

ANNUAL  
REPORT  
年報

2021

RESOLVE

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DIFFERENCES

FDRC



| 金融糾紛調解中心  
FINANCIAL DISPUTE RESOLUTION CENTRE

# 金融糾紛調解中心

## Financial Dispute Resolution Centre



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In December 2008, the Hong Kong Monetary Authority (HKMA) and the Securities and Futures Commission (SFC) proposed to the Government of the Hong Kong Special Administrative Region (the Government) to set up a dispute resolution mechanism for the financial industry in Hong Kong.

A public consultation on the proposal was launched by the Government in February 2010. The proposal received general support. The Financial Dispute Resolution Centre (FDRC) was set up on 18 November 2011 as a non-profit making company limited by guarantee with seed funding from the Government, the HKMA and the SFC and obtained charitable status for tax exemption purpose. The purpose of it is to assist financial institutions to resolve monetary disputes with their customers through a dispute resolution mechanism that is independent, impartial, accessible, efficient and transparent.

The FDRC commenced its operation on 19 June 2012. It independently and impartially administers the Financial Dispute Resolution Scheme (FDRS), which provides an effective and cost-efficient channel for financial institutions and their customers to resolve their monetary disputes by way of primarily 'Mediation First, Arbitration Next'. Together with other stakeholders, the FDRC is committed to providing an amicable market environment to reinforce Hong Kong's role as an international financial centre.

於2008年12月，香港金融管理局(金管局)和證券及期貨事務監察委員會(證監會)向香港特別行政區政府(政府)建議，為香港金融業設立一個糾紛解決機制。

政府就此建議於2010年2月進行公眾諮詢並獲得普遍支持。金融糾紛調解中心(調解中心)於2011年11月18日由政府、金管局與證監會出資成立，是非牟利擔保有限公司，並獲認可為慈善機構及豁免繳稅。調解中心透過其獨立、持平、便捷、有效及公開透明的解決金融爭議機制，協助金融機構及其客戶解決金錢爭議。

調解中心於2012年6月19日投入服務。它獨立持平地管理金融糾紛調解計劃(調解計劃)，主要以「先調解，後仲裁」方式，為金融機構及其客戶提供一個有效及收費相宜的渠道以解決他們之間的金錢爭議。調解中心與各持份者致力為香港締造一個融和的市場環境，以鞏固香港作為國際金融中心的地位。

# 使命

## Mission

To provide independent and impartial mediation and arbitration services, primarily through a 'Mediation First, Arbitration Next' approach, to facilitate the resolution of monetary disputes between financial institutions and their customers in Hong Kong.

主要以「先調解，後仲裁」的方式，提供獨立及不偏不倚的調解及仲裁服務，協助香港的金融機構及其客戶解決他們之間的金錢爭議。

# 抱負

## Vision

To be the leading provider of financial dispute resolution services for monetary disputes between financial institutions and their customers so that such disputes can be resolved by a constructive approach without further escalation, and to reinforce Hong Kong's role as an international financial centre by extending our service scope and engaging stakeholders of the financial industry.

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錢爭議，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。

# 原則

## The Guiding Principles

### Independence

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

### 獨立

為金融機構及其客戶提供及管理獨立的爭議解決計劃。

### Impartiality

To maintain and implement the dispute resolution processes which treat both the financial institutions and their customers in an impartial way.

### 持平

在維持及貫徹執行爭議解決的程序上，不偏不倚地對待金融機構及其客戶。

### Accessibility

To set down dispute resolution processes which are simple, straightforward and easy to understand so that the services provided to our users are accessible and user-friendly.

### 便捷

制訂簡單直接、易於理解的爭議解決程序，為使用者提供便捷及易於掌握的服務。

### Efficiency

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

### 有效

確保金融爭議可盡快及有效地解決。

### Transparency

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

### 透明

在處理金融爭議時，盡可能維持公開、透明及按照香港法律下有關保密及保障私隱的條例進行。

# 金融 糾紛 調解 計劃

## Financial Dispute Resolution Scheme

The FDRC administers the FDRS in an independent and impartial manner. By way of primarily 'Mediation First, Arbitration Next', the FDRS provides a one-stop service to assist financial institutions and their customers to resolve monetary disputes.

