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FDRC  
ANNUAL REPORT 2013  
年報



金融糾紛調解中心  
FINANCIAL DISPUTE RESOLUTION CENTRE

*FDRC is a company limited by guarantee*





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FDRC



金融糾紛調解中心  
FINANCIAL DISPUTE RESOLUTION CENTRE

## 金融糾紛調解中心的成立及運作

- 證券及期貨事務監察委員會（「證監會」）及香港金融管理局（「金管局」）於2008年12月向香港特別行政區政府建議設立一個糾紛解決機制，提供有效的方法予本港金融機構及其客戶解決金融糾紛。
- 政府就此建議於2010年2月進行公眾諮詢並獲得大眾普遍支持。在2010年12月，政府公佈設立金融糾紛調解中心（「調解中心」）。透過獨立、持平、便捷、有效及公開的解決金融爭議機制，調解中心幫助金融機構如銀行以及證券公司等和其個人客戶解決金錢爭議。
- 調解中心於2011年11月18日以非牟利擔保有限公司的形式成立，並認可為慈善機構及獲豁免繳稅。調解中心於2012年6月19日投入服務。
- 於2013年，調解中心的熱線及查詢服務共收到2,192宗查詢；其中54%與金融產品及服務之投訴有關。

## The Formation and Operation of the Financial Dispute Resolution Centre

- In December 2008, the Securities and Futures Commission (“SFC”) and the Hong Kong Monetary Authority (“HKMA”) proposed to the Government of the Hong Kong Special Administrative Region (“HKSAR”) to set up a dispute resolution mechanism to provide an efficient means to settle disputes between financial institutions and their customers in Hong Kong.
- A public consultation on the proposal was launched by the Government in February 2010. The proposal received general support and as a result, in December 2010, the Government made an announcement regarding the formation of the Financial Dispute Resolution Centre (“FDRC”). The FDRC was formed to assist financial institutions like banks and securities firms to resolve monetary disputes with their individual customers by way of a dispute resolution mechanism that is independent, impartial, accessible, efficient and transparent.
- The FDRC was set up on 18 November 2011 as a non-profit company limited by guarantee and obtained charitable status for tax exemption purpose. It began its operation on 19 June 2012.
- In 2013, the FDRC hotline and enquiry services received 2,192 enquiries. Of all the enquiries received, 54% was related to complaints about financial products and services.

# 金融糾紛調解計劃 *Financial Dispute Resolution Scheme*

- 調解中心負責管理一個獨立持平的金融糾紛調解計劃（「調解計劃」）。調解計劃以「先調解，後仲裁」的方式，提供一站式的服務，協助解決個人客戶與金融機構之間不超過港幣500,000元的金錢爭議。
- 所有受金管局認可及／或證監會監管的金融機構（只從事提供信貸評級服務的機構除外），均為調解計劃的成員。
- 調解中心與證監會及金管局簽署了諒解備忘錄，清楚列明各自的角色。根據諒解備忘錄，證監會及金管局會尊重調解中心的持平和保密原則。
- 調解計劃的運作及《個案受理準則指引》（「個案受理準則」）受《職權範圍》所規管。
- 個案受理準則載於《職權範圍》內，並已上載至調解中心網頁 [www.fdr.org.hk](http://www.fdr.org.hk)。個案受理準則的其中幾項重要條件包括：
  - ▶ 合資格申索人須為個人或獨資經營者。
  - ▶ 涉及爭議的金融機構須為調解計劃的成員。
  - ▶ 申索屬金錢性質，最高申索額為港幣500,000元。
  - ▶ 申索人已經向有關金融機構作出書面投訴，並已收到最後書面答覆，但爭議未能夠解決；又或在書面投訴超過60天後，申索人仍未收到最後書面答覆。
  - ▶ 申索人須於購買金融產品或服務，或首次得知蒙受金錢損失的12個月內提出申索。
  - ▶ 申索個案不是目前正在或已經進行法院訴訟程序。
  - ▶ 申索並非與政策、收費及投資表現有關，但指稱涉及隱瞞、資料披露不足、失實陳述、疏忽、不正確施行、違反受信任義務、違反任何法律責任或職責，或行政失當的爭議除外。



- FDRS administers an independent and impartial Financial Dispute Resolution Scheme ("FDRS"). By way of "Mediation First, Arbitration Next", FDRS provides a one-stop service to assist individual customers and financial institutions to resolve monetary disputes with a maximum claimable amount of HK\$500,000.
- All financial institutions authorised by the HKMA and/or licensed by the SFC, except those which provide credit rating services only, are members of FDRS.
- FDRS signed a Memorandum of Understanding ("MOU") with the SFC and the HKMA to set out clearly their respective roles. According to the MOU, the SFC and the HKMA would respect FDRS's principle of impartiality and confidentiality.
- The operation of the FDRS and the Intake Criteria of Cases ("Intake Criteria") are governed by the Terms of Reference ("ToR").
- A full FDRS Guidelines on Intake Criteria is contained in the ToR. It is available at the FDRS website [www.fdr.org.hk](http://www.fdr.org.hk). Some key requirements of the Intake Criteria include:
  - ▶ An Eligible Claimant is an individual or a sole proprietor.
  - ▶ The financial institution involved in the dispute is a member of the FDRS.
  - ▶ The claim is of monetary nature with a maximum claimable amount of HK\$500,000.
  - ▶ The claimant has lodged a written complaint to the relevant financial institution. He has received a Final Written Reply but the dispute cannot be resolved or he has not received a Final Written Reply more than 60 days after he lodged a written complaint.
  - ▶ The claim is made within 12 months from the date of purchase of the financial product or service or the claimant first had knowledge of his loss.
  - ▶ The claim is not currently under or has gone through court proceedings.
  - ▶ The claim is not about policies, fees and investment performance, except a dispute concerning an alleged non-disclosure, inadequate disclosure, misrepresentation, negligence, incorrect application, breach of fiduciary duty, breach of any legal obligation or duty, or maladministration.





**Mission**

提供獨立及不偏不倚的「先調解，後仲裁」爭議解決程序，協助香港的金融機構及其個人客戶解決他們之間的金錢爭議。

To provide independent and impartial “Mediation First, Arbitration Next” processes of dispute resolution to facilitate the resolution of monetary disputes between financial institutions and individual customers in Hong Kong.

**Vision**

本中心致力成為香港提供解決金融業相關爭議服務的領導者，以具建設性的方法處理金融機構與其客戶之間的金融爭議，避免爭議升溫，並透過擴大我們服務的範圍及聯繫金融業界的持份者，一起鞏固香港的國際金融中心地位。

To be the leading provider of financial dispute resolution processes to deal with differences between financial institutions and their customers constructively before they escalate and to support Hong Kong as an international financial centre by extending our services and engaging stakeholders of the financial industry.

管理並為金融機構及其客戶提供獨立的爭議解決計劃。

To operate an independent dispute resolution scheme for financial institutions and their customers.

在維持及貫徹執行調解中心的程序上，不偏不倚對待金融機構及其客戶。

To maintain FDRC processes where both the financial institutions and their customers are treated in an impartial way.

在處理爭議時盡可能維持公開、透明及按照有關保密及保障私隱的條例行事。

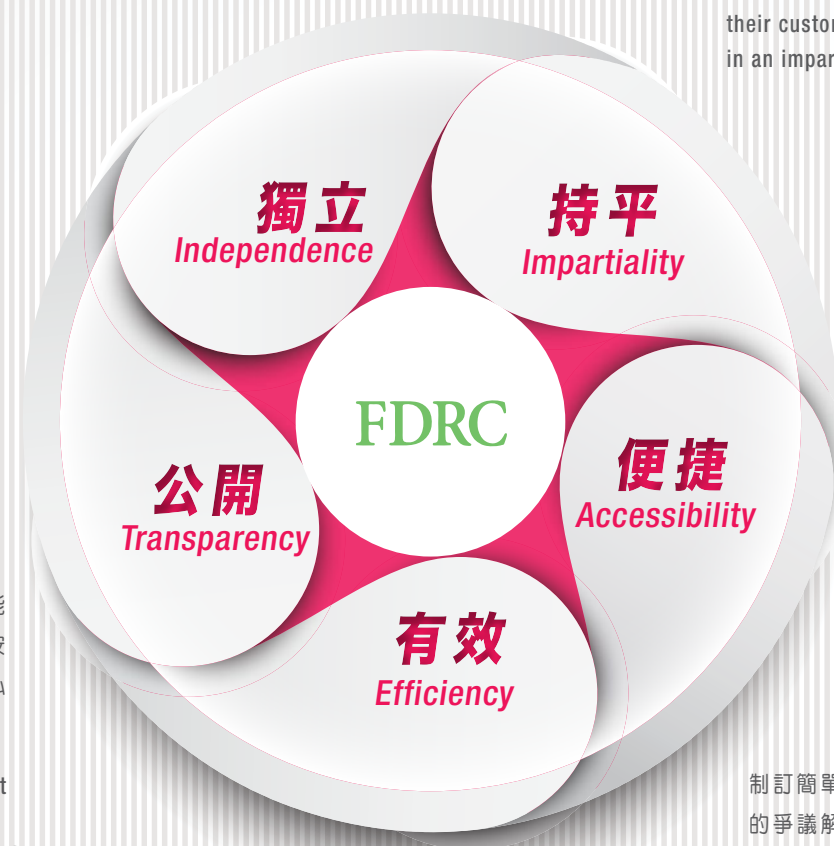
To be as transparent as possible in dealing with financial disputes, whilst also acting in accordance with confidentiality and privacy obligations under the laws of Hong Kong.

確保金融爭議可盡快及有效地獲得解決。

To ensure that financial disputes are settled in a timely and efficient manner.

制訂簡單直接、易於理解的爭議解決程序，為使用者提供便捷的服務。

To make FDRC accessible and user friendly with dispute resolution processes which are straight forward, clear and easy to understand.







董事局  
The Board of Directors



鄭若驊女士 GBS, SC, JP  
Ms. Teresa Cheng Yeuk-wah, GBS, SC, JP

主席 Chairman

- 香港國際仲裁中心副主席
- 國際商事仲裁會副主席
- Vice Chairperson, Hong Kong International Arbitration Centre
- Vice-President, International Council for Commercial Arbitration





梁鳳儀女士 SBS, JP  
Ms. Julia Leung Fung-ye, SBS, JP



戴敏娜女士 JP  
Ms. Meena Datwani, JP



施衛民先生  
Mr. Mark Robert Steward



劉燕卿女士 JP  
Ms. Connie Lau Yin-hing, JP

董事 Director \*

- 香港特別行政區政府  
財經事務及庫務局副局長
- Under Secretary for Financial Services  
and the Treasury, HKSAR Government

董事 Director

- 香港金融管理局助理總裁（銀行操守）
- Executive Director (Banking Conduct),  
Hong Kong Monetary Authority

董事 Director

- 證券及期貨事務監察委員會  
法規執行部執行董事
- Executive Director, Enforcement,  
Securities and Futures Commission

董事 Director \*

- 聯合國貿易發展會議  
消費者保護國際專家顧問小組主席
- 香港城市大學校董
- 財務匯報局委員
- 香港消費者委員會前任總幹事
- Chairman, International Advisory Group of Experts on  
Consumer Protection, UNCTAD, United Nations
- Council Member, City University of Hong Kong
- Member, Financial Reporting Council
- Former Chief Executive, Hong Kong Consumer Council

\* 梁鳳儀女士之辭任於二零一四年一月一日生效。  
Ms. Julia Leung Fung-ye resigned with effect from 1 January 2014.

\* 劉燕卿女士之辭任於二零一四年三月三十一日生效。  
Ms. Connie Lau Yin-hing resigned with effect from 31 March 2014.





馮煒能先生  
Mr. Brian Fung Wei-lung

邵蓓蘭女士  
Ms. Barbara Shiu

胡紅玉議員 GBS, JP  
The Honourable Anna Wu Hung-yuk, GBS, JP

簡家驄先生  
Mr. Fred Kan

董事 Director

- 嘉信金融服務總經理
- 香港證券業協會永遠名譽會長
- 金融發展局市場推廣小組成員
- 香港貿易發展局金融服務業諮詢委員會委員
- General Manager, Kaiser Financial Services
- Permanent Honorary President, Hong Kong Securities Association
- Member, Market Development Committee of the Financial Services Development Council
- Member, Financial Services Advisory Committee of the Hong Kong Trade Development Council

董事 Director \*

- 香港證券及投資學會資深會員
- 中國銀行（香港）有限公司操作風險及合規部總經理
- 證券及期貨事務監察委員會  
產品諮詢委員會成員
- Fellowship, Hong Kong Securities and Investment Institute
- General Manager, Operational Risk and Compliance Department of Bank of China (Hong Kong) Limited
- Member, Products Advisory Committee of the SFC

\* 邵蓓蘭女士之退任於二零一四年三月一日生效。  
Ms. Barbara Shiu retired with effect from 1 March 2014.

董事 Director \*

- 香港特別行政區行政會議非官守議員
- 競爭事務委員會主席
- 強制性公積金計劃管理局主席
- 香港國際仲裁中心國際諮詢委員會委員
- 香港大學法律專業證書課程教務委員會主席
- Non-Official Member, Executive Council of HKSAR
- Chairperson, Competition Commission
- Chairperson, Mandatory Provident Fund Schemes Authority
- Member, International Advisory Board of Hong Kong International Arbitration Centre
- Chairperson, Academic Board for Postgraduate Certificate in Laws of the University of Hong Kong

\* 胡紅玉女士之辭任於二零一三年五月二十六日生效。  
Ms. Anna Wu Hung-yuk resigned with effect from 26 May 2013.

董事 Director \*

- 簡家驄律師行高級合夥人
- 香港國際仲裁中心理事會成員
- 香港律師會對外事務常務委員會委員
- Senior Partner, Fred Kan & Co.
- Council Member, Hong Kong International Arbitration Centre
- Member, External Affairs Standing Committee, Law Society of Hong Kong

\* 簡家驄先生之委任於二零一三年九月一日生效。  
Mr. Fred Kan was appointed with effect from 1 September 2013.





劉怡翔先生 JP  
Mr. James H. Lau Jr., JP



楊志威先生  
Mr. Jason C.W. Yeung



梁光漢先生  
Mr. Philip Leung Kwong-hon



詹少弘女士  
Ms. Sou Chiam

董事 Director \*

- 香港特別行政區政府  
財經事務及庫務局副局長
- Under Secretary for Financial Services  
and the Treasury, HKSAR Government

\* 劉怡翔先生之委任於二零一四年一月一日生效。  
Mr. James H. Lau Jr. was appointed with effect  
from 1 January 2014.

董事 Director \*

- 中國銀行（香港）副總裁
- Deputy Chief Executive of  
Bank of China (Hong Kong)

\* 楊志威先生之委任於二零一四年三月一日生效。  
Mr. Jason C.W. Yeung was appointed with effect  
from 1 March 2014.

董事 Director \*

- 消費者委員會副主席
- 香港中文大學資訊科技服務處處長
- 香港電台節目顧問團成員
- Vice-Chairman, Consumer Council
- Director of Information Technology Services,  
The Chinese University of Hong Kong
- Member, RTHK Programme Advisory Panel

\* 梁光漢先生之委任於二零一四年三月三十一日生效。  
Mr. Philip Leung Kwong-hon was appointed with  
effect from 31 March 2014.

