows or ought to know to be false or misleading in a material particular shall be guilty of an offence and shall be liable on conviction to a fine of HK\$50,000 and to imprisonment for 1 year.

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Note 1 As defined in section 3(1) of the Business Registration Ordinance (Cap 310), "person carrying on business" means:

- (a) in the case of a single person or corporate body, such person or corporate body;
- (b) in the case of a business carried on by a partnership, all partners; and
- (c) in the case of a business carried on by any other body of persons, the principal officers of such body.

## **IMPORTANT NOTE ON PERSONAL DATA COLLECTION**

### **Personal Data in Applications for Registration as a Stockholder of Rice under the Reserved Commodities (Control of Imports, Exports and Reserve Stocks) Regulations (Cap 296 Sub leg A) Provided to the Trade and Industry Department**

The Trade and Industry Department (“the Department”) is committed to ensuring that all personal data provided under applications for registration as a stockholder of rice under the Reserved Commodities (Control of Imports, Exports and Reserve Stocks) Regulations (Cap 296 Sub leg A) are handled in accordance with the relevant provisions of the Personal Data (Privacy) Ordinance.

#### **Purpose of Collection of Personal Data**

Personal data provided on the application form may include the name, HKID card/passport number and telephone number of the person who signs the application form as well as the name(s), HKID card/passport number(s) of the sole proprietor, partners, shareholders and directors of the applicant, etc. The applicant is also required to attach the shareholder and director list which may show the names, addresses, nationalities, HKID card and passport numbers of the shareholders and the directors, etc. The data will be used by the Department for consideration and processing of the applications for registration as a stockholder of rice, checking compliance with various legal and administrative regulations, and for other related purposes. Incomplete or inaccurate information provided in the applications may affect the consideration and processing of the applications, and may result in their being deferred or rejected, and/or other administrative/legal action being taken against the parties concerned.

#### **Transfer of Personal Data**

The data collected in the applications will be kept in confidence. They may however be disclosed to other government departments, or to third parties in Hong Kong or elsewhere, if such disclosure is necessary to facilitate consideration and processing of the applications, is in the interests of the trade in Hong Kong, is authorised or required by the law; or if explicit consent to such disclosure is given by the applicants/data subjects.

#### **Rights of Access to and Correction of Personal Data**

Applicants/data subjects whose personal data are collected by the Department may request access to them under the Personal Data (Privacy) Ordinance. A charge will be made to cover the cost of photocopying the data supplied. In addition, if the data subjects consider that the data supplied to the Department is inaccurate, a request for correction of the personal data may be made in writing after a data access request has been complied with. The data subjects should also note that, in connection with applications for registration as a stockholder of rice under the Reserved Commodities (Control of Imports, Exports and Reserve Stocks) Regulations, applicants/data subjects making false declaration or furnishing false or misleading information shall be guilty of an offence.

#### **Contact Persons**

Requests for access to personal data provided under applications for registration as a stockholder of rice under the Reserved Commodities (Control of Imports, Exports and Reserve Stocks) Regulations should be made in writing to the officer-in-charge of the Rice Control Unit at 102B, 1/F, Trade and Industry Department Tower, 700 Nathan Road, Kowloon, using the Data Access Request Form (No. OPS003 issued by the Privacy Commissioner), which is available at the Information Counter on G/F of the Trade and Industry Department Tower. Alternatively, the Form may be downloaded (pdf format) from the following homepage:

<http://www.tid.gov.hk/english/aboutus/form/publicform/others/index.html>

For enquiry, please call our Enquiry Hotline: 2398 5333.

#### **Disclaimer**

Applications made on forms downloaded from this homepage have to be submitted in paper format and are subject to the terms and conditions as they appear on the Department's master copy of these application forms. Any alteration of the terms and conditions on the application forms is NOT permitted. The Department reserves the right to take legal and/or administrative action against any unauthorised alteration of the application forms and reject the applications concerned.

Trade and Industry Department