All financial institutions authorised by the HKMA and/or licensed by the SFC, except those which provide credit rating services solely, are members of the FDRS. The operation of FDRS and the "FDRS Guidelines on Intake Criteria of Cases" (Intake Criteria) are governed by the "Terms of Reference" (ToR). In accordance with the Consultation Conclusions on "Proposals to Enhance the Financial Dispute Resolution Scheme" (Consultation Conclusions), the implementation of the enhanced ToR was effective in phases from 1 January 2018 onwards. Those in relation to small enterprises took effect from 1 July 2018.

調解中心獨立持平地管理一套調解計劃。調解計劃主要以「先調解，後仲裁」方式，提供一站式服務，協助解決金融機構與其客戶之間的金錢爭議。

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。調解計劃的運作及其《個案受理準則指引》(《個案受理準則》)受《職權範圍》所規管。《職權範圍》已根據《優化金融糾紛調解計劃的建議》諮詢總結(《諮詢總結》)作出修訂，有關建議已於2018年1月1日起分階段實施。當中關於小型企業的條款自2018年7月1日起實施。

Some key requirements of the Intake Criteria of the ToR include: 《職權範圍》內《個案受理準則》的其中幾項重要條件包括：

### STANDARD ELIGIBLE DISPUTES

- An Eligible Claimant is an individual, a sole proprietor or a small enterprise;
- 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\$1,000,000;
- The claimant has lodged a written complaint to the relevant financial institution. He/she has received a Final Written Reply but the dispute cannot be resolved or he/she has not received a Final Written Reply more than 60 days after he/she lodged a written complaint;
- The claim is made within 24 months from the date of purchase of the financial product or service or the claimant first had knowledge of his/her loss, whichever is the later;
- 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; and
- The claim can be the subject of court proceedings but there has not been a decided judgment on the same claim.

### 標準合資格爭議

- 合資格申索人須為個人、獨資經營者或小型企業；
- 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，最高申索金額為港幣1,000,000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，當日起24個月內提出申索，以較後者為準；
- 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；及
- 申索可以是正進行法院訴訟程序但並未就同一項申索有裁決的案件。

### EXTENDED ELIGIBLE DISPUTES

- Subject to the parties' consent, the FDRC may handle cases with a claim exceeding HK\$1,000,000 and/or beyond the 24 months limitation period.

For further information, please refer to the FDRS's Intake Criteria at the website of FDRC.

### 延伸合資格爭議

- 在雙方同意下，調解中心可以處理一些超出港幣1,000,000元及/或超出24個月申索時效期限的個案。

有關詳情請參閱調解中心網頁上調解計劃的《個案受理準則》。

# CHAIRMAN

Chairman's Message

## 主席的話

Despite the lingering impacts of the COVID-19 pandemic on all walks of life in Hong Kong SAR during 2021, FDRC remained steadfast in providing effective dispute resolution services to its users under the FDRS.

FDRC handled a total number of 989 enquiries in 2021, a drop of 14.7% when compared with 2020. On the other hand, the number of applications for services under the FDRS rose by 20% to a record level of 42 cases in 2021. Coupled with cases carried over from the previous year, 2021 remained a busy year for FDRC.

As part of the comprehensive review on its operation and services, in June 2021 FDRC conducted a survey with FDRS financial institution members. Whilst contributing many useful data for the FDRC review, the feedbacks from the financial institutions also reflected their assessments on the operation of FDRC/FDRS with pleasing results. 73.9% of the respondents in the survey held very positive or positive views towards the value of FDRS in helping them resolving monetary disputes with their clients; 82.8% strongly agreed or agreed that FDRS is more time and resource-saving than litigation in court in resolving monetary disputes with their clients; and another 82.8% strongly agreed or agreed that the existence of FDRC/FDRS enhances protection for customers of financial services and Hong Kong's position as a financial centre.

The positive attitude of the financial institutions towards FDRC/FDRS in the survey, together with the high users' satisfaction ratings on FDRC services over the years, are certainly the most encouraging endorsements of our services and efforts. These are the results of the dedication and valuable contributions from my fellow directors, committee and tribunal members, our mediators and arbitrators and FDRC staff, for which I am immensely grateful.