董事 Director

- 金融糾紛調解中心行政總裁
- Chief Executive Officer, FDRC



# 主席的話

Chairman's Message



鄭若驊女士 Ms. Teresa Cheng

在2013年，調解中心開始進入第二年的業務運作。建基於2012年下半年度的營運經驗，調解中心致力加強及推廣我們為金融機構及消費者提供的爭議解決服務，並秉承以「先調解、後仲裁」的方式，解決金錢糾紛。

為了達至成為金融糾紛調解業領導者這一願景，本中心於2013年致力提高調解員和仲裁員的質素和技巧，一共為他們舉辦了三個培訓課程及持續專業發展工作坊。通過這些努力，調解中心的調解個案成功率為75%，實在令人欣喜。

一直以來，我們與持份者及服務用家保持良好的溝通。於2013年底，調解中心舉行第二次用家意見回饋座談會，收集了金融機構對本中心服務的意見和建議。這些寶貴的意見對提升我們的服務帶來莫大的裨益。

為了應對更多的挑戰，調解中心將會向持份者和潛在之服務用家進行諮詢、推廣及聯繫。通過這些工作，希望可以提高調解中心的資源使用率，以履行我們的職責和使命。

最後，我要藉此機會衷心感謝各董事局成員及員工為調解中心所作出的努力和貢獻。除此以外，我亦要感謝各持份者對調解中心提供寶貴的意見及支持。

主席

In 2013, the FDRC entered into its second year of operation. Built on the initial experience from the second half of 2012, FDRC has endeavoured to strengthen and further promote its dispute resolution service for monetary disputes among financial institutions and consumers by way of "Mediation First, Arbitration Next".

With the vision to become the leader in the financial dispute resolution service industry, in 2013, the FDRC strived to enhance the quality and skills of its mediators and arbitrators. We have organised a total of three training courses and Continuing Professional Development workshops for mediators and arbitrators. Through these efforts, I am happy to report that the FDRC has achieved a success rate of 75% for its mediation cases.

We maintain a dialogue with the stakeholders and users of our services. At the end of 2013, the FDRC organised its second User Feedback Forum whereby comments and suggestions from the financial institutions were received. These feedback provide invaluable support to enable us to better serve the financial community.

There are still many challenges ahead. Consultation, promotion and liaison with stakeholders and potential users will be conducted to explore ways to enhance the utilisation of the resources of FDRC in discharge of its functions and achieve its mission.

Finally, I would like to take this opportunity to express my sincere gratitude and appreciation to members of the Board and the staff for their hard work, dedication and contribution. In addition, I would like to thank our stakeholders for their support and the constructive comments.

Chairman



# 行政總裁 報告

Chief Executive Officer's Report



詹少弘女士 Ms. Sou Chiam

在2012年的基礎上，調解中心於2013年投放大量的資源及精力以進一步加強和推廣調解中心的調解及仲裁服務。

在第二年的運作當中，調解中心的工作包括：

- 為調解中心調解員名單和仲裁員名單上的人士舉辦持續專業發展培訓及進階調解工作坊；
- 設立投資委員會，向董事局作出有關政策、策略及投資指引的建議；
- 與投資者教育中心加強合作並透過不同傳播渠道向市民推廣調解中心的服務；
- 向區議員及相關委員會委員介紹金融糾紛調解計劃以及如何把個案轉交調解中心；及
- 於街頭設立攤位（如上環假日行人坊），直接向區內市民推廣調解中心及其服務。

調解中心的團隊致力為各使用者提供糾紛解決服務，我們所付出的努力於意見回饋中可以清楚看到。在服務滿意程度調查中，87%的使用者對調解中心的服務感到滿意或非常滿意，79%的使用者表示如再遇到糾紛，會使用調解服務。此外，88%的使用者表示會向其他有需要人士推介調解中心的調解服務。因此，我對調解中心團隊的表現表示謝意。

在此，我對主席及各位董事在過去一年的寶貴支持，謹表謝意。

行政總裁

詹少弘

In 2013, building on the foundations that we laid down in 2012, much of our energy and resources were to further strengthen and to actively promote the mediation and arbitration services of FDRC.

The tasks of FDRC in its second year of operation included the following:

- Organising Continuing Professional Development training and Advanced Mediation Workshops for mediators on the FDRC List of Mediators and arbitrators on the FDRC List of Arbitrators;
- Setting up the Investment Committee to make recommendations to the Board on policies, strategies and investment guidelines;
- Promoting FDRC services to the public by ways of different communication channels and working closely with the Investor Education Centre;
- Engaging District Councilors and relevant Committee members to introduce to them the Financial Dispute Resolution Scheme and how they could refer cases to the FDRC; and
- Promoting FDRC and its services directly to the public at district level through street fairs such as the Sheung Wan Promenade Fair.

The hard work and dedication of our team at FDRC to serve the users of our dispute resolution services is evident in the feedback received. The user satisfaction survey showed that 87% of users were satisfied or very satisfied with FDRC's services, 79% indicated that they would use mediation services again if they had a future dispute and 88% indicated that they would recommend FDRC's services to others. I am grateful for the contribution of the FDRC team.

I wish to thank our Chairman and Board of Directors for the valuable support throughout the year.

Sou Chiam

Chief Executive Officer



# 全年回顧

The Year at a Glance



調解中心的調解計劃主任會見了153位有興趣了解調解計劃之人士，並向他們解釋調解計劃的程序和《職權範圍》中訂明的個案受理準則。

FDRC Case Officers met with 153 persons who were interested in the FDRS and explained to them the procedure of FDRS and the Guidelines on Intake Criteria set out in the ToR.

會見有意了解服務人士  
Meeting Interested Parties

愈半查詢與金融有關  
Over 50% of Enquiries were Financial-related

已處理的個案中，75%的個案在調解過程中成功獲得解決。約87%的調解服務使用者（包括爭議各方）對調解中心的服務給予「滿意」或「非常滿意」的評級。

Of the cases handled, 75% of the cases were successfully settled in mediation. Approximately 87% of the mediation users (which covered both parties involved in the disputes) rated FDRC services as "satisfactory" or "very satisfactory".

超過八成  
用家滿意服務  
Over 80% Satisfaction Rate

調解中心的熱線及查詢服務共接獲2,192宗查詢。在所收到的查詢中，54%與金融產品及服務之投訴有關。

FDRC hotline and enquiry services received 2,192 enquiries. Of all the enquiries received, 54% was related to complaints about financial products and services.

對外推廣  
Reaching Out to the Public

舉辦了277場公眾諮詢面談、簡介會、講座、分享會、地區會議及推廣活動；共接觸了4,839人士，包括金融機構職員、專業團體會員及公眾人士。

Conducted 277 public enquiry meetings, information seminars, talks, briefing sessions, district meetings and promotional activities; reached out to a total of 4,839 people, including staff of financial institutions, members of professional bodies and the general public.

接觸  
地區議會  
Engaging District Councils

於2013年2月至5月期間，調解中心向14個區議會共467位區議員及委員會委員介紹調解中心的服務。

Between February and May of 2013, FDRC engaged 14 District Councils and introduced its services to 467 District Councilors and Committee members.

於2013年2月3日參與由中西區區議會舉辦的上環假日行人坊。我們的職員於行人坊設立攤位並即場解答市民的查詢。調解中心亦於2013年底出席同類型活動。在這兩次活動中一共接觸超過1,650名市民。

Participated in the Sheung Wan Promenade Fair organised by the Central and Western District Council on 3 February 2013. A promotion booth was set up and FDRC staff answered questions raised by visitors. FDRC attended a similar event again at the end of 2013. Altogether a total of over 1,650 people were reached.

上環  
假日行人坊  
Sheung Wan Promenade Fair

提升專業水平  
Raising Professionalism

舉辦了三次持續專業發展培訓課程，以提升調解中心名單上的調解員和仲裁員的專業水平及令他們更容易掌握調解計劃的個案及行內的最新發展。

Held three Continuing Professional Development training courses for FDRC List of Mediators and FDRC List of Arbitrators with the aim to enhance their skills in handling cases and to keep them abreast of the latest development of the industry.

於2013年年底，調解中心與金融機構舉行了用家意見回饋座談會，收集他們對調解中心爭議解決服務的意見。

Organised a User Feedback Forum with financial institutions at the end of 2013 to gather opinions and feedback in respect of FDRC's dispute resolution services.

用家意見  
回饋座談會  
User Feedback Forum

推出宣傳活動以增加公眾對調解中心服務的認識。在所收到的查詢中，69%和這些公眾宣傳活動有關。宣傳媒體包括電視、電台、報章、雜誌、地鐵、巴士和網上平台。

Rolled out promotional campaigns to build up public awareness of the FDRC services. These promotions generated 69% of the enquiries to the FDRC. Media covered TV, radio, newspapers, magazines, MTR, bus and online portals.

廣告宣傳  
Advertising Campaigns







# 宣傳及社區推廣

## Publicity and Reaching Out to the Community

### 收費低廉 程序簡易 保密性高

## 金融調解添消費者保障

自金融調解後，新發生受爭議社會關注的金融糾紛，當中不少小投資者更選擇向金融機構投訴公署。有見及此，「金融糾紛調解中心」應運而生，並於去年年中入服務，協助調解及仲裁方式，為金融消費者提供便捷及快捷服務，以解決金融機構之間的紛爭，為消費者保障。

金融糾紛調解中心自開辦以來，一直秉承「收費低廉、程序簡易、保密性高」的宗旨，為金融消費者提供便捷及快捷服務，以解決金融機構之間的紛爭，為消費者保障。

金融糾紛調解中心收費表

項目	收費標準	備註
調解費	2,000元	不獲勝方負擔
調解費(成功)	5,000元	5,000元
調解費(不成功)	2,000元	10,000元
調解費(不成功)	2,000元	10,000元
調解費(不成功)	2,000元	10,000元
調解費(不成功)	2,000元	10,000元

調解是溝通與諒解

金融糾紛調解中心收費表

調解是溝通與諒解

在2013年，調解中心透過不同的推廣及宣傳渠道，致力提高公眾及金融投資者對調解計劃的認識，同時加深他們對調解的了解及所帶來的好處。

In 2013, FDRC endeavoured to raise the awareness of the public and financial investors in respect of the benefits of mediation and the FDRS by way of a series of promotional campaigns and different communication channels.



### 廣告宣傳

除了在電視、電台、報章及雜誌等傳統大眾媒體上宣傳外，調解中心亦於2013年第四個季度推出流動廣告宣傳活動，並於不同手機應用程式上投放廣告，以增加曝光率及接觸較年輕人士。公眾對這些網上廣告宣傳反應理想。

### Advertising Campaigns

In addition to conventional advertising media like TV, radio, newspapers and magazines, a mobile advertising campaign (with advertisements placed on various mobile apps) was rolled out in the fourth quarter to maximize exposure and to engage younger generations of the community. The response to these on-line advertisements was encouraging.

### 傳媒訪問

於本年內，調解中心安排及接受了各大中、英文傳媒訪問。透過這些訪問及報道，調解中心向調解計劃的持份者及公眾介紹了調解服務的重要性和好處。

### Media Interviews

Within the year, FDRC arranged and conducted several media interviews with different Chinese and English media. Through these interviews, key messages of FDRC and the benefits of its services were conveyed to its stakeholders as well as the general public.







## 公眾諮詢面談

在諮詢面談時，中心的調解計劃主任就個別市民的個案，解釋個案受理準則、調解及仲裁過程並回答市民所提出的問題。

## Public Enquiry Meetings

At these meetings, FDRC Case Officers explained the Intake Criteria, mediation and arbitration processes and answered questions raised by the members of the public on their specific cases.



## 地區工作

調解中心向14個區議會共467位區議員及委員會委員介紹調解中心的服務。於會議中，中心職員簡介調解中心的角色，並詳述如遇到市民就金融糾紛向區議員求助時，他們可以如何把個案轉交調解中心。

調解中心積極參與由中西區區議會於2013年2月3日及11月24日舉辦的上環假日行人坊，於行人坊設立攤位，展示服務細節和聯絡資料；又向途人派發傳單並即場解答市民的查詢。為了讓市民以互動形式了解調解中心的服務，當天我們亦舉辦了問答遊戲，反應熱烈，共有超過1,650名市民參加。

## Promoting at District Level

FDRC presented its services to 467 District Councilors and Committee members from 14 District Councils. At those meetings, FDRC introduced to them the role of FDRC and what they could do when a member of the public approached them to seek for help in respect of financial disputes; and how they could refer the case to FDRC.

FDRC also played a proactive role in participating in the Sheung Wan Promenade Fair organised by the Central and Western District Council on 3 February 2013 and 24 November 2013. Promotion booths were set up and information on FDRC services and contact details were exhibited. FDRC staff explained FDRC services by distributing leaflets and answering questions raised by the public. To disseminate information on FDRC to the public in an interactive way, Q&A games were carried out. The response was good with over 1,650 visitors participated in the game.





# 宣傳及社區推廣

Publicity and Reaching Out to the Community

## 為金融機構及專業團體而設的講座及簡介會

為使香港金融調解服務能蓬勃發展，調解中心致力為相關的金融機構及專業團體提供資訊講座及簡介會，講解調解計劃，並解答他們對糾紛調解服務的問題。2013年期間，共進行了33場有關活動，總出席人數達2,369人。

調解中心亦經常到不同專業團體及大學裏舉行講座，包括香港理工大學、香港城市大學、香港大學、香港中文大學、財資市場公會、香港財經分析師學會、香港會計師公會、澳洲會計師公會和香港律師會。

調解中心竭力為各界提供便捷的服務。為了方便調解計劃成員的員工，中心職員亦會前往他們的工作地點舉行講座。

## Talks and Seminars for Financial Institutions and Professional Bodies

For financial mediation to be successful in Hong Kong, FDRC organised information seminars and talks to acquaint financial institutions and professional bodies with the FDRS and answered their queries about the dispute resolution processes. In 2013, 33 talks and seminars were conducted with a total attendance of 2,369 people.

Many talks were also conducted for professional bodies and universities, including the Hong Kong Polytechnic University, the City University of Hong Kong, the University of Hong Kong, the Chinese University of Hong Kong, the Treasury Markets Association, the Hong Kong Society of Financial Analysts, the Hong Kong Institute of Certified Public Accountants, the Certified Public Accountants Australia and the Law Society of Hong Kong.

FDRC continually strives to make services as accessible as possible so talks could be conducted at our members' offices for the convenience of their staff.



## 團隊活動

調解中心一直重視團隊合作精神、專業操守和多元發展。中心經常組織團隊活動，藉以加強員工之間的良好關係。於2013年10月的一個晚上，調解中心員工一起愉快地製作綠茶及朱古力曲奇。這些製成的曲奇其後由員工親自送贈慈善團體，盼望能令有需要的人帶來一個窩心的微笑。

## Team Building Activities

At FDRC, we value teamwork, integrity and diversity. Team building activities are held regularly to help teammates build stronger bonds. In October 2013, FDRC staff team spent a pleasant night together making green tea and chocolate cookies. The evening was filled with joy and laughter. Cookies made were hand-delivered to a charitable organisation with the wish that these cookies would bring a smile to those in need.





