

LIST OF QUESTIONS FOR CONSULTATION

- Question 1**
- 1.1 Do you agree with the proposed amendment to raise the upper claimable limit to HK\$3,000,000? Please state your reasons.
Yes
- 1.2 If not, what would be your suggestion of a suitable upper claimable limit?
__HK\$1,000,000; __HK\$2,000,000; __Others (please specify) ____

Please state the reasons for your selection.

- Question 2**
- 2.1 Do you agree that a single maximum claimable amount continues to be applicable for the banking and the securities industries? If not, why?
Yes
- 2.2 If there are two different maximum claimable amounts, what would be your suggestion of suitable upper claimable limits for the banking and securities industries respectively?

Please state the reasons for your suggestion.

- Question 3**
- 3.1 Do you agree to extend the limitation period for lodging Claims to 36 months? Why or why not?
Yes
- 3.2 Do you have other suggestions?
__12 months; __24 months; __48 months; __60 months;
__72 months; __Others (please specify) _____

Please explain your choice.

- Question 4**
- 4.1 Do you agree with the proposal to extend the service scope to cover Claims from SEs (as defined in paragraph 2.33 of this Consultation Paper)? Why or why not?
Yes
- 4.2 Besides the proposed definition of SEs in paragraph 2.33 of this Consultation Paper, do you have any other suggestions to define the size of a small business? Please provide elaborations on your suggestions.
Any companies other than companies listed
- 4.3 Do you agree that an FI qualifying as an SE could file a Claim as an

EC against another FI? Please explain.

Yes

Question 5

5.1 Do you agree that the FDRC should deal with cases under current court proceedings without the claimant withdrawing the case from the Court? Why or why not?

Yes

5.2 For PD31 cases, do you agree that the maximum claimable amount be set at an amount in tandem with the future monetary jurisdiction of the District Court? Please give your reasons.

Yes

5.3 Do you agree that parties to the mediation in PD31 cases at the FDRC can be legally represented as elaborated in paragraph 2.43 of this Consultation Paper? Please explain.

Yes

Question 6

Do you agree that, subject to a prior mutual agreement between an FI and a claimant, the FDRC could consider handling disputes which exceed its certain amended Intake Criteria as specified in paragraph 3.1(a) and (b) of this Consultation Paper? Why or why not?

Yes

Question 7

7.1 Do you agree that when there is a financial dispute between an EC and an FI, the FI may refer the financial dispute to the FDRC, subject to the consent of the EC? Why or why not?

Yes

7.2 Do you agree that when there is a Claim by an EC against an FI, the FI with a counterclaim may lodge the counterclaim to the FDRC, subject to the consent of the EC? Why or why not?

Yes

7.3 Do you agree with the arrangement that the FI can pay for the mediation and/or arbitration fees for their customers if the FI so wishes? Why or why not?

Yes

Question 8

8.1 Do you agree that options of "mediation only" and "arbitration only" in addition to the original "mediation first, arbitration next" be offered to the parties with mutual agreement? Please state your reasons.

Yes

8.2 Do you agree that such "mediation only" or "arbitration only" option should not be available for "normal" cases under the FDRS? Why or why not?

Yes

Question 9

Do you agree with the proposed revised fee scale for dispute resolution services of the FDRC? Please provide your comments and/or suggestions.

Yes

Question 10 Do you agree that the FDRC could re-consider the rejected applications if they now fall within the amended Intake Criteria? Why or why not? Please give your reasons.

Yes

FDRC's consultation paper will have my support as existing on the basis of extensive and experience of its services in the financial industry, which would be helpful in pursuing the development of ADR in Hong Kong.