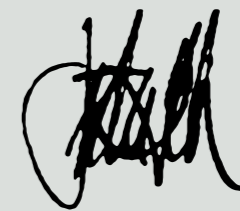
Dieter YIH  
Chairman

儘管2019冠狀病毒病疫情在2021年對香港特別行政區各行各業的影響揮之不去，但調解中心仍堅定不移地通過調解計劃為使用者提供有效的解決爭議服務。

調解中心於2021年共處理989宗查詢，較2020年下跌14.7%。另一方面，調解計劃的服務申請數目在2021年增加了20%，達到創紀錄的42宗。連同在前一年接獲並轉入的個案，2021年仍然是調解中心忙碌的一年。

為配合對其營運及服務進行全面性檢討，調解中心於2021年6月對屬於調解計劃成員的金融機構進行問卷調查。金融機構就有關調查的回覆，除了為調解中心的檢討提供很多有用數據外，同時亦反映金融機構對調解中心/調解計劃運作的評價，結果令人欣慰。有73.9%的調查受訪者，對調解計劃在幫助他們解決與客戶的金錢糾紛方面的價值，持有非常正面或正面的態度；有82.8%非常同意或同意當與法庭訴訟程序相比，使用調解計劃去解決與客戶的金錢糾紛更為節省時間及資源；另有82.8%非常同意或同意調解中心/調解計劃的存在，可以增強對金融服務消費者的保障，以及香港作為金融中心的地位。

金融機構在有關調查中對調解中心/調解計劃所顯示的正面態度，加上調解中心服務使用者的滿意度多年來都保持在極理想水平，無疑是對我們提供服務及所作的努力，給予最值得鼓舞的認同。有關成果都是全賴各董事局同袍、委員會及審裁組成員、調解中心的調解員、仲裁員及職員的積極投入和寶貴貢獻，我對此深表謝意。



葉禮德先生  
主席

# CHIEF EXECUTIVE OFFICER

Chief Executive Officer's Report

## 行政總裁報告

To cope with the impacts of the COVID-19 pandemic, FDRC continued to implement special office arrangements including working from home, rotation of office attendance by staff, curtailment of in-person enquiries, etc. whenever necessary during 2021. With a view to addressing concerns over the risk of infection at face-to-face meeting, FDRC also introduced in April 2021 a new protocol of online mediation meeting on FDRC cases. The measure provided an option to the parties concerned for conducting mediation online from different rooms at an FDRC venue, during which there was no inter-party personal contact whilst ensuring the confidentiality of the proceedings.

Even though the number of enquiries handled by FDRC dropped by around 15% in 2021 over the previous year, the number of applications for services rose by 20% and reached a record level of 42 cases in 2021. The efficacy and professionalism of mediators/arbitrators on the FDRC Lists and FDRC staff have continued to achieve high rates for settlement of FDRC cases and users' satisfaction on FDRC services in 2021.

A major and special event in 2021 was the organisation of the 'Training Programme for FDRC Mediator/Arbitrator Recruitment', which was conducted online over several weekends in September and October. FDRC saw the need for recruiting new members to its Lists of Mediators and Arbitrators. Completing the Training Programme enabled potential applicants in meeting, among others, a key requirement for enrolment on the Lists. I wish to express my sincere appreciation for the efforts of the two professional co-organizers, the thirteen supporting organisations, various speakers and experts at lectures and panel sessions, etc. in ensuring the smooth and successful running of the Training Programme.

FDRC also initiated a comprehensive review on its operation and services in 2021. Apart from stock-taking its operations and achievements since 2012 and exploring future direction, the review was also timely in the light of the fast-growing integration and collaboration on economic and financial activities across the Greater Bay Area (GBA). Many issues of strategic importance to FDRC, including possible changes to its scope of services; potential opportunities for business and development for FDRC/FDRS in the GBA; feasibility on revising and expanding its terms of reference; long-term funding arrangements for its ongoing operation; etc., were being carefully and critically studied. The outcome of the review has far-reaching implications on FDRC/FDRS and the exercise was still ongoing at the end of 2021.

I am very grateful to the Chairman, Board directors and members of the FDRC Committees and Tribunal for their most valuable contributions and wise guidance, as well as the unfailing support and cooperation of our listed mediators/arbitrators and FDRS members. Special thanks also go to the FDRC staff for their dedication and commitment under the challenging COVID-19 pandemic situation.

Looking ahead, FDRC remains committed in providing professional services to our users and the community in the coming year.