# 遴選

委員會

*The Appointment Committee*

遴選委員會（「委員會」）先由胡紅玉議員擔任主席，後由簡家聰先生接任。委員會的委員審批所有欲成為調解中心調解員名單及調解中心仲裁員名單（「名單」）上一員的申請，確保審核及取錄過程公平獨立，並就維持名單上的調解員及仲裁員資格水平的有關事宜向董事局提出建議。

委員會在2013年內共召開了四次會議，會議中研究多個事項，包括：

- 為名單上的調解員和仲裁員所設的持續專業發展要求作出檢討；
- 向董事局提出建議，修訂納入名單的標準和程序內的作業備考；
- 審核並批准了28份申請成為名單上調解員的申請；及
- 審核並批准了一份申請成為名單上仲裁員的申請。

The Appointment Committee (“Committee”) was chaired by the Honourable Anna Wu Hung-yuk and then by Mr. Fred Kan. Members of the Committee consider applications for admission to the FDRC List of Mediators and FDRC List of Arbitrators (“the Lists”) and ensure that the assessment and admission processes are fair and independent. The Committee also makes recommendations to the Board on matters relating to the maintenance of standards of listed mediators and arbitrators.

In 2013, the Committee held four meetings and examined a variety of matters, including:

- Reviewing the Continuing Professional Development requirements for mediators and arbitrators on the Lists;
- Making recommendations to the Board regarding the amendment of the Practice Note in the Standards and Procedures for Admission to the Lists;
- Considering and approving 28 applications from mediators for admission to the FDRC List of Mediators; and
- Considering and approving one application for admission to the FDRC List of Arbitrators.





胡紅玉議員 GBS, JP  
The Honourable Anna Wu Hung-yuk, GBS, JP

簡家驄先生  
Mr. Fred Kan

Prof. Nadja Alexander

黃嘉純先生 LLB, MEd, JP  
Mr. Lester G. Huang, LLB, MEd, JP

**主席** (至2013年5月26日)  
**Chairman** (until 26 May 2013)

- 香港特別行政區行政會議非官守議員
- 競爭事務委員會主席
- 強制性公積金計劃管理局主席
- 香港國際仲裁中心國際諮詢委員會委員
- 香港大學法律專業證書課程教務委員會主席
- Non-Official Member, Executive Council of HKSAR
- Chairperson, Competition Commission
- Chairperson, Mandatory Provident Fund Schemes Authority
- Member, International Advisory Board of Hong Kong International Arbitration Centre
- Chairperson, Academic Board for Postgraduate Certificate in Laws of the University of Hong Kong

**主席 Chairman \***

- 簡家驄律師行高級合夥人
- 香港國際仲裁中心理事會成員
- 香港律師會對外事務常務委員會委員
- Senior Partner, Fred Kan & Co.
- Council Member, Hong Kong International Arbitration Centre
- Member, External Affairs Standing Committee, Law Society of Hong Kong

\* 簡家驄先生於二零一三年九月一日獲委任為遴選委員會主席。在此之前，他曾出任遴選委員會委員。  
Mr. Fred Kan was a member of the Appointment Committee until he was appointed as Chairman on 1 September 2013.

**委員 Member**

- 仁大國際調解研究中心董事
- 香港樹仁大學教授
- Conflict Coaching International 校長
- Director, International Institute for Conflict Engagement and Resolution
- Professor, Hong Kong Shue Yan University
- Principal, Conflict Coaching International

**委員 Member**

- 胡百全律師事務所合夥人
- 香港金融管理局外匯基金諮詢委員會委員
- 香港按揭證券有限公司董事
- Managing Director, P.C. Woo & Co.
- Member, Hong Kong Monetary Authority's Exchange Fund Advisory Committee
- Director, The Hong Kong Mortgage Corporation

註：調解中心的行政總裁為遴選委員會當然委員。  
Note: FDRC CEO is an ex officio member of the Appointment Committee.



# 培訓及 **工作坊**

Training and Workshops

## 培訓及工作坊

調解中心相信，名單上的調解員和仲裁員均需要繼續擴闊相關的知識和提升技能，從而提升服務表現。

在2013年，調解中心為名單上的調解員和仲裁員舉行了三次持續專業發展培訓課程，當中包括兩次進階調解工作坊。這些工作坊旨在鞏固及加強參加者在處理調解計劃下的限時調解技巧。

在2013年10月舉行的個案分享工作坊中，調解員和仲裁員互相交流處理調解個案的經驗，分享如何克服困難，以及促成金融糾紛和平解決時所獲得的成就感。

## Training and Workshops

FDRC believes it is important for mediators and arbitrators on the Lists to continue to broaden their knowledge and enhance their skills in order to improve their performances.

In 2013, FDRC held three Continuing Professional Development training courses for mediators and arbitrators on the Lists including two Advanced Mediation Workshops. These workshops refreshed and enhanced the mediation skills of participants in handling the time limited mediation under the FDRS.

A case sharing workshop was held in October 2013. At the workshop, mediators and arbitrators shared their experiences on how they had overcome challenges while handling mediation cases and gained satisfaction from facilitating the settlement of financial disputes.





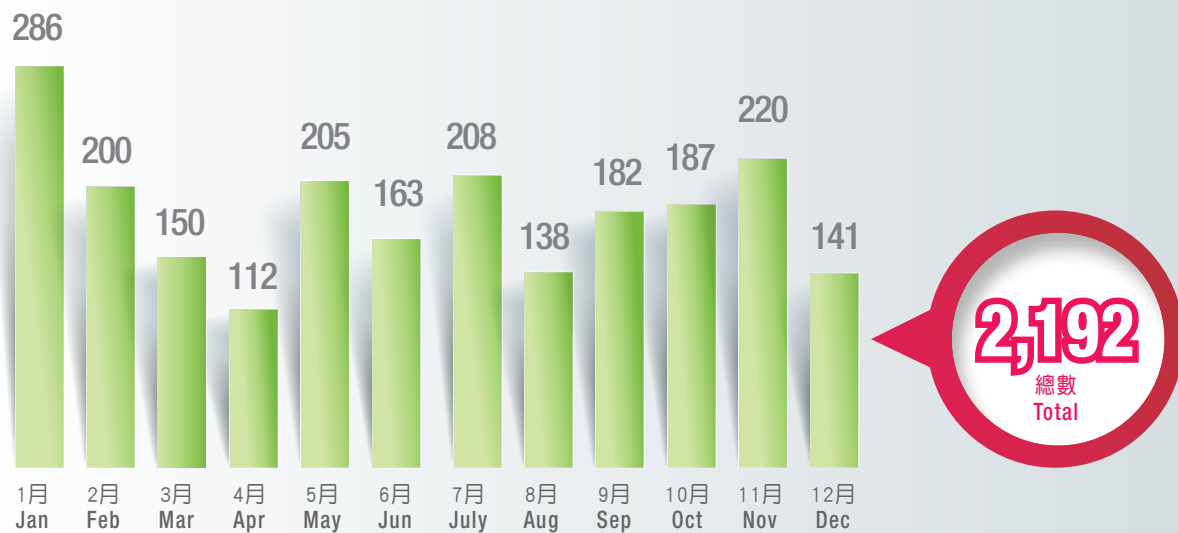




## 查詢數字 Number of Enquiries

從2013年1月1日至2013年12月31日為止，調解中心共接獲2,192宗查詢，平均每月約182宗。

From 1 January 2013 to 31 December 2013, a total of 2,192 enquiries were received, with an average of approximately 182 enquiries per month.



## 查詢類別 Nature of Enquiries

在接獲的2,192宗查詢中，1,182宗關於金融產品及服務，243宗關於調解中心服務，428宗關於調解中心的行政事宜，77宗關於調解員及仲裁員事宜，12宗關於調解中心的公關活動，250宗則關於其他事宜<sup>1</sup>。

Out of 2,192 enquires received, 1,182 were related to complaints about financial products and services, 243 were about FDRS services, 428 were related to FDRS administrative issues, 77 were related to mediator and arbitrator issues, 12 were related to FDRS's public relations activities and 250 were related to other issues<sup>1</sup>.

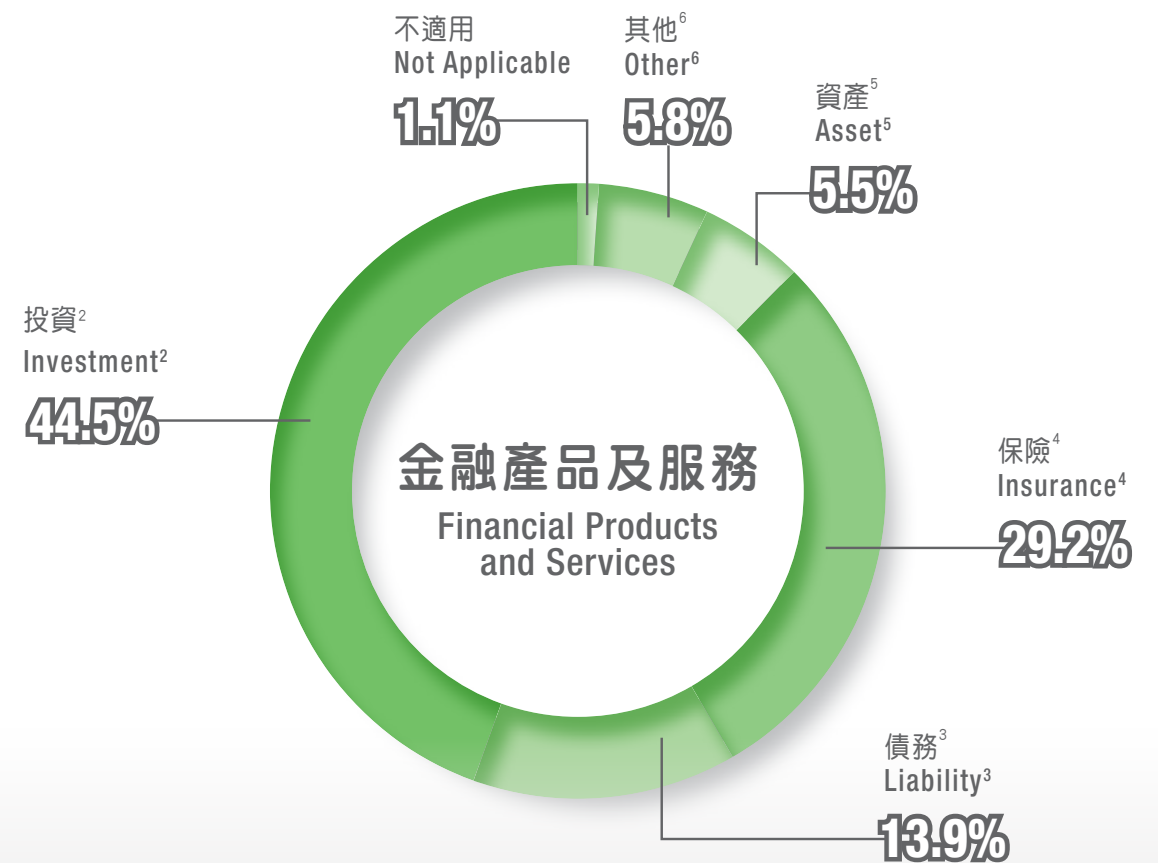
<sup>1</sup> 「其他事宜」包括非金錢性質的監管問題、大廈管理糾紛、家庭糾紛、商業糾紛、債務追討、個人之間的金融糾紛、租賃糾紛及勞資糾紛等。

<sup>2</sup> 「其他」包括強積金計劃、職業退休計劃、付款和現金管理、以及其他投資產品。

## 金融產品及服務性質 Nature of Financial Products and Services

在1,182宗與金融產品及服務相關的查詢當中，526宗關於投資<sup>2</sup>，164宗涉及債務<sup>3</sup>，345宗為保險<sup>4</sup>，65宗與資產相關<sup>5</sup>，69宗則為其他產品<sup>6</sup>。

Out of the 1,182 enquiries related to financial products and services, 526 were about Investment<sup>2</sup>, 164 were on Liability<sup>3</sup>, 345 were related to Insurance<sup>4</sup>, 65 were about Asset<sup>5</sup> and 69 were on others<sup>6</sup>.



<sup>2</sup> 「投資」包括債券、商品、衍生工具、非上市結構性產品、以及外匯買賣/槓桿式外匯買賣、股票及單位信託/互惠基金/管理基金。

<sup>3</sup> 「債務」包括信用卡、貸款及樓宇按揭。

<sup>4</sup> 「保險」包括投資相連保險、人壽保險（非投資相連）、一般保險及團體保險。

<sup>5</sup> 「資產」包括綜合帳戶、支票、安全保險箱、儲蓄和存款、以及由金融機構提供的儲值卡。

<sup>6</sup> 「其他」包括強積金計劃、職業退休計劃、付款和現金管理、以及其他投資產品。

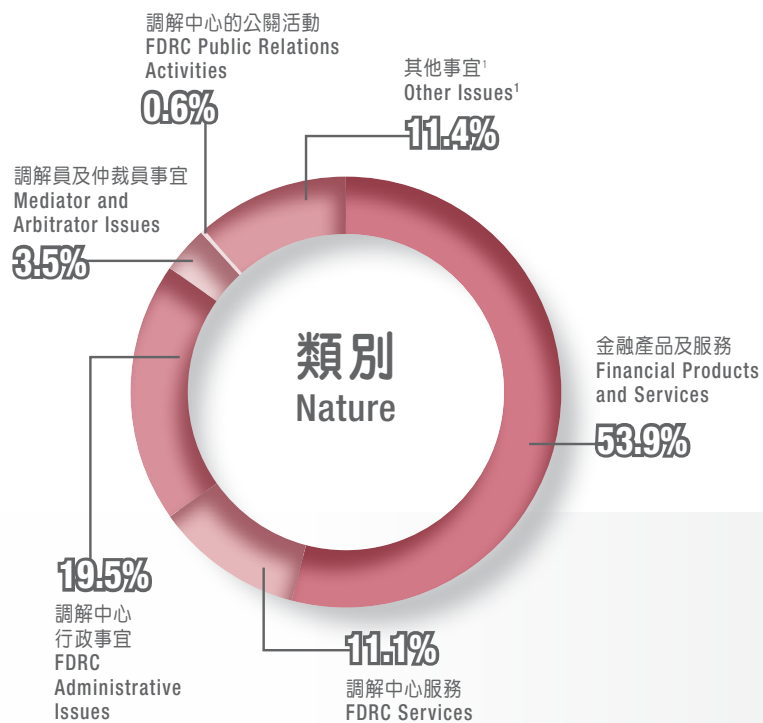
<sup>2</sup> "Investment" includes bond, commodity, derivative, unlisted structured product and FX/leveraged FX, share/equity/stock, and unit trust/mutual fund/managed fund.

<sup>3</sup> "Liability" includes credit card, loan facility and mortgage.

<sup>4</sup> "Insurance" includes investment-linked product, life (non-investment-linked), and general and group insurance policies.