Herman CHO  
CEO

因應2019冠狀病毒病疫情的影響，調解中心在2021年繼續視乎情況，推行特別辦公的安排，包括職員在家工作、輪流在辦公室上班、減少面談查詢服務等。調解中心亦於2021年4月推出就調解中心個案進行在線調解會議的新協定，以應對擔憂參與面對面會議可能導致染疫風險的關注。該措施為調解個案的有關各方提供一項選擇，將各方安排在調解中心會場的不同房間內，通過在線方式參與調解會議，期間各方無需相互親身接觸，同時亦確保調解會議的過程保密。

儘管調解中心在2021年處理的查詢數目較上年下降大約15%，但服務申請數目上升了20%，在2021年達到創紀錄的42宗。有賴調解中心名單上的調解員/仲裁員以及中心職員的高效和專業，令調解中心個案的成功解決率，與及調解中心服務使用者的滿意度，在2021年均持續達致極理想的水平。

舉辦「調解中心調解員/仲裁員招募培訓課程」是2021年內一項重大而特別的項目，有關培訓課程在9月及10月的數個周末以在線方式舉行。調解中心察覺有需要為調解員和仲裁員名單招募新的成員，有意申請加入名單的人士可在完成培訓課程後，符合相關招募條件的其中一項主要要求。我謹在此衷心感謝兩個專業協辦機構、十三個支持團體、多位參與講座及小組討論的講者及專家等的協助，使培訓課程能夠順利及成功舉行。

調解中心亦於2021年對中心的運作及服務展開了全面詳盡檢討。除了對中心自2012年以來的營運和成果作出盤點和總結，以及探索未來發展方向外，鑑於現時跨越整個大灣區的經濟及金融活動，正以極快的速度實現融合和合作互補，進行有關檢討亦非常切合時機。檢討就很多對調解中心具有策略重要性的議題，包括可能對中心的服務範疇作出更改；調解中心/調解計劃在大灣區的潛在商機和發展機遇；修訂和擴大中心職權範圍的可行性；維持中心持續運作的長遠資助安排等，作仔細和嚴謹的研究。檢討得出的結果對調解中心/調解計劃具有深遠的影響，這項工作在2021年年底仍在進行中。

我萬分感謝主席、董事會成員及調解中心各委員會及審裁組成員的寶貴貢獻及明智指導，以及名單上的調解員/仲裁員及計劃成員的不懈支持和合作。我亦特別感謝調解中心職員在面對2019冠狀病毒病疫情的挑戰下，仍然克盡所能、全力以赴。

展望未來，調解中心將繼續致力在來年為計劃使用者及社會提供專業服務。



曹振華先生  
行政總裁

# 董事局

## THE BOARD



**Mr Dieter YIH, JP**  
葉禮德先生 JP

### Chairman

- Hong Kong Practicing Solicitor
- Non-executive Director, Securities and Futures Commission
- Non-executive Director, eMPF Platform Company Limited
- Member, Education Commission
- Member, University Grants Committee
- Member, Steering Committee, Quality Education Fund
- Member, Standing Committee on Legal Education and Training
- Chairman, King's College London Hong Kong Foundation

### 主席

- 香港執業律師
- 證券及期貨事務監察委員會非執行董事
- 積金易平台非執行董事
- 教育統籌委員會成員
- 大學教育資助委員會成員
- 優質教育基金督導委員會成員
- 法律教育及培訓常設委員會成員
- 倫敦國王學院香港基金會主席



**Mr Joseph CHAN Ho-lim, JP**  
陳浩濂先生 JP

### Director

- Under Secretary for Financial Services and the Treasury, HKSAR Government

### 董事

- 香港特別行政區政府財經事務及庫務局副局長



**Ms Carmen CHU Lap-kiu, JP**  
朱立翹女士 JP

### Director

- Executive Director (Enforcement and AML), Hong Kong Monetary Authority

### 董事

- 香港金融管理局助理總裁（法規及打擊清洗黑錢）



**Mr Paul YEUNG Kwok-leung**  
楊國樑先生

### Director

- Senior Director & Commission Secretary, Securities and Futures Commission

### 董事

- 證券及期貨事務監察委員會高級總監及秘書長

# 董事局

## THE BOARD



**Mr TONG Hon-shing**  
唐漢城先生

(Retired on 28 February 2022  
於2022年2月28日卸任)

### Director

- Deputy Chief Executive & Chief Operating Officer, The Bank of East Asia, Limited
- Member, Banking Industry Training Advisory Committee, Education Bureau
- Executive Committee Member of the Hong Kong Institute of Bankers