<sup>5</sup> "Asset" includes integrated account, cheque, safe deposit box, savings and deposit, and stored value card provided by financial institutions.

<sup>6</sup> "Others" includes Mandatory Provident Fund, Occupational Retirement Schemes Ordinance, payment and cash management, and other investment products.





## 根據表面資料被列為不合資格的爭議 Prima Facie Ineligible Disputes

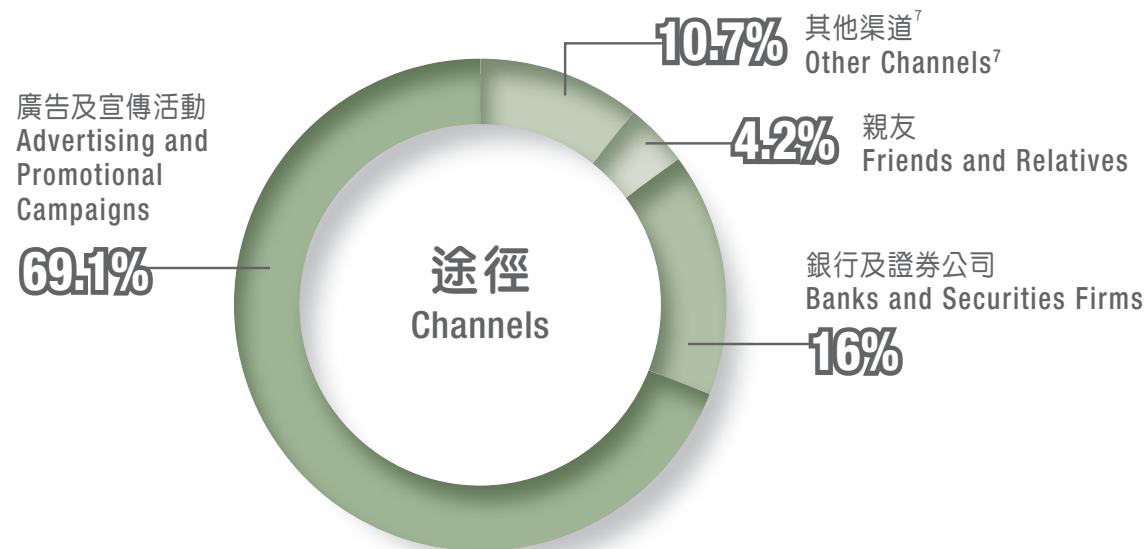
在接獲的2,192個查詢當中，1,182宗與金融產品及服務有關；而在這些與金融產品及服務有關的投訴中，有1,028宗的表面資料根據《職權範圍》被列為不合資格爭議。不符合資格的三大原因為：

- 詢問者知悉蒙受金錢損失超過12個月的限期
- 爭議涉及的機構並非調解計劃成員
- 申索額超過最高申索金額港幣500,000元
- Enquirer's knowledge of monetary loss exceeded the 12-month limitation period
- The disputes involved organisations which were not members of FDRS
- Claim amount exceeded the maximum claimable amount of HK\$500,000

## 知悉調解中心的途徑 Channels of Knowing FDRS

在接獲的2,192個查詢當中，有1,463宗透露了如何知悉調解中心的途徑。1,011宗來自廣告及宣傳活動，234宗由銀行及證券公司所轉介，61宗從親友中得知，157宗則由其他渠道得知。

Out of the 2,192 enquiries received, 1,463 disclosed the channels of knowing FDRS. 1,011 enquiries were generated by the advertising and promotional campaigns, 234 were referred by banks and securities firms, 61 were referred by friends and relatives and 157 by other channels<sup>7</sup>.

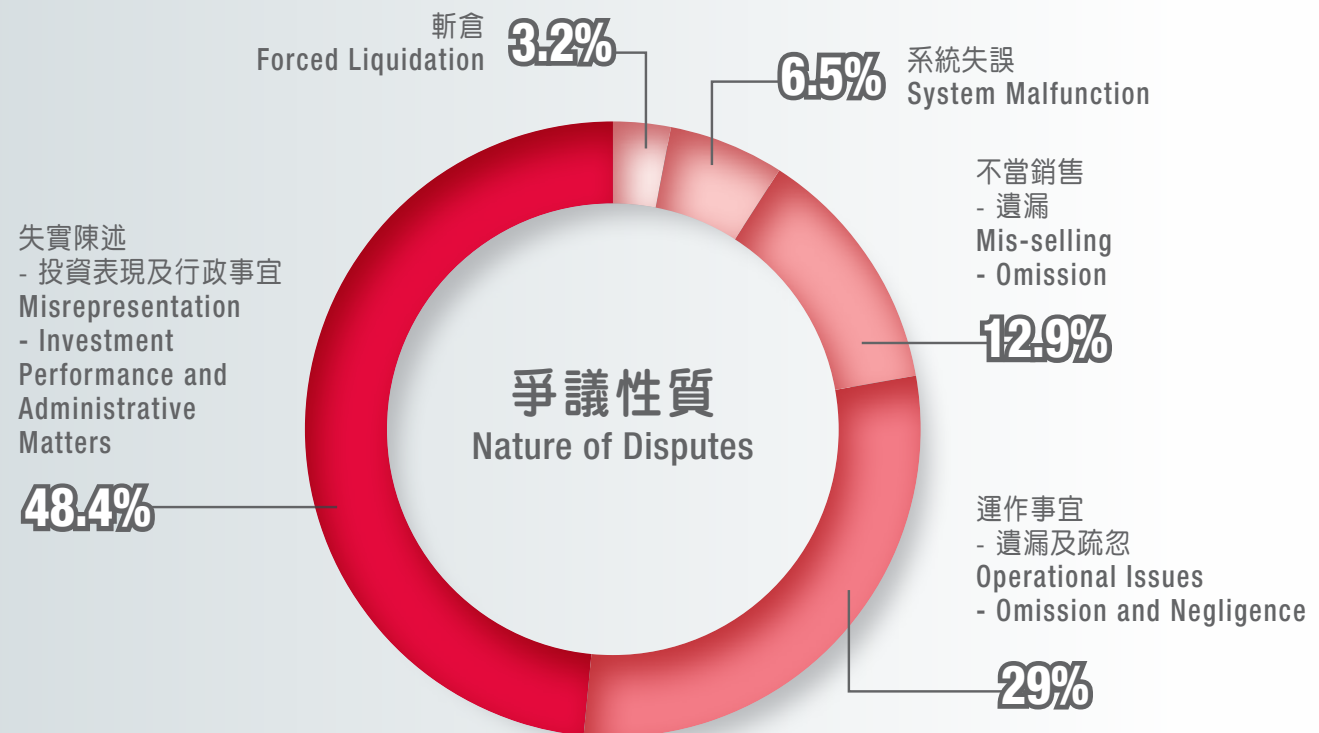


<sup>7</sup> 「其他渠道」包括證監會、金管局、聯合調解專線辦事處、民政事務總署及互聯網等。

<sup>7</sup> "Other Channels" includes the SFC, the HKMA, Joint Mediation Helpline Office, Home Affairs Department and internet, etc.

從2013年1月1日至2013年12月31日，調解中心接獲31宗使用調解計劃下的調解服務申請。

From 1 January 2013 to 31 December 2013, FDRS received 31 applications for mediation services under the FDRS.



## 在2013年12月31日的個案情況<sup>8</sup>

- 在31宗申請中，29宗申請獲接納，1宗因不符合《職權範圍》中的個案受理準則而被拒絕，1宗申請在審核中。
- 獲接納的29宗申請中，25宗已完成了調解程序，4宗仍在調解程序中。
- 在25宗完成了調解程序的個案中，24宗已經完結，餘下1宗則進入了仲裁程序並已獲頒佈仲裁裁決。
- 24宗完成了調解程序並已完結的個案中，18宗分別於不同的調解階段達成和解，而未能和解的個案則有6宗（申索人沒有選擇仲裁而結案）。
- 在2013年12月31日，有24宗個案完成了調解程序並已完結，當中有18宗獲得和解。在調解計劃下，解決爭議的成功率達75%。

<sup>8</sup> 只計算在2013年內所收到的個案。

## Case Status as at 31 December 2013<sup>8</sup>

- Among the 31 applications, 29 were accepted for mediation, 1 was rejected as not within the Intake Criteria of the ToR and 1 was under vetting.
- Among the 29 cases accepted for mediation, 25 went through the mediation process and 4 were in the mediation process.
- Among the 25 cases that went through the mediation process, 24 were completed and closed, 1 proceeded to arbitration and an Arbitral Award has been rendered.
- Among the 24 completed and closed cases, 18 were settled at different stages of the mediation process and 6 were not settled in mediation (these cases were closed as the claimants did not proceed to arbitration).
- On 31 December 2013, out of 24 closed cases, 18 applications reached settlement. The success rate of resolving disputes under the FDRS is 75%.

<sup>8</sup> Only cases received within 2013 were counted.







以下個案基於調解中心的真實個案編寫。基於保密原則，個案中某些資料，包括申索人、金融機構及其職員的名稱、具體申索及調解協議條款均已作修改。

The case studies below are based on actual FDRC cases. Various information including names of claimants, financial institutions and their staff, actual claim and settlement amounts have been altered to protect confidentiality.

1

## 退休保障計劃 Retirement Savings Plan

### 一個可讓爭議雙方互相聆聽及理解的平台 A platform for parties in dispute to listen and understand each other

楊女士為銀行甲的長期客戶。她在50歲那年決定為自己的退休作長遠計劃。她向銀行甲購買了一份供款期為十年的退休儲蓄計劃。她預期她可於60歲起的十年內，每年獲得港幣\$30,000的保證退休現金，及於70歲時獲取一筆港幣\$500,000的現金及一份保障期至100歲，價值港幣\$250,000的人壽保險。

Ms. Yeung had been a customer of Bank A for many years. When she was 50 years old, she decided to make plans for retirement. She approached Bank A and subscribed to a retirement savings plan with a ten-year contribution period. She expected to receive a guaranteed retirement cash of HK\$30,000 each year for ten years after she turned 60 years old, a lump sum payment of HK\$500,000 plus dividend at the age 70 and a free life term insurance of HK\$250,000 up to the age of 100.

當該退休儲蓄計劃到期時，楊女士始發現如果她十年內每年收取保證退休現金，便不會得到港幣\$500,000的現金，縱使她依然能享有該免費人壽保險。楊女士極度失望，她認為銀行甲的職員於銷售時誤導她購入該計劃。

楊女士向銀行甲投訴。銀行向她解釋只有在她沒有提取保證退休現金的情況下，該港幣\$500,000的現金才會於她70歲時支付她。楊女士不滿銀行甲之解釋，遂向調解中心提出申請，以解決該事件。

調解員協助雙方確認爭議點及促進雙方明白對方的關注及需要。楊女士和銀行甲最終能找出雙方均可接受的解決方案，銀行亦詳細地向楊女士解釋她購買的退休儲蓄計劃的結構及內容。雙方的爭議在調解員的努力下得以解決，雙方都肯定調解員在拉近他們的距離所作出的貢獻。雙方均表示會向其他有需要人士推介調解中心的調解服務。

On the maturity of the retirement savings plan, Ms. Yeung found out that she would not be entitled to the lump sum payment of HK\$500,000 if she received the guaranteed retirement cash each year for ten years. She was still entitled to the free life term insurance. Ms. Yeung was very upset and believed that she was misled by the staff of Bank A at the time she subscribed to the retirement saving plan.

Ms. Yeung complained to Bank A. It was explained to her that the lump sum payment would only be paid to her at the age of 70 if no retirement cash was withdrawn from the retirement savings plan. Ms. Yeung was not satisfied with Bank A's explanation and she submitted an application to the FDRC in order to resolve the matter.

The mediator helped both parties to identify the issues and understand each other's concerns and interests. Ms. Yeung and Bank A were able to find common solutions and Ms. Yeung was given a thorough explanation about the structure and the content of her retirement savings plan. The two parties settled the dispute with help from the mediator and they appreciated the mediator's efforts in bridging the gap between them. Both parties indicated that they would recommend the FDRC mediation services to others in need.

2

## 支票戶口 Current Account

### 訴訟以外的有效解決爭議方法 A helpful dispute resolution method apart from legal proceeding

李先生是一名專責銀行零售業務的高級銀行職員。一天，李先生經銀行乙的網上銀行處理個人帳戶時，發現其中一個戶口中有數十萬元被人以支票形式提走，並轉至一個他不認識的人的戶口中。在追尋事情的因由時，李先生發現他的一張支票被盜。李先生即時通知警方及銀行乙。警方於接報後數天已作出逮捕行動。

Mr. Lee is a senior banker specializing in consumer banking. One day when Mr. Lee was managing his personal bank accounts in Bank B via internet banking, he discovered that several hundred thousand dollars had been withdrawn from one of his accounts by way of a cheque made payable to a person unknown to him. In the course of tracing what happened, Mr. Lee found out that one of his cheques had been stolen. Mr. Lee reported the matter to the Police and Bank B. The Police made an arrest a few days after the incident was reported to them.

李先生嘗試與銀行乙直接談判，追討他的損失。銀行乙認為客戶有責任保管好支票，李先生須就損失負責。銀行乙亦認為李先生未能於發現支票被盜時即時通知他們停止兌現。李先生則認為銀行乙應核對他於支票上的簽名，並於兌現大額支票前向戶口持有人確認。李先生向銀行乙的總行投訴，藉此向有關負責人施壓以解決事情。銀行乙向李先生提議賠償他部份損失以解決事情但遭拒絕。李先生遂向調解中心提出調解申請。

調解員傾力協助雙方聚焦於他們的需要，並鼓勵雙方尋找不同方案。於調解中，李先生和銀行乙最終能找出共同方案，雙方成功達成協議。雙方均肯定調解員於協助他們創造方案及解決糾紛中的堅持和努力。

Mr. Lee tried to negotiate directly with Bank B in claiming his loss. Bank B was of the view that Mr. Lee was responsible for the loss as he had a duty to keep his cheques in a safe place. Bank B was also of the view that Mr. Lee had failed to immediately report to them to stop payment when he found out that his cheque had been stolen. Mr. Lee was of the view that Bank B should verify the signature on the cheque and notify the account holder before honouring a cheque paying out such a big sum of money. Mr. Lee also escalated the case to Bank B's Head Office in order to give the person-in-charge pressure to settle the dispute. Bank B offered to pay Mr. Lee part of his loss to settle the matter but Mr. Lee rejected the offer. Mr. Lee made an application for mediation at the FDRC.

The mediator put in great effort to assist both Mr. Lee and Bank B to focus on their interests and facilitated the two parties in generating possible settlement options. At the mediation, the two parties agreed to settle the matter. Both parties appreciated the mediator's efforts and persistence in exploring options and helping them resolve their dispute.