### 董事

- 東亞銀行有限公司副行政總裁兼營運總監
- 教育局銀行業培訓諮詢委員會委員
- 香港銀行學會理事會成員



**Prof. WONG Kam-fai, MH**  
黃錦輝教授 MH

### Director

- Associate Dean (External Affairs) of the Faculty of Engineering, The Chinese University of Hong Kong
- Professor in the Department of Systems Engineering and Engineering Management, The Chinese University of Hong Kong
- Past Chairman of the Trade Practices and Consumer Complaints Review Committee and Research and Testing Committee, Hong Kong Consumer Council

### 董事

- 香港中文大學工程學院副院長（外務）
- 香港中文大學系統工程與工程管理學系教授
- 前任香港消費者委員會商營手法研究及消費者投訴審查小組和研究及試驗小組主席



**Mr Gary CHEUNG Wai-kowk**  
張為國先生

### Director

- Chief Executive Officer, OnePlatform Securities Limited
- Hong Kong Securities Association, Perm. Hon. President & Director

### 董事

- 環一證券有限公司行政總裁
- 香港證券業協會永遠名譽會長暨董事



**Mr Tang Nai-pan**  
鄧聶斌先生

(Appointed with effect from 1 March 2022  
於2022年3月1日獲委任)

### Director

- Executive Director, Deputy Chief Executive Officer, Chief Risk Officer of CITIC Bank International
- Convenor, Economic and Financial Market Research Committee, Chinese Banking Association of Hong Kong
- Member of Finance Committee, Hong Kong Arts Centre

### 董事

- 中信銀行（國際）有限公司執行董事、副行政總裁兼風險管理總監
- 香港中資銀行業協會，經濟及金融市場研究委員會，執委會主任
- 香港藝術中心財務委員會委員



**Mr Richard LEUNG Wai-keung, JP**  
梁偉強先生 JP

### Director

- Practicing Barrister, Hong Kong
- Chairman of the Appeal Tribunal Panel (Buildings Ordinance)

### 董事

- 香港執業大律師
- 《建築物條例》上訴審裁小組主席



**Mr Herman CHO Chun-wah**  
曹振華先生

### Director

- Chief Executive Officer, FDRC

### 董事

- 金融糾紛調解中心行政總裁



# 遴選委員會

## THE APPOINTMENT COMMITTEE

The FDRC Appointment Committee (AC) is in charge of approving applications for admission to the FDRC List of Mediators and the FDRC List of Arbitrators (the Lists) and ensuring that the assessment and admission processes are fair, transparent and independent. The AC also makes recommendations to the Board on matters relating to the maintenance and development of standards of mediators and arbitrators on the Lists.

In 2021, the AC was chaired by Mr Richard LEUNG Wai-keung. It resolved a variety of matters including:

- reviewed 14 Continuing Professional Development (CPD) activities and awarded CPD points to attendees who were mediators and arbitrators on the Lists. The CPD activities enriched the knowledge of mediators and arbitrators on the Lists on financial products and market practices with a view to maintaining their high standards and encouraging professional advancement;
- considered and approved applications for membership renewal under the Lists;
- made recommendations to the Board on the “Protocol for online mediation meeting on FDRC cases”; and
- co-organised an online ‘Training Programme for FDRC Mediator/ Arbitrator Recruitment’ with The Hong Kong Institute of Bankers and Hong Kong Securities and Investment Institute in September and October 2021.

調解中心遴選委員會（選委會）負責審批所有有意加入調解中心調解員名單和調解中心仲裁員名單（名單）之人士的申請，確保審核及取錄過程公平、透明及獨立，並就維持和提升調解員及仲裁員名單成員資格水平的有關事宜，向董事局提出建議。

於2021年，選委會由梁偉強先生擔任主席。選委會年內審議多項事宜，包括：

- 檢討14項持續專業發展培訓活動，並向出席活動的調解員和仲裁員名單成員授予持續專業發展積分。有關培訓活動旨在豐富調解員和仲裁員名單成員就金融產品及市場運作的知識，以維持他們的高度水平和鼓勵持續專業發展；
- 審核及批准調解中心成員的續會申請；
- 就《調解中心個案進行在線調解會議的協定》向董事局提供建議；及
- 在2021年9至10月期間，與香港銀行學會及香港證券及投資學會聯合舉辦在線「調解中心調解員/仲裁員招募培訓課程」。

### Chairman

**Mr Richard LEUNG Wai-keung, JP**

- Practicing Barrister, Hong Kong
- Chairman of the Appeal Tribunal Panel (Buildings Ordinance)

### Member

**Ms Sylvia SIU Wing-ye,**

BSC, MBA, LL.M., FCI Arb, FHKI Arb, JP

(Retired on 30 April 2022)

- Chairlady of Joint Mediation Helpline Office
- Consultant Solicitor, Sit, Fung, Kwong & Shum
- Chairperson, ADR & International Relation Committee, Hong Kong Federation of Women Lawyers
- Vice-President, Guangdong, Hong Kong & Macao Arbitration Mediation Alliance

### 主席

**梁偉強先生 JP**

- 香港執業大律師
- 《建築物條例》上訴審裁小組主席

### 委員

**蕭詠儀女士**

BSC, MBA, LL.M., FCI Arb, FHKI Arb, JP

(於2022年4月30日卸任)

- 聯合調解專線辦事處主席
- 薛馮鄭岑律師行顧問律師
- 香港女律師協會另類爭議解決方案主席
- 粵港澳仲裁調解聯盟副會長

# 遴選委員會

## THE APPOINTMENT COMMITTEE

### Member

#### Mr Norris YANG Hong-ching

(Retired on 30 April 2022)

- Senior Consultant, Yang Chan & Jamison LLP
- Executive Director, ADR International Limited
- Chairman, Communications and Publicity Committee, Hong Kong Mediation Accreditation Association Limited (HKMAAL)
- Chairman, International Negotiation Mediation Society Macau

### Member

#### Prof. LEUNG Hing-fung

B Building, BSc in Building Studies, LLB, MAArbDR, LLM, FCI Arb, FHKI Arb, FRICS, FHKIS

- Practicing mediator, arbitrator and barrister
- Professor of Practice (Arbitration and Dispute Resolution), Department of Real Estate and Construction, Faculty of Architecture, University of Hong Kong
- Vice-Chairperson, HKMAAL
- Member, Land and Development Advisory Committee

### 委員

#### 楊洪鈞先生

(於2022年4月30日卸任)

- 勤信律師事務所有限法律責任合夥高級顧問
- 協寧國際事務有限公司執行董事
- 香港調解資歷評審協會有限公司(調解資歷評審協會)傳訊及宣傳委員會主席
- 澳門國際談判調解學會會長

### 委員

#### 梁慶豐教授

B Building, BSc in Building Studies, LLB, MAArbDR, LLM, FCI Arb, FHKI Arb, FRICS, FHKIS

- 執業調解員、仲裁員及大律師
- 香港大學建築學院房地產及建設系實務教授(仲裁及爭議解決)
- 調解資歷評審協會副主席
- 土地及建設諮詢委員會成員

Mr. Vod CHAN Ka-sing and Mr. Jacky LAI Tsz-kin were appointed as members with effect from 1 May 2022.

陳家成先生及黎子健先生於2022年5月1日獲委任為委員。

Note: FDRS CEO is an ex-officio member of the Appointment Committee.

註：調解中心的行政總裁為遴選委員會當然成員。

# 紀律委員會

## THE DISCIPLINARY COMMITTEE

The FDRS Disciplinary Committee (DC) was set up in 2014 to establish a process to deal with complaints against mediators and arbitrators on the Lists. The independent DC advises and decides the proper procedures for handling disciplinary matters to ensure that all complaints under the FDRS are handled in a procedurally fair and impartial manner. The DC has made recommendations on the establishment of complaint handling procedures, including a review and appeal mechanism.

In 2021, the DC resolved a variety of matters including:

- reviewed the report on mediation and arbitration cases and noted that no follow-up action on disciplinary matter was required; and
- made recommendations to the Board on candidates for appointment to the Panel of the Tribunal.

調解中心紀律委員會(紀委會)於2014年成立,目的是建立一套程序,以處理對調解中心的調解員及仲裁員名單上的成員的投訴個案。獨立的紀委會負責就上述的紀律事務提出建議及制訂適當的程序,確保調解計劃下的所有投訴個案,均在公平公正及不偏不倚的程序下進行審理。紀委會已就如何建立投訴個案處理程序,包括檢討及上訴機制等問題提出建議。

於2021年,紀委會年內審議多項事宜,包括:

- 審閱了有關調解及仲裁個案的報告,並知悉沒有需要就紀律事宜作出跟進工作;及
- 就任命審裁組成員的事宜向董事局建議合適人選。

# 紀律委員會

## THE DISCIPLINARY COMMITTEE

### Chairman

#### Ms Elaine LIU Yuk-ling, JP

- Chairman of Estate Agents Authority
- Chairman of Licensing Appeal Board
- Deputy Chairman of the Board of Review (Inland Revenue Ordinance)
- Deputy Chairman of Administrative Appeal Board
- Chairman of the Disciplinary Committee of the Travel Industry Authority