3

私人貸款  
Personal Loans

調解打破爭議雙方的隔膜

Mediation breaks wall between parties in dispute

陳先生分別於數間金融機構有幾項私人貸款。2012年，他聯絡銀行丙希望整合他的貸款以享受整體較優惠的利率。陳先生與銀行丙同意整合方案，已整合的私人貸款將以每月分期形式還款。作為協議的一部份，銀行丙同時為陳先生發出信用卡乙張及向其兒子發出附屬卡乙張。該附屬卡是給陳先生兒子在英國時作應急之用。

Mr. Chan had several personal loans from a number of financial institutions. In 2012, he approached Bank C to consolidate his loans in order to pay an overall lower interest rate. It was agreed by Mr. Chan and Bank C that the consolidated personal loan would be repaid by monthly instalments. As part of the agreement, Bank C also issued a credit card for Mr. Chan and a supplementary card for Mr. Chan's son. The supplementary credit card was for his son's emergency use in the United Kingdom.

一年後，陳先生從他的銀行月結單中發現他的私人貸款利率比他與銀行丙協定的高出很多。他向銀行丙投訴並拒絕每月定期還款。因陳先生拖欠還款，銀行丙終止了陳先生的信用卡及其兒子的附屬卡。然而，銀行丙並沒有就「停卡」一事通知陳先生或其兒子。

在一次緊急情況下，陳先生的兒子不能使用該附屬卡，陳先生始知他們的信用卡已被停用。陳先生非常失望，憂慮之餘更是感到憤怒。陳先生向銀行丙投訴，可是，他覺得銀行丙並沒有認真處理他的投訴。及後他決定向調解中心申請調解。

調解員注意到於是次爭議中夾雜的種種情緒，並讓陳先生逐步宣洩他的不滿。銀行丙的代表用心聆聽、耐心及真誠地嘗試解決事情，令陳先生留下深刻印象。陳先生感到銀行丙終於能聆聽他並恰當地關顧他的情緒，事件最終以重新制定陳先生的私人貸款還款安排及協定信用卡服務協議作解決。

One year later, Mr. Chan found out from his bank statements that the actual interest rate for his personal loan account at Bank C was much higher than what he had agreed with Bank C previously. He complained to Bank C and refused to pay the loan by monthly instalments as scheduled. In response to the loan default, Bank C suspended the credit card it had issued to Mr. Chan and the supplementary credit card it had issued to Mr. Chan's son. However, the suspensions were done by Bank C without prior notification to either Mr. Chan or his son.

Mr. Chan only discovered the suspension of the credit cards when his son could not use the supplementary credit card in an emergency situation. Mr. Chan was upset, worried and above all, very angry. Mr. Chan complained to Bank C. However, he felt that Bank C did not take his complaint seriously. He then decided to make an application for mediation at the FDRC.

The mediator was aware of the emotions involved in the dispute and he allowed Mr. Chan to air his grievances in a controlled manner. Representatives from Bank C impressed Mr. Chan by showing willingness to listen, patience and sincerity in trying to resolve the matter. Mr. Chan felt that his grievances were heard and properly addressed by Bank C and the matter was resolved by a re-arrangement of repayment schedule for the personal loan and a mutual agreement on the credit card service.

4

期貨  
Commodity Trading

調解化解分歧，重建互信關係

Mediation helps resolve differences and rebuilds trust

王女士是證券行丁的尊貴客戶。她在證券行丁擁有的投資組合中包括商品期貨的投資，她一向依靠該證券行職員葉先生提供意見及個人服務作投資決定。她很依賴葉先生向她提供適時的意見並替她實際操作買賣。王女士並沒有使用任何網上交易平台。

Ms. Wong is a VIP customer of Securities Firm D. She had an investment portfolio with Securities Firm D, including commodity trading and she relied on the personal service and advice of Mr. Ip, one of Securities Firm D's staff. She relied heavily on Mr. Ip to give her timely advice and to perform the actual trading for her. Ms. Wong did not conduct any internet trading.

一天早上，王女士注意到商品市場價格大幅波動，她嘗試聯絡葉先生，希望他建議她應否沽貨。她曾多次致電葉先生但仍未聯絡上他，有些電話則由葉先生的同事接聽。直到下午，她終於聯絡上葉先生。由於商品市場的價格波動，她以低於早市價格的賣出價沽出。王女士非常不滿這項交易，因為她相信只要她的電話能早一點轉駁給葉先生，她就不會招致損失。王女士認為證券行丁有責任對顧客的要求作出迅速反應，特別是商品市場價格大幅波動時。

王女士投訴證券行丁延誤服務及要求證券行賠償她的損失。證券行丁拒絕為任何損失承認責任，並指他們已恰當地執行王女士的沽貨指令，因而不會作出任何形式的補償。王女士遂向調解中心提出調解申請。

葉先生作為證券行丁的代表之一參與調解。調解員促進雙方溝通及令雙方加深了解。葉先生向王女士解釋為何當天早上未能接聽她的電話，並承諾將來會改善。雙方同意豁免王女士的投資戶口的部份交易佣金一段時間以解決事情。雙方均滿意該調解協議。

One morning, Ms. Wong noticed that the commodity market was experiencing big price fluctuations and she tried to seek urgent advice from Mr. Ip as to whether she should sell or not. She attempted to contact Mr. Ip over the phone many times but to no avail. Some of her calls were received by Mr. Ip's colleagues. It was not until in the afternoon that she finally spoke to Mr. Ip. She placed a selling order at a lower price compared to the price in the morning due to the price fluctuations in the commodity market. She was unhappy about the transaction as she believed that she would not have incurred any loss if her calls had been properly transferred to Mr. Ip earlier. Ms. Wong believed that timely responses from Securities Firm D were essential in commodity trading, especially when the market was undergoing big price fluctuations.

Ms. Wong complained to Securities Firm D for the delay in service and asked for compensation for loss. Securities Firm D denied responsibility for any loss, stating that Ms. Wong's selling order was executed properly and no redress could be offered to her. Ms. Wong made an application for mediation at the FDRC.

Mr. Ip, as one of the representatives of Securities Firm D, attended the mediation. The mediator facilitated discussions between the two parties and increased their mutual understanding. Mr. Ip explained why he was unable to answer Ms. Wong's calls that morning and promised to do better in the future. It was agreed that certain transactional commission could be waived for a period of time for Ms. Wong's investment account and both parties were happy with the settlement of the case.







# 董事局報告書

## Report of the directors

董事局全人謹將截至二零一三年十二月三十一日止年度的經審核財務報表呈覽。

### 主要營業地點

金融糾紛調解中心（「本公司」）在香港註冊成立，並以香港為註冊地，註冊辦事處和主要營業地點均設於香港鰂魚涌英皇道743號友邦香港大樓15樓。

### 主要業務

本公司是以擔保有限公司形式成立的非牟利機構。本公司為一家獨立公正管理一套金融糾紛調解計劃（「調解計劃」）的機構，為調解計劃轄下的金融機構成員及其客戶提供調解及仲裁服務，以解決他們之間的金錢爭議。本公司的成立目的是要更有效調解爭議，從而造福香港社群。

### 財務報表

本公司截至二零一三年十二月三十一日止年度的盈餘和本公司於該日的財政狀況載列於第54至第73頁的財務報表內。

### 固定資產

本公司截至二零一三年十二月三十一日止年度的固定資產變動詳載於財務報表附註7內。

### 股本

本公司是以擔保有限公司形式成立，因此並無任何股本。

### 儲備

本公司截至二零一三年十二月三十一日止年度的儲備變動詳載於第57頁的權益變動表內。

The directors have pleasure in submitting their annual report together with the audited financial statements for the year ended 31 December 2013.

### Principal place of business

Financial Dispute Resolution Centre (“the Company”) is a company incorporated and domiciled in Hong Kong and has its registered office and principal place of business at 15/F, AIA Hong Kong Tower, 743 King’s Road, Quarry Bay, Hong Kong.

### Principal activities

The Company is a non-profit making company limited by guarantee. It is an independent and impartial organisation administering the Financial Dispute Resolution Scheme (“FDRS”) which provides mediation and arbitration services to financial institutions (which are members of FDRS) and their customers for the resolution of monetary disputes. The Company is established to promote more efficient dispute resolution for the benefit of the Hong Kong community.

### Financial statements

The surplus of the Company for the year ended 31 December 2013 and the state of the Company’s affairs as at that date are set out in the financial statements on pages 54 to 73.

### Fixed assets

Movements in fixed assets during the year ended 31 December 2013 are set out in note 7 to the financial statements.

### Share capital

The Company is limited by guarantee and therefore does not have any share capital.

### Reserve

Movement in reserve during the year ended 31 December 2013 are set out in statement of changes in equity on page 57.

### 董事局

本財政年度內至本報告日期止的在任董事如下：

鄭若驊女士

詹少弘女士

戴敏娜女士

馮煒能先生

簡家聰先生（委任於二零一三年九月一日生效）

劉燕卿女士（辭任於二零一四年三月三十一日生效）

劉怡翔先生（委任於二零一四年一月一日生效）

梁鳳儀女士（辭任於二零一四年一月一日生效）

梁光漢先生（委任於二零一四年三月三十一日生效）

邵蓓蘭女士（退任於二零一四年三月一日生效）

施衛民先生

胡紅玉女士（辭任於二零一三年五月二十六日生效）

楊志威先生（委任於二零一四年三月一日生效）

根據本公司的公司組織章程細則第36條，全體現任董事將於來年繼續留任。

本公司於本年度結算日或年內任何時間，均沒有訂立本公司董事擁有重大利益的任何重要合約。

### 核數師

畢馬威會計師事務所任滿告退，並願膺選連任。本董事局將於即將召開的股東周年大會上，提呈由畢馬威會計師事務所連任本公司核數師的決議。

### 承董事局命

鄭若驊

主席

香港，二零一四年四月三十日

### Director

The directors during the financial year and up to the date of this report are:

Ms Cheng Teresa Yeuk Wah

Ms Chiam Sou Hong

Ms Meena Datwani

Mr Fung Wei Lung Brian

Mr Kan Ka-chong Frederick (appointed with effect from 1 September 2013)

Ms Lau Connie Yin Hing (resigned with effect from 31 March 2014)

Mr Lau James Henry Jr. (appointed with effect from 1 January 2014)

Ms Leung Fung Yee Julia (resigned with effect from 1 January 2014)

Mr Leung Kwong Hon Philip (appointed with effect from 31 March 2014)

Ms Barbara Shiu (retired with effect from 1 March 2014)

Mr Mark Robert Steward

Ms Wu Hung Yuk Anna (resigned with effect from 26 May 2013)

Mr Yeung Chi Wai Jason (appointed with effect from 1 March 2014)

In accordance with Article 36 of the Company’s Articles of Association, all the existing directors shall continue in office for the ensuing year.

No contract of significance to which the Company was a party, and in which a director of the Company had a material interest, subsisted at the end of the year or at any time during the year.

### Auditors

KPMG retire and, being eligible, offer themselves for re-appointment. A resolution for the re-appointment of KPMG as auditors of the Company is to be proposed at the forthcoming Annual General Meeting.

### By order of the board

Ms Cheng Teresa Yeuk Wah

Chairman

Hong Kong, 30 April 2014



# 獨立核數師報告書 致金融糾紛調解中心成員

(以擔保有限公司形式於香港註冊成立的有限公司)

## Independent auditor's report to the members of Financial Dispute Resolution Centre (Incorporated in Hong Kong and limited by guarantee)

本核數師(以下簡稱「我們」)已審核刊於第54至第73頁金融糾紛調解中心(「貴公司」)的財務報表，此財務報表包括於二零一三年十二月三十一日的財務狀況表和貴公司於截至該日止年度的全面收益表、權益變動表和現金流量表，以及主要會計政策概要及其他附註解釋。

### 董事就財務報表須承擔的責任

貴公司董事須負責根據香港會計師公會頒佈的《香港財務報告準則》及香港《公司條例》編製真實而公允的財務報表，並負責董事認為編製財務報表所必需的有關內部監控，以確保有關財務報表不存在由於欺詐或錯誤而導致的重大錯誤陳述。

### 核數師的責任

我們的責任是根據我們的審核對該等財務報表作出意見。我們是按照香港《公司條例》第141條的規定，僅向整體成員報告。除此以外，我們的報告書不可用作其他用途。我們概不就本報告書的內容，對任何其他人士負責或承擔法律責任。

我們已根據香港會計師公會頒佈的《香港核數準則》進行審核。這些準則要求我們遵守道德規範，並規劃及執行審核，以合理確定此等財務報表是否存有任何重大錯誤陳述。

We have audited the financial statements of Financial Dispute Resolution Centre (“the Company”) set out on pages 54 to 73, which comprise the statement of financial position as at 31 December 2013, the statement of comprehensive income, statement of changes in equity and cash flow statement for the year then ended and a summary of significant accounting policies and other explanatory information.

### Directors' responsibility for the financial statements

The directors of the Company are responsible for the preparation of financial statements that give a true and fair view in accordance with Hong Kong Financial Reporting Standards issued by the Hong Kong Institute of Certified Public Accountants and the Hong Kong Companies Ordinance and for such internal control as the directors determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

### Auditor's responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. This report is made solely to you, as a body, in accordance with section 141 of the Hong Kong Companies Ordinance, and for no other purpose. We do not assume responsibility towards or accept liability to any other person for the contents of this report.

We conducted our audit in accordance with Hong Kong Standards on Auditing issued by the Hong Kong Institute of Certified Public Accountants. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

審核涉及執行程序以獲取有關財務報表所載金額及披露資料的審核憑證。所選定的程序取決於核數師的判斷，包括評估由於欺詐或錯誤而導致財務報表存有重大錯誤陳述的風險。在評估該等風險時，核數師考慮與該公司編製真實而公允的財務報表相關的內部控制，以設計適當的審核程序，但並非為對公司的內部控制的效能發表意見。審核亦包括評價董事所採用的會計政策的合適性及所作出的會計估計的合理性，以及評價財務報表的整體列報方式。

我們相信，我們所獲得的審核憑證是充足和適當地為我們的審核意見提供基礎。

### 意見

我們認為，該等財務報表已根據《香港財務報告準則》真實而公允地反映貴公司於二零一三年十二月三十一日的事務狀況及貴公司於截至該日止年度的盈餘和現金流量，並已按照香港《公司條例》妥為編製。

畢馬威會計師事務所

執業會計師  
香港中環  
遮打道10號太子大廈8樓

二零一四年四月三十日

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of the financial statements that give a true and fair view in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the directors, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

### Opinion

In our opinion, the financial statements give a true and fair view of the state of the Company's affairs as at 31 December 2013 and of its surplus and cash flows for the year then ended in accordance with Hong Kong Financial Reporting Standards and have been properly prepared in accordance with the Hong Kong Companies Ordinance.

KPMG

Certified Public Accountants  
8th Floor, Prince's Building,  
10 Chater Road, Central, Hong Kong

30 April 2014



# 全面收益表

截至二零一三年十二月三十一日止年度

## Statement of comprehensive income for the year ended 31 December 2013

以港幣列示 Expressed in Hong Kong dollars

		截至2013年 12月31日 止年度 Year ended 31 December 2013	自2011年11月18日 (註冊成立日期) 至 2012年12月31日止期間 Period from 18 November 2011 (date of incorporation) to 31 December 2012
	附註 Note		
收入 <b>Income</b>	3	\$ 35,055,200	\$ 72,010,200
其他收入 <b>Other revenue</b>	4	26,537	24,076
		<u>\$ 35,081,737</u>	<u>\$ 72,034,276</u>
<b>支出 Expenditure</b>			
員工成本 <b>Staff costs</b>		\$ 9,241,488	\$ 6,880,028
折舊及攤銷 <b>Depreciation and amortisation</b>		2,999,043	2,299,277
其他行政及經營費用 <b>Other administrative and operating expenses</b>		12,032,540	11,547,580
		<u>\$ 24,273,071</u>	<u>\$ 20,726,885</u>
年度 / 期間盈餘及全面收益總額 <b>Surplus and total comprehensive income for the year/period</b>	5	<u>\$ 10,808,666</u>	<u>\$ 51,307,391</u>

第59至73頁的附註屬本財務報表的一部份。

The notes on pages 59 to 73 form part of these financial statements.

# 財務狀況表

於二零一三年十二月三十一日

## Statement of financial position at 31 December 2013

以港幣列示 Expressed in Hong Kong dollars

	附註 Note	2013	2012
<b>非流動資產 Non-current assets</b>			
物業、廠房和設備 <b>Property, plant and equipment</b>	7	\$ 3,939,903	\$ 6,216,953
無形資產 <b>Intangible asset</b>	8	476,019	-
按金、預付款和其他應收款 <b>Deposits, prepayment and other receivables</b>	9	17,000	17,000
		<u>\$ 4,432,922</u>	<u>\$ 6,233,953</u>
<b>流動資產 Current assets</b>			
按金、預付款和其他應收款 <b>Deposits, prepayments and other receivables</b>	9	\$ 270,960	\$ 341,682
現金和現金等價物 <b>Cash and cash equivalents</b>	10	66,758,177	60,326,277
		<u>\$ 67,029,137</u>	<u>\$ 60,667,959</u>
<b>流動負債 Current liabilities</b>			
預收款項、應計款項和其他應付款 <b>Receipts in advance, accruals and other payables</b>	11	\$ 8,122,002	\$ 14,370,521
		<u>\$ 58,907,135</u>	<u>\$ 46,297,438</u>
<b>流動資產淨值 Net current assets</b>		<u>\$ 63,340,057</u>	<u>\$ 52,531,391</u>
<b>資產總值減流動負債 Total assets less current liabilities</b>			
<b>非流動負債 Non-current liabilities</b>			
應計款項和其他應付款 <b>Accruals and other payables</b>	11	1,224,000	1,224,000
<b>資產淨值 NET ASSETS</b>		<u>\$ 62,116,057</u>	<u>\$ 51,307,391</u>



## 財務狀況表

於二零一三年十二月三十一日 (續)

### Statement of financial position at 31 December 2013 (continued)

以港幣列示 Expressed in Hong Kong dollars

	附註 Note	2013	2012
儲備 RESERVES			
儲備 Reserves	12	\$ 62,116,057	\$ 51,307,391
儲備總額 TOTAL RESERVES		\$ 62,116,057	\$ 51,307,391

董事局於二零一四年四月三十日核准並許可發出。

Approved and authorised for issue by the board of directors on 30 April 2014

)  
)  
) 董事 Directors  
)  
)

第59至73頁的附註屬本財務報表的一部份。

The notes on pages 59 to 73 form part of these financial statements.

## 權益變動表

截至二零一三年十二月三十一日止年度

### Statement of changes in equity for the year ended 31 December 2013

以港幣列示 Expressed in Hong Kong dollars

	儲備 Reserves
於2011年11月18日 (註冊成立日期) At 18 November 2011 (date of incorporation)	\$ -
自2011年11月18日至2012年12月31日止期間股權變動： Changes in equity for the period from 18 November 2011 to 31 December 2012:	
期間累計盈餘及全面收益總額 Accumulated surplus and total comprehensive income for the period	\$ 51,307,391
於2012年12月31日及2013年1月1日 At 31 December 2012 and 1 January 2013	\$ 51,307,391
2013年股權變動： Changes in equity for 2013:	
本年度累計盈餘及全面收益總額 Accumulated surplus and total comprehensive income for the year	\$ 10,808,666
於2013年12月31日 At 31 December 2013	\$ 62,116,057

第59至73頁的附註屬本財務報表的一部份。

The notes on pages 59 to 73 form part of these financial statements.



# 現金流量表 截至二零一三年十二月三十一日止年度

## Cash flow statement for the year ended 31 December 2013

以港幣列示 Expressed in Hong Kong dollars

	截至2013年 12月31日止 年度 Year ended 31 December 2013	自2011年11月18日 (註冊成立日期) 至 2012年12月31日止期間 Period from 18 November 2011 (date of incorporation) to 31 December 2012
<b>經營活動 Operating activities</b>		
年度 / 期間盈餘 Surplus for the year/period	\$ 10,808,666	\$ 51,307,391
調整項目 Adjustments for:		
折舊及攤銷 Depreciation and amortisation	2,999,043	2,299,277
利息收入 Interest income	(2,252)	(1,010)
<b>營運資金變動前的經營盈餘</b>	<b>\$ 13,805,457</b>	<b>\$ 53,605,658</b>
<b>Operating surplus before changes in working capital</b>		
按金、預付款和其他應收款減少 / (增加)	70,722	(358,682)
Decrease/(increase) in deposits, prepayments and other receivables		
預收款 (減少) / 增加 (Decrease)/increase in receipts in advance	(3,500,000)	10,500,000
應計款項和其他應付款 (減少) / 增加	(2,748,519)	3,545,228
(Decrease)/increase in accruals and other payables		
<b>經營活動所產生的現金淨額</b>	<b>\$ 7,627,660</b>	<b>\$ 67,292,204</b>
<b>Net cash generated from operating activities</b>		
<b>投資活動 Investing activities</b>		
購置固定資產款項 Payment for purchase of fixed assets	\$ (607,092)	\$ (6,966,937)
購置無形資產款項 Payment for purchase of an intangible asset	(590,920)	-
已收利息收入 Interest income received	2,252	1,010
<b>投資活動所用的現金淨額 Net cash used in investing activities</b>	<b>\$ (1,195,760)</b>	<b>\$ (6,965,927)</b>
現金和現金等價物增加淨額	\$ 6,431,900	\$ 60,326,277
Net increase in cash and cash equivalents		
於2013年1月1日 / 2011年11月18日(註冊成立日期) 的現金和現金等價物	60,326,277	-
Cash and cash equivalents as at 1 January 2013/ 18 November 2011 (date of incorporation)		
於12月31日的現金和現金等價物	\$ 66,758,177	\$ 60,326,277
Cash and cash equivalents as at 31 December		

第59至73頁的附註屬本財務報表的一部份。  
The notes on pages 59 to 73 form part of these financial statements.

# 財務報表附註

## Notes to the financial statements

以港幣列示 Expressed in Hong Kong dollars

### 1. 主要業務 Principal activities

本公司是以擔保有限公司形式成立的非牟利機構。本公司為一家獨立公正管理一套調解計劃的機構，為調解計劃轄下的金融機構成員及其客戶提供調解及仲裁服務，以解決他們之間的金錢爭議。本公司的成立目的是要更有效調解爭議，從而造福香港社群。

The Company is a non-profit making company limited by guarantee. It is an independent and impartial organisation administering the FDRS which provides mediation and arbitration services to financial institutions (which are members of FDRS) and their customers for the resolution of monetary disputes. The Company is established to promote more efficient dispute resolution for the benefit of the Hong Kong community.

### 2. 主要會計政策 Significant accounting policies

#### (a) 合規聲明

本財務報表是按照香港會計師公會頒佈的所有適用的《香港財務報告準則》(此統稱包含所有適用的個別《香港財務報告準則》、《香港會計準則》和詮釋)、香港公認會計原則和香港《公司條例》的規定編製。以下是本公司採用的主要會計政策概要。

#### (a) Statement of compliance

These financial statements have been prepared in accordance with all applicable Hong Kong Financial Reporting Standards ("HKFRSs"), which collective term includes all applicable individual Hong Kong Financial Reporting Standards, Hong Kong Accounting Standards ("HKASs") and Interpretations issued by the Hong Kong Institute of Certified Public Accountants ("HKICPA"), accounting principles generally accepted in Hong Kong and the requirements of the Hong Kong Companies Ordinance. A summary of the significant accounting policies adopted by the Company is set out below.

香港會計師公會頒佈若干新訂和經修訂的《香港財務報告準則》。這些準則在本公司當前的會計期間開始生效或可供提早採用。在與本公司有關的範圍內初始應用這些新訂和經修訂的準則所引致當前和以往會計期間的任何會計政策變動，已於本財務報表內反映，有關資料載列於附註2(b)。

The HKICPA has issued certain new and revised HKFRSs that are first effective or available for early adoption for the current accounting period of the Company. Note 2(b) provides information on any changes in accounting policies resulting from initial application of these developments to the extent that they are relevant to the Company for the current and prior accounting periods reflected in these financial statements.

#### (b) 會計政策的修訂

香港會計師公會頒佈了多項新訂及經修訂的《香港財務報告準則》。這些準則於本公司的本會計期間首次生效。當中與本公司財務報表相關的修訂如下：

#### (b) Changes in accounting policies

The HKICPA has issued a number of new HKFRSs and amendments to HKFRSs that are first effective for the current accounting period of the Company. Of these, the following developments are relevant to the Company's financial statements:

- 《香港財務報告準則》第13號——「公允價值計量」

- HKFRS 13, Fair value measurement

本公司並無採用任何在當前會計期間尚未生效的新準則或詮釋(參見附註16)。

The Company has not applied any new standard or interpretation that is not yet effective for the current accounting period (see note 16).



# 財務報表附註

## Notes to the financial statements

以港幣列示 Expressed in Hong Kong dollars

### 2. 主要會計政策(續) Significant accounting policies (continued)

#### (b) 會計政策的修訂(續)

《香港財務報告準則》第13號——「公允價值計量」

《香港財務報告準則》第13號以單一公允價值計量指引取代目前個別《香港財務報告準則》的有關指引。《香港財務報告準則》第13號也就金融工具和非金融工具的公允價值計量制訂全面的披露規定。採納《香港財務報告準則》第13號不會對本公司資產和負債的公允價值計量構成任何重大影響。

#### (c) 固定資產及折舊

固定資產是以成本扣除累計折舊及減值虧損後列帳。

物業、廠房和設備項目的折舊是以直線法在以下預計可用期限內沖銷其成本(已扣除估計殘值(如有))計算：

• 租賃改善	餘下租賃期
• 傢俱及固定裝置	5年
• 辦公室設備	3年
• 電腦設備及軟件	3年

本公司會每年審閱資產的可用期限和殘值(如有)。

本公司會於每個報告期末審閱物業、廠房及設備的帳面值是否出現減值跡象。如資產帳面值高於其可收回數額，便會於損益中確認減值虧損。資產的可收回數額是其公允價值(已扣除銷售成本)與使用價值兩者中的較高額。在評估使用價值時，預計未來現金流量會按照能反映當時市場對貨幣時間值和資產特定風險的評估的稅前折現率，折現至其現值。如果用以釐定可收回數額的估計數額出現了正面的變化，有關的減值虧損便會轉回。

報廢或處置物業、廠房和設備項目所產生的損益以處置所得款項淨額與項目帳面金額之間的差額釐定，並於報廢或處置日在損益中確認。

#### (b) Changes in accounting policies (continued)

HKFRS 13, Fair value measurement

HKFRS 13 replaces existing guidance in individual HKFRSs with a single source of fair value measurement guidance. HKFRS 13 also contains extensive disclosure requirements about fair value measurements for both financial instruments and non-financial instruments. The adoption of HKFRS 13 does not have any material impact on the fair value measurements of the Company's assets and liabilities.

#### (c) Fixed assets and depreciation

Fixed assets are stated at cost less accumulated depreciation and impairment losses.

Depreciation is calculated to write off the cost of items of property, plant and equipment, less their estimated residual value, if any, using the straight line method over their estimated useful lives as follows:

• Leasehold improvements	Over the unexpired term of the lease
• Furniture and fixtures	5 years
• Office equipment	3 years
• Computer equipment and software	3 years

Both the useful life of an asset and its residual value, if any, are reviewed annually.

The carrying amounts of property, plant and equipment are reviewed for indications of impairment at the end of each reporting period. An impairment loss is recognised in profit or loss if the carrying amount of an asset exceeds its recoverable amount. The recoverable amount of an asset is the greater of its fair value less costs to sell and value in use. In assessing value in use, the estimated future cash flows are discounted to their present value using a discount rate that reflects current market assessments of the time value of money and the risks specific to the assets. An impairment loss is reversed if there has been a favourable change in estimates used to determine the recoverable amount.

Gains or losses arising from the retirement or disposal of an item of property, plant and equipment are determined as the difference between the net disposal proceeds and the carrying amount of the item and are recognised in profit or loss on the date of retirement or disposal.

# 財務報表附註

## Notes to the financial statements

以港幣列示 Expressed in Hong Kong dollars

#### (d) 無形資產

本公司購入的無形資產按成本減去累計攤銷(適用於預計可用而有既定的期限)和減值虧損後列帳。

有既定可用期限的無形資產攤銷按直線法於資產的預計可用期限內在損益中列支。以下有既定可用期限的無形資產由可供使用當日起，在預計可用期限內攤銷：

• 電腦軟件	3年
--------	----

本公司會每年審閱攤銷的期限和方法。

本公司不會攤銷可用期限未定的無形資產，並會每年審閱關於無形資產可用期限未定的任何結論，以釐定有關事項和情況是否繼續支持該資產可用期限未定的評估結論。如否的話，由未定轉為有既定可用期限的評估變動會自變動日期起，根據上文所載有既定期限的無形資產的攤銷政策提早入帳。

本公司會於每個報告期末審閱無形資產的帳面值是否出現減值跡象。如資產帳面值高於其可收回數額，便會於損益中確認減值虧損。資產的可收回數額是其公允價值(已扣除銷售成本)與使用價值兩者中的較高額。在評估使用價值時，預計未來現金流量會按照能反映當時市場對貨幣時間值和資產特定風險的評估的稅前折現率，折現至其現值。如果用以釐定可收回數額的估計數額出現了正面的變化，有關的減值虧損便會轉回。

#### (e) 按金、預付款和其他應收款

按金、預付款和其他應收款按公允價值初始確認，其後以實際利率法按攤銷成本減去呆帳減值準備後所得數額入帳；但如應收款為提供予關聯方並不設固定還款期的免息貸款或其折現影響並不重大則除外。在此情況下，應收款會按成本減去呆帳減值準備後所得數額入帳。

#### (d) Intangible assets

Intangible assets that are acquired by the Company are stated at cost less accumulated amortisation (where the estimated useful life is finite) and impairment losses.

Amortisation of intangible assets with finite useful lives is charged to profit or loss on a straight-line basis over the assets' estimated useful lives. The following intangible asset with finite useful life is amortised from the date it is available for use and its estimated useful life is as follow:

• Computer software	3 years
---------------------	---------

Both the period and method of amortisation are reviewed annually.