### Member

#### Mrs Cecilia WONG NG Kit-wah

- Member of the Chief Justice's Working Party on Mediation
- Member of the Hong Kong Government Family Council
- Chairlady of Risk Management Education Committee of the Law Society of Hong Kong (LSHK)
- Director of Joint Mediation Helpline Office
- Chairlady of Mediation Committee of the LSHK
- Member of Committee on Complaints against Private Healthcare Facilities

### 主席

#### 廖玉玲女士 JP

- 香港地產代理監管局主席
- 香港牌照上訴委員會主席
- 香港稅務上訴委員會副主席
- 行政上訴委員會副主席
- 旅遊業監管局紀律委員會主席

### 委員

#### 黃吳潔華女士

- 首席大法官調解工作小組成員
- 香港政府家庭議會委員
- 香港律師會風險管理教育委員會主席
- 聯合調解專線辦事處董事
- 香港律師會調解委員會主席
- 私營醫療機構投訴委員會委員

### Member

#### Mr YEUNG Man-sing,

BSc (QS), LLM (HKU), FRICS, FHKIS, FCIArb

- Practicing solicitor, Hong Kong
- Chartered quantity surveyor and chartered arbitrator
- Accredited mediator and adjudicator
- Chair, Arbitrators Admission Committee of LSHK
- Member, Accreditation Sub-Committee of the Steering Committee on Mediation of Department of Justice, HKSAR
- Standing Committee Member, CIArb's Examination Board, and Panels Management Group
- Director, Asian Institute of Alternative Dispute Resolution

### Member

#### Mrs Gloria JONES MOK Siu-mei

- Practicing solicitor, Hong Kong

### Member

#### Mr YEUNG Sai-man

- Practicing solicitor, Hong Kong
- Accredited mediator

### 委員

#### 楊文聲先生

BSc (QS), LLM (HKU), FRICS, FHKIS, FCIArb

- 香港執業律師
- 特許建築工料測量師及特許仲裁員
- 香港認可調解員及審裁員
- 香港律師會仲裁員評審委員會主席
- 香港特別行政區律政司調解督導委員會評審委員會成員
- 英國特許仲裁學會考評會委員及仲裁／調解／審裁員名冊管理組委員
- 馬來西亞亞洲多元爭議解決研究院理事

### 委員

#### 莫小薇女士

- 香港執業律師

### 委員

#### 楊世文先生

- 香港執業律師
- 認可調解員

# 紀律審裁組

## THE DISCIPLINARY TRIBUNAL

The FDRC Disciplinary Tribunal (Tribunal) was set up in 2016 to deal with complaints against mediators and arbitrators on the Lists in relation to handling the disputes under the FDRS in a procedurally fair and impartial manner.

Members of the Tribunal should:

- not be members of the FDRC Board, the Appointment Committee or the Disciplinary Committee;
- not be staff members of the FDRC;
- possess knowledge on mediation and/or arbitration, jurisprudence and tribunal procedures; and
- be familiar with the ToR and the operation of the FDRC.

調解中心紀律審裁組（審裁組）於2016年成立，目的是在公平公正及不偏不倚的程序下，審理所有針對調解中心的名單上之調解員及仲裁員就處理調解計劃下之爭議所作出的投訴。

審裁組成員必須：

- 並非調解中心董事局、遴選委員會或紀律委員會的成員；
- 並非調解中心的職員；
- 具有調解及／或仲裁、法學和審裁程序的知識；和
- 熟悉調解中心的《職權範圍》及其運作。

### Convenor

**Ms Audrey EU Yuet-mee, SC, JP**

(Retired on 31 December 2021)

- Senior Counsel
- Accredited Mediator

### Member

**Dr Anthony NEOH, QC, SC, JP**

(Retired on 31 December 2021)

- Member, Standing Committee of the Chinese Judicial Studies Institute, Supreme People's Court of the People's Republic of China
- Council Member and Treasurer, The Chinese University of Hong Kong
- Chairman, Asian Academy of International Law
- Fellow, Hong Kong Academy of Finance

### 召集人

**余若薇女士 SC, JP**

(於2021年12月31日卸任)

- 資深大律師
- 認可調解員

### 成員

**梁定邦博士 QC, SC, JP**

(於2021年12月31日卸任)