Intangible assets are not amortised while their useful lives are assessed to be indefinite. Any conclusion that the useful life of an intangible asset is indefinite is reviewed annually to determine whether events and circumstances continue to support the indefinite useful life assessment for that asset. If they do not, the change in the useful life assessment from indefinite to finite is accounted for prospectively from the date of change and in accordance with the policy for amortisation of intangible assets with finite lives as set out above.

The carrying amounts of intangible assets are reviewed for indications of impairment at the end of each reporting period. An impairment loss is recognised in profit or loss if the carrying amount of an asset exceeds its recoverable amount. The recoverable amount of an asset is the greater of its fair value less costs to sell and value in use. In assessing value in use, the estimated future cash flows are discounted to their present value using a discount rate that reflects current market assessments of the time value of money and the risks specific to the assets. An impairment loss is reversed if there has been a favourable change in estimates used to determine the recoverable amount.

#### (e) Deposits, prepayments and other receivables

Deposits, prepayments and other receivables are initially recognised at fair value and thereafter stated at amortised cost using the effective interest method, less allowance for impairment of doubtful debts, except where the receivables are interest-free loans made to related parties without any fixed repayment terms or the effect of discounting would be immaterial. In such cases, the receivables are stated at cost less allowance for impairment of doubtful debts.



# 財務報表附註

## Notes to the financial statements

以港幣列示 Expressed in Hong Kong dollars

### 2. 主要會計政策(續) Significant accounting policies (continued)

#### (e) 按金、預付款和其他應收款(續)

呆壞帳的減值虧損會於出現減值的客觀跡象時確認。如折現影響重大，減值虧損是以金融資產的帳面金額與以其初始實際利率折現的預計未來現金流量之間的差額計量。減值的客觀證據包括本公司注意到會對資產的預計未來現金流量有影響的可觀察數據，例如債務人出現重大的財務困難。

其他應收款的減值虧損的可收回性被視為可疑，但不是可能性極低時，會採用準備帳來記錄。

當本公司認為收回的可能性極低時，被視為不可收回的數額便會直接沖銷應收款，與該債項有關而在準備帳內持有的任何數額也會轉回。其後收回早前計入準備帳的數額會在準備帳轉回。準備帳的其他變動和其後收回早前直接沖銷的數額均在損益中確認。

#### (f) 預收款項、應計款項和其他應付款

預收款項、應計款項和其他應付款按公允價值初始確認，其後按攤銷成本入帳；但如折現影響並不重大，則按成本入帳。

#### (g) 現金和現金等價物

現金和現金等價物包括銀行存款和現金、存放於銀行和其他金融機構的活期存款，以及短期和高流動性的投資。這些投資可以隨時換算為已知的現金額、價值變動方面的風險不大，並在購入後3個月內到期。

#### (h) 所得稅

根據香港《稅務條例》第88條，本公司獲豁免繳納香港利得稅。

#### (e) Deposits, prepayments and other receivables (continued)

Impairment losses for bad and doubtful debts are recognised when there is objective evidence of impairment and are measured as the difference between the carrying amount of the financial asset and the estimated future cash flows, discounted at the asset's original effective interest rate where the effect of discounting is material. Objective evidence of impairment includes observable data that comes to the attention of the Company about events that have an impact on the asset's estimated future cash flows such as significant financial difficulty of the debtor.

Impairment losses for other receivables whose recovery is considered doubtful but not remote are recorded using an allowance account.

When the Company is satisfied that recovery is remote, the amount considered irrecoverable is written off against the receivable directly and any amounts held in the allowance account relating to that debt are reversed. Subsequent recoveries of amounts previously charged to the allowance account are reversed against the allowance account. Other changes in the allowance account and subsequent recoveries of amounts previously written off directly are recognised in profit or loss.

#### (f) Receipts in advance, accruals and other payables

Receipts in advance, accruals and other payables are initially recognised at fair value and are subsequently stated at amortised cost unless the effect of discounting would be immaterial, in which case they are stated at cost.

#### (g) Cash and cash equivalents

Cash and cash equivalents comprise cash at bank and on hand, demand deposits with banks and other financial institutions, and short-term, highly liquid investments that are readily convertible into known amounts of cash and which are subject to an insignificant risk of changes in value, having been within three months of maturity at acquisition.

#### (h) Income tax

The Company is exempt from Hong Kong Profits Tax by virtue of Section 88 of the Hong Kong Inland Revenue Ordinance.

# 財務報表附註

## Notes to the financial statements

以港幣列示 Expressed in Hong Kong dollars

#### (i) 準備和或有負債

如果本公司須就已發生的事件承擔法定或推定義務，因而預期會導致含有經濟效益的資源外流，在可以作出可靠的估計時，本公司便會就該時間或數額不確定的其他負債計提準備。如果貨幣時間值重大，則按預計所需支出的現值計提準備。

如果含有經濟效益的資源外流的可能性較低，或是無法對有關數額作出可靠的估計，便會將該義務披露為或有負債，但資源外流的可能性極低則除外。如果本公司的義務須視乎某宗或多宗未來事件是否發生才能確定是否存在，亦會披露為或有負債，但資源外流的可能性極低則除外。

#### (j) 收入確認

收入是按已收或應收價款的公允價值計量。如果經濟效益可能會流入本公司，而收入和成本(如適用)又能夠可靠地計量時，收入便會根據下列基準在損益中確認：

- (i) 服務費收入是於本公司已收取調解服務申請費或已安排提供調解服務時確認。
- (ii) 利息收入是以實際利率法在產生時確認。

#### (k) 創辦成員的出資

當有合理憑證證明將會收到創辦成員的出資，而本公司將遵守有關出資附帶的條件(如有)時，便會於財務狀況表確認有關款項。本公司擬以這些補助金彌償的相關成本獲確認為支出的期間內，有關出資會有系統地於損益中確認。

#### (l) 僱員福利

薪金、年度獎金、浮動酬勞、有薪年假、界定供款退休計劃的供款和非貨幣福利成本在僱員提供相關服務的期間內累計。如果延遲付款或結算會造成重大的影響，則這些數額會以現值列帳。

#### (i) Provisions and contingent liabilities

Provisions are recognised for other liabilities of uncertain timing or amount when the Company has a legal or constructive obligation arising as a result of a past event, it is probable that an outflow of economic benefits will be required to settle the obligation and a reliable estimate can be made. Where the time value of money is material, provisions are stated at the present value of the expenditure expected to settle the obligation.

Where it is not probable that an outflow of economic benefits will be required, or the amount cannot be estimated reliably, the obligation is disclosed as a contingent liability, unless the probability of outflow of economic benefits is remote. Possible obligations, whose existence will only be confirmed by the occurrence or non-occurrence of one or more future events are also disclosed as contingent liabilities unless the probability of outflow of economic benefits is remote.

#### (j) Revenue recognition

Revenue is measured at the fair value of the consideration received or receivable. Provided it is probable that the economic benefits will flow to the Company and the revenue and costs, if applicable, can be measured reliably, revenue is recognised in profit or loss as follows:

- (i) Service fee income is recognised when application fees for mediation services are received or in-house mediation services are arranged.
- (ii) Interest income is recognised as it accrues using the effective interest method.

#### (k) Contributions from founder members

Contributions from founder members are recognised in the statement of financial position initially when there is reasonable assurance that they will be received and that the Company will comply with the conditions attaching to them if any. Contributions are recognised in profit or loss on a systematic basis over the periods in which the Company recognises as expenses the related cost for which the grants are intended to compensate.

#### (l) Employee benefits

Salaries, annual bonuses and variable pay, paid annual leave, contributions to defined contribution retirement plan and the cost of non-monetary benefits are accrued in the period in which the associated services are rendered by employees. Where payment or settlement is deferred and the effect would be material, these amounts are stated at their present values.



# 財務報表附註

## Notes to the financial statements

以港幣列示 Expressed in Hong Kong dollars

### 2. 主要會計政策(續) Significant accounting policies (continued)

#### (m) 經營租賃費用

如果本公司是以經營租賃獲得資產的使用權，則根據租賃作出的付款會在租賃期所涵蓋的會計期間內，以等額在損益中列支；但如有其他基準能更清楚地反映租賃資產所產生的收益模式則除外。租賃所涉及的激勵措施均在損益中確認為租賃淨付款總額的組成部份。或有租金在其產生的會計期間內在損益中列支。

#### (n) 關聯方

(A) 如屬以下人士，即該人士或人士的近親是本公司的關聯方：

- (i) 控制或共同控制本公司；
- (ii) 對本公司有重大影響力；或
- (iii) 是本公司或本公司母公司的關鍵管理人員。

(B) 如符合下列任何條件，即企業實體是本公司的關聯方：

- (i) 該實體與本公司隸屬同一集團(即各母公司、附屬公司和同系附屬公司彼此間有關聯)。
- (ii) 一家實體是另一實體的聯營公司或合營企業(或另一實體所屬集團旗下成員公司的聯營公司或合營企業)。
- (iii) 兩家實體是同一第三方的合營企業。
- (iv) 一家實體是第三方實體的合營企業，而另一實體是第三方實體的聯營公司。
- (v) 該實體是為本公司或作為本公司關聯方的任何實體的僱員福利而設的離職後福利計劃。
- (vi) 該實體受到上述第(A)項內所認定人士控制或共同控制。
- (vii) 上述第(A)(i)項內所認定人士對該實體有重大影響力或是該實體(或該實體母公司)的關鍵管理人員。

一名個人的近親是指與有關實體交易並可能影響該個人或受該個人影響的家庭成員。

#### (m) Operating lease charges

Where the Company has the use of assets under operating leases, payments made under the leases are charged to profit or loss in equal instalments over the accounting periods covered by the lease terms, except where an alternative basis is more representative of the pattern of benefits to be derived from the leased asset. Lease incentives received are recognised in profit or loss as an integral part of the aggregate net lease payments made. Contingent rentals are charged to profit or loss in the accounting period in which they are incurred.

#### (n) Related parties

(A) A person, or a close member of that person's family, is related to the Company if that person:

- (i) has control or joint control over the Company;
- (ii) has significant influence over the Company; or
- (iii) is a member of the key management personnel of the Company or the Company's parent.

(B) An entity is related to the Company if any of the following conditions applies:

- (i) The entity and the Company are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others).
- (ii) One entity is an associate or joint venture of the other entity (or an associate or joint venture of a member of a group of which the other entity is a member).
- (iii) Both entities are joint ventures of the same third party.
- (iv) One entity is a joint venture of a third entity and the other entity is an associate of the third entity.
- (v) The entity is a post-employment benefit plan for the benefit of employees of either the Company or an entity related to the Company.
- (vi) The entity is controlled or jointly controlled by a person identified in (A).
- (vii) A person identified in (A)(i) has significant influence over the entity or is a member of the key management personnel of the entity (or of a parent of the entity).

Close members of the family of a person are those family members who may be expected to influence, or be influenced by, that person in their dealings with the entity.

# 財務報表附註

## Notes to the financial statements

以港幣列示 Expressed in Hong Kong dollars

### 3. 收入 Income

收入是指創辦成員的出資，以及因申索人提出申請及本公司提供調解服務所賺取的服務費用。本公司所收到的出資並不附帶特定條件。

年度 / 期內於收入中確認的每項重大收入分類的金額如下：

Income represents the contributions from founder members and the service fees earned from claimants' applications and in-house mediation. No specific conditions are attached to the Company's contributions received.

The amount of each significant category of revenue recognised in income during the year/period is as follows:

	截至2013年 12月31日 止年度	自2011年11月18日 (註冊成立日期)至2012 年12月31日止期間
	Year ended 31 December 2013	Period from 18 November 2011 (date of incorporation) to 31 December 2012
創辦成員的出資 Contributions from founder members	\$ 35,000,000	\$ 72,000,000
調解服務申請費 Application fee for mediation service	6,200	3,200
本公司提供的調解服務 In-house mediation service	49,000	7,000
	<hr/>	<hr/>
	\$ 35,055,200	\$ 72,010,200

### 4. 其他收入 Other revenue

	截至2013年 12月31日 止年度	自2011年11月18日 (註冊成立日期)至2012 年12月31日止期間
	Year ended 31 December 2013	Period from 18 November 2011 (date of incorporation) to 31 December 2012
加入調解計劃轄下調解員 / 仲裁員名單的費用 Admission fee to FDRC List of Mediators/Arbitrators	\$ 5,200	\$ 19,400
利息收入 Interest income	2,252	1,010
雜項收入 Sundry income	19,085	3,666
	<hr/>	<hr/>
	\$ 26,537	\$ 24,076



# 財務報表附註

## Notes to the financial statements

以港幣列示 Expressed in Hong Kong dollars

### 5. 盈餘 Surplus

有關盈餘是計及以下各項後得出：  
Surplus is arrived at after charging:

#### (a) 員工成本 Staff costs

	截至2013年 12月31日 止年度 Year ended 31 December 2013	自2011年11月18日 (註冊成立日期) 至2012 年12月31日止期間 Period from 18 November 2011 (date of incorporation) to 31 December 2012
薪金、工資和其他福利 Salaries, wages and other benefits	\$ 9,006,103	\$ 6,730,477
界定供款退休計劃供款 Contributions to defined contribution retirement plan	235,385	149,551
	<u>\$ 9,241,488</u>	<u>\$ 6,880,028</u>

#### (b) 其他項目 Other items

辦公室物業的經營租賃費用 Operating lease charges in respect of office premises	\$ 3,541,667	\$ 2,951,389
核數師酬金 Auditors' remuneration	122,500	135,000
折舊及攤銷 Depreciation and amortisation	2,999,043	2,299,277
	<u>\$ 6,663,210</u>	<u>\$ 5,385,666</u>

### 6. 董事酬金 Directors' remuneration

根據香港《公司條例》第161條列報的董事酬金如下：

Directors' remuneration disclosed pursuant to section 161 of the Hong Kong Companies Ordinance is as follows:

	截至2013年 12月31日 止年度 Year ended 31 December 2013	自2011年11月18日 (註冊成立日期) 至2012 年12月31日止期間 Period from 18 November 2011 (date of incorporation) to 31 December 2012
董事酬金 Directors' fee	\$ -	\$ -
薪金、津貼和實物利益 Salaries, allowance and benefits in kind	2,410,564	2,008,006
酌定花紅 Discretionary bonus	80,000	111,476
退休計劃供款 Retirement scheme contribution	15,000	11,750

上述披露的所有董事酬金已支付予作為本公司行政人員而提供服務的執行董事，或應由他們收取。  
All directors' remuneration disclosed above were paid to or receivable by the executive director(s) in respect of services rendered as executive(s) of the Company.

# 財務報表附註

## Notes to the financial statements

以港幣列示 Expressed in Hong Kong dollars

### 7. 物業、廠房和設備 Property, plant and equipment

成本 Cost:	租賃改善 Leasehold improvements	傢俱及固定裝置 Furniture and fixtures	辦公室設備 Office equipment	電腦設備及軟件 Computer equipment and software	總額 Total
於2013年1月1日 At 1 January 2013	\$ 6,731,068	\$ 543,272	\$ 378,113	\$ 863,777	\$ 8,516,230
增置 Additions	-	19,000	-	588,092	607,092
於2013年12月31日 At 31 December 2013	\$ 6,731,068	\$ 562,272	\$ 378,113	\$ 1,451,869	\$ 9,123,322
累計折舊 Accumulated depreciation:					
於2013年1月1日 At 1 January 2013	\$ (1,869,741)	\$ (90,545)	\$ (103,360)	\$ (235,631)	\$ (2,299,277)
本年度的折舊 Charge for the year	(2,243,689)	(112,138)	(126,038)	(402,277)	(2,884,142)
於2012年12月31日 At 31 December 2013	\$ (4,113,430)	\$ (202,683)	\$ (229,398)	\$ (637,908)	\$ (5,183,419)
帳面價值 Net book value:					
於2012年12月31日 At 31 December 2013	\$ 2,617,638	\$ 359,589	\$ 148,715	\$ 813,961	\$ 3,939,903
成本 Cost:					
於2011年11月18日(註冊成立日期) At 18 November 2011 (date of incorporation)	\$ -	\$ -	\$ -	\$ -	\$ -
增置 Additions	6,731,068	543,272	378,113	863,777	8,516,230
於2012年12月31日 At 31 December 2012	\$ 6,731,068	\$ 543,272	\$ 378,113	\$ 863,777	\$ 8,516,230
累計折舊 Accumulated depreciation:					
於2011年11月18日 (註冊成立日期) At 18 November 2011 (date of incorporation)	\$ -	\$ -	\$ -	\$ -	\$ -
本期間的折舊 Charge for the period	(1,869,741)	(90,545)	(103,360)	(235,631)	(2,299,277)
於2012年12月31日 At 31 December 2012	\$ (1,869,741)	\$ (90,545)	\$ (103,360)	\$ (235,631)	\$ (2,299,277)
帳面淨值 Net book value:					
於2012年12月31日 At 31 December 2012	\$ 4,861,327	\$ 452,727	\$ 274,753	\$ 628,146	\$ 6,216,953



# 財務報表附註

## Notes to the financial statements

以港幣列示 Expressed in Hong Kong dollars

### 8. 無形資產 Intangible asset

	電腦軟件 Computer software
<b>成本 Cost:</b>	
於2013年1月1日 At 1 January 2013	\$ -
增置 Additions	590,920
於2013年12月31日 At 31 December 2013	\$ 590,920
於2011年11月18日(註冊成立日期) At 18 November 2011 (date of incorporation)	\$ -
增置 Additions	-
於2012年12月31日 At 31 December 2012	\$ -
<b>累計攤銷 Accumulated amortisation:</b>	
於2013年1月1日 At 1 January 2013	\$ -
本年度攤銷 Charge for the year	114,901
於2013年12月31日 At 31 December 2013	\$ 114,901
於2011年11月18日(註冊成立日期) At 18 November 2011 (date of incorporation)	\$ -
本期間的攤銷 Charge for the period	-
於2012年12月31日 At 31 December 2012	\$ -
<b>帳面淨值 Net book value:</b>	
於2013年12月31日 At 31 December 2013	\$ 476,019
於2012年12月31日 At 31 December 2012	\$ -

# 財務報表附註

## Notes to the financial statements

以港幣列示 Expressed in Hong Kong dollars

### 9. 按金、預付款和其他應收款 Deposits, prepayment and other receivables

	2013	2012
按金 Deposits	\$ 17,000	\$ 136,720
預付款 Prepayments	266,835	218,415
其他應收款 Other receivables	4,125	3,547
	<u>\$ 287,960</u>	<u>\$ 358,682</u>
<b>披露為 Disclosed as:</b>		
非流動資產 Non-current assets	\$ 17,000	\$ 17,000
流動資產 Current assets	270,960	341,682
	<u>\$ 287,960</u>	<u>\$ 358,682</u>

本公司預計於逾一年後收回或確認為開支的按金及預付款數額為17,000元(2012: 17,000元)，並披露為非流動資產。所有其他應收款預期可於一年內收回或確認為開支。

The amount of the Company's deposits and prepayments expected to be recovered or recognised as expense after more than one year is \$17,000 (2012: \$17,000) and is disclosed under non-current assets. All of the other receivables are expected to be recovered or recognised as expense within one year.

### 10. 現金和現金等價物 Cash and cash equivalents

現金和現金等價物包括：Cash and cash equivalents comprise:

	2013	2012
銀行存款和現金 Cash at bank and in hand	\$ 66,758,177	\$ 60,326,277

### 11. 預收款項、應計款項和其他應付款 Receipts in advance, accruals and other payables

	2013	2012
預收創辦成員的出資 Founder members' contributions received in advance	\$ 7,000,000	\$ 10,500,000
應計款項 Accruals	1,954,825	2,038,574
其他應付款 Other payables	391,177	3,055,947
	<u>\$ 9,346,002</u>	<u>\$ 15,594,521</u>
<b>披露為 Disclosed as:</b>		
非流動負債 Non-current liabilities	\$ 1,224,000	\$ 1,224,000
流動負債 Current liabilities	8,122,002	14,370,521
	<u>\$ 9,346,002</u>	<u>\$ 15,594,521</u>

本公司預計於逾一年後結算的應計款項數額為1,224,000元(2012: 1,224,000元)，並披露為非流動負債。所有預收款項、應計款項和其他應付款預期可於一年內結算或按要求償還。

The amount of the Company's accruals expected to be settled after more than one year is \$1,224,000 (2012: \$1,224,000) and is disclosed under non-current liabilities. All of the receipts in advance, accruals and other payables are expected to be settled within one year or are repayable on demand.



# 財務報表附註

## Notes to the financial statements

以港幣列示 Expressed in Hong Kong dollars

### 12. 資本和儲備 Capital and reserve

#### (a) 股本和成員

本公司是以擔保有限公司形式成立的非牟利機構，因此並無任何股本。根據本公司的公司組織章程細則條文，如本公司面臨清盤，各成員必須因應可能需要的情况出資，以應付本公司的負債，但各成員的出資額不得超過100元。

本公司的創辦成員分別為財經事務及庫務局、香港金融管理局(「金管局」)及證券及期貨事務監察委員會(「證監會」)。

#### (b) 資本管理

本公司將「資本」界定為由本公司持有的儲備。按此基準計算，於二零一三年十二月三十一日的資本額為62,116,057元(2012: 51,307,391元)。本公司管理資本的主要目的是保障本公司可持續經營。

本公司會定期檢討及管理其資本架構，以確保能有效運用儲備及本公司的財政狀況穩健。

根據本公司就調解計劃訂立的職權範圍，財經事務及庫務局、金管局及證監會撥付本公司首三年(即自二零一二年一月一日至二零一四年十二月三十一日止)的創立成本及營運開支。自二零一五年一月一日起，本公司的資金將來自由金管局認可或由證監會發牌監管的金融機構或金融服務供應商，但不包括根據《證券及期貨條例》第571章只可從事第10類受規管活動的金融機構，從而公平有效地調解爭議，實踐金融行業對公眾的承諾。

本公司毋須遵守外間訂立的資本規定。

#### (a) Share capital and members

The Company is a non-profit making company limited by guarantee and therefore does not have any share capital. Under the provisions of the Company's memorandum of association, every member shall, in the event of the Company being wound up, contribute such amount as may be required to meet the liabilities of the Company, but not exceeding \$100 each.

The founder members of the Company are the Financial Services and the Treasury Bureau ("FSTB"), the Monetary Authority ("HKMA") and the Securities and Futures Commission ("SFC").

#### (b) Capital management

The Company defines "capital" as the reserves maintained by the Company. On this basis the amount of capital employed at 31 December 2013 was \$62,116,057 (2012: \$51,307,391). The Company's primary objectives when managing capital are to safeguard the Company's ability to continue as a going concern.

The Company regularly reviews and manages its capital structure to ensure effective use of reserves and the sound financial status of the Company.

Under the Terms of Reference for the Company in relation to the FDRS, the FSTB, the HKMA and the SFC shall fund the set-up costs and the operational costs of the Company in the first three years, i.e. from 1 January 2012 to 31 December 2014. With effect from 1 January 2015, the Company shall be funded by the financial institutions, or financial services providers authorised by the HKMA or licensed by the SFC, but excluding those financial institutions which only carry on Type 10 regulated activities under the Securities and Futures Ordinance (Chapter 571), as part of the financial industry's commitment to the general public to resolve disputes in a fair and efficient manner.

The Company was not subject to externally imposed capital requirements.

# 財務報表附註

## Notes to the financial statements

以港幣列示 Expressed in Hong Kong dollars

### 13. 金融風險管理和公允價值 Financial risk management and fair values

本公司須在正常業務過程中承受信貸、流動資金、利率和貨幣風險。

本公司對這些風險的承擔額以及為管理這些風險所採用的金融風險管理政策和慣常做法載列於下文。

#### (a) 流動資金風險

本公司的政策是定期監察現時及預期的流動資金需求，以確保維持充裕的現金儲備。

下表顯示了於報告期末本公司財務負債的最早訂約結算日期：

2013年應計款項和其他應付款  
Accruals and other payables in 2013

2012年應計款項和其他應付款  
Accruals and other payables in 2012

Exposure to credit, liquidity, interest rate and currency risks arises in the normal course of the Company's business.

The Company's exposure to these risks and the financial risk management policies and practices used by the Company to manage these risks are described below.

#### (a) Liquidity risk

The Company's policy is to regularly monitor current and expected liquidity requirements to ensure that it maintains sufficient reserves of cash.

The following table represents the earliest contractual settlement dates of the Company's financial liabilities at the end of reporting period:

帳面金額 Carrying amount	1年內或按要求償還 Within 1 year or on demand	1年後但5年內 More than 1 year but less than 5 years
\$ 2,346,002	\$ 1,122,002	\$ 1,224,000
\$ 5,094,521	\$ 3,870,521	\$ 1,224,000

#### (b) 信貸風險

本公司承受的最大信貸風險額度是指於資產負債表中各項金融資產在扣除任何減值準備後的帳面金額。

本公司的信貸風險主要來自銀行現金存款、按金和其他應收款。於年度結算日，由於有關現金存放於一家信譽良好的銀行，因此，本公司的信貸風險不大。管理層會持續監管與銀行現金存款、按金和其他應收款有關的信貸風險。本公司並無任何逾期或出現減值的按金和其他應收款。

#### (c) 利率風險

本公司承受的利率風險只限於其就儲蓄戶口的現金存款所賺取的銀行利息收入。於二零一三年十二月三十一日，本公司並無就儲蓄戶口的現金存款承受重大的利率風險。

#### (b) Credit risk

The maximum exposure to credit risk is represented by the carrying amount of each financial asset in the balance sheet after deducting any impairment allowance.

The Company's credit risk is primarily attributable to cash placed with a bank and deposits and other receivables. At year end, the credit risk is not significant as the cash was placed with a reputable bank. The management monitors the credit risk associated with cash placed with a bank and deposits and other receivables on an ongoing basis. No amounts of deposits and other receivables are past due or impaired.

#### (c) Interest rate risk

The Company is exposed to interest rate risk only to the extent that it earns bank interest income on cash deposited in savings accounts. As at 31 December 2013, the Company was not exposed to significant interest rate risk arising from cash deposited in savings accounts.



# 財務報表附註

## Notes to the financial statements

以港幣列示 Expressed in Hong Kong dollars

### (d) 貨幣風險

由於本公司的所有金融資產和金融負債均以港幣列值，因此毋須就此承受任何貨幣風險。

### (d) Currency risk

As all the Company's financial assets and financial liabilities are denominated in Hong Kong dollars, the Company is not subject to any currency risk associated with them.

## 14. 承擔 Commitments

(a) 於二零一三年十二月三十一日就電腦設備及軟件未償付而又未在財務報表內提撥準備的資本承擔如下：

(a) Capital commitments outstanding at 31 December 2013 in respect of computer equipment and software not provided for in the financial statements were as follows:

	2013	2012
已訂約 Contracted for	\$ 896,600	\$ 1,487,520

(b) 於二零一三年十二月三十一日，根據一份不可解除的經營租賃在日後應付的最低物業租賃付款總額如下：

(b) At 31 December 2013, the total future minimum lease payments to properties under a non-cancellable operating lease are payable as follows:

	2013	2012
1年內 Within 1 year	\$ 3,750,000	\$ 3,750,000
1年後但5年內 After 1 year but within 5 years	625,000	625,000
	<u>4,375,000</u>	<u>4,375,000</u>

上述租賃的初始期限由二零一二年三月一日起計為期三年，而本公司及業主有權選擇在符合某些預設條件下事先發出6個月的書面通知，於租賃期開始後18及24個月起終止有關租賃。各項租賃均不包含或有租金。

The above lease runs for an initial period of 3 years from 1 March 2012, with the Company and the landlord having an option to terminate after 18 months and 24 months with certain pre-conditions respectively, by serving a 6 months' advance written notice. The lease does not include contingent rentals.

# 財務報表附註

## Notes to the financial statements

以港幣列示 Expressed in Hong Kong dollars

## 15. 重大關聯方交易 Material related party transactions

### (a) 與關鍵管理人員進行的交易

本公司的所有關鍵管理人員若兼任董事，有關酬金已於附註6中披露。

### (a) Transactions with key management personnel

The remuneration of key management personnel who are directors of the Company is disclosed in note 6.

### (b) 與其他關聯方進行的交易

本公司於年度/期內進行的主要關聯方交易如下：

### (b) Transactions with other related parties

During the year/period, the Company entered into the following material related party transactions:

	附註 Note	截至2013年12月31日止年度 Year ended 31 December 2013	自2011年11月18日(註冊 成立日期) 至2012年12月31日止期間 Period from 18 November 2011 (date of incorporation) to 31 December 2012
創辦成員出資 Contributions from founder members	3	\$ 35,000,000	\$ 72,000,000
預收創辦成員的出資 Founder members contributions received in advance	11	\$ 7,000,000	\$ 10,500,000

## 16. 已頒佈但尚未在截至二零一三年十二月三十一日止年度生效的修訂、新準則和詮釋可能帶來的影響

### Possible impact of amendments, new standards and interpretations issued but not yet effective for the year ended 31 December 2013

截至本財務報表刊發日，香港會計師公會已頒佈多項自截至二零一三年十二月三十一日止年度尚未生效，亦沒有在本財務報表採用的修訂和新準則。這些準則變化包括下列可能與本公司有關的項目。

Up to the date of issue of these financial statements, the HKICPA has issued a number of amendments and new standards which are not yet effective for the year ended 31 December 2013 and which have not been adopted in these financial statements. These include the following which may be relevant to the Company.

在以下日期或之後開始的會計期間生效  
Effective for accounting periods beginning on or after

《香港會計準則》第32號修訂「金融資產與金融負債的抵銷」  
Amendments to HKAS 32, Offsetting financial assets and financial liabilities

2014年1月1日  
1 January 2014

《香港財務報告準則》第9號「金融工具」  
HKFRS 9, Financial instruments

未定  
Unspecified

本公司正在評估這些修訂對初始採用期間的影響。截至目前為止，本公司相信，採納這些修訂不大可能會嚴重影響本公司的營運業績及財政狀況。

The Company is in the process of making an assessment of what the impact of these amendments is expected to be in the period of initial application. So far it has concluded that the adoption of them is unlikely to have a significant impact on the Company's results of operations and financial position.