- 中華人民共和國最高人民法院中華司法研究會常務理事
- 香港中文大學校董及司庫
- 亞洲國際法研究院主席
- 香港金融學院院士

# 紀律審裁組

## THE DISCIPLINARY TRIBUNAL

# 全年回顧

## THE YEAR AT A GLANCE

### Member

#### Dr Margaret NG Ngoi-yee

(Retired on 31 December 2021)

- Practicing Barrister
- Accredited Mediator
- Executive Committee Member, Hong Kong Unison

### Member

#### Dr William WONG Ming-fung, SC, JP

(Appointed as Convenor with effect from 1 January 2022)

- Senior Counsel

### Member

#### Dr Thomas SO Shiu-tung, JP

(Appointed with effect from 1 January 2021)

- Practicing solicitor, Hong Kong

Mr. Lincoln HUANG Ling-hang JP, Mr. Stephan HUNG Wan-shun and Prof. Gary SOO Kwok-leung were appointed as members with effect from 1 January 2022.

黃令衡先生 JP，熊運信先生及蘇國良教授於2022年1月1日獲委任為成員。

### 成員

#### 吳靄儀博士

(於2021年12月31日卸任)

- 執業大律師
- 認可調解員
- 融樂會執行委員會成員

### 成員

#### 王鳴峰博士 SC, JP

(於2022年1月1日獲委任為召集人)

- 資深大律師

### 成員

#### 蘇紹聰博士 JP

(於2021年1月1日獲委任)

- 香港執業律師

### Dispute Resolution Services

The FDRC's hotline and enquiry services handled 989 enquiries during the year, a drop of 14.7% when compared to the previous year. Of all the enquiries handled, 539 or approximately 55% were related to complaints about financial products and services. Among these 539 complaints, 124 were classified as prima facie eligible disputes under the Intake Criteria of the ToR.

The FDRC received the highest ever number of 42 applications for services under the FDRS in 2021, an increase of 20% when compared to 2020. 24 applications would have been disallowed before the implementation of service enhancements to the FDRS from January 2018: 1 application was from a small enterprise, 7 applications have claim amounts over HK\$500,000 (2 of which were handled as Extended Eligible Disputes), 10 applications with first knowledge of loss over 12 months ago, and 6 applications exceeded both the prescribed claimable amount and limitation period under the pre-2018 Intake Criteria. It was noted that the claim amount in one application was over HK\$4.5 million.

### High Mediation Success Rate and Satisfaction Rate

The mediation success rate improved in 2021, with 90% of the cases received and handled being successfully settled in the mediation processes. The same rate in 2020 was 71%. Since inception, approximately 90% of the mediation service users (which covered both parties involved in the disputes) rated the FDRC's services as 'Satisfactory' or above.

### Other Activities

Because of the COVID-19 pandemic situation, in 2021 FDRC conducted regular publicity activities including information seminars, talks, CPD courses and various promotional activities either in physical or online formats. A major and special project in the year was the organisation of the 'Training Programme for FDRC Mediator/ Arbitrator Recruitment', with The Hong Kong Institute of Bankers and Hong Kong Securities and Investment Institute as co-organisers.

### 排解爭議服務

調解中心的熱線及查詢服務在年內共處理989宗查詢，與去年比較減少了14.7%。在已處理的查詢中，539宗或約55%是關於金融產品及服務的投訴。在這539宗投訴中，根據《職權範圍》的《個案受理準則》，124宗投訴屬在表面資料上被列為符合條件的爭議。

調解中心在2021年接獲歷來數目最多的42宗調解計劃服務申請，與2020年比較增加了20%。在2018年1月起實施優化金融糾紛調解計劃服務措施前，24宗有關的申請會不獲接納：1宗申請是由小型企業提交的、7宗申請的申索金額超過港幣50萬元(其中2宗當為延伸合資格爭議處理)、10宗申請的首次知悉蒙受金錢損失日期超過12個月、及6宗同時超出了2018年前《個案受理準則》所規定的可申索金額和時效期限。其中有1宗申請的申索金額超過港幣450萬元。

### 高調解成功率及滿意度

調解成功率在2021年有所改善，年度內收到並已處理的個案中，九成個案能在調解過程中成功和解，在2020年相關成功率為71%。自成立以來，約90%的調解服務使用者(包括爭議雙方)對調解中心的服務給予「滿意」或以上的評級。

### 其他活動

因受2019冠狀病毒病疫情影響，調解中心在2021年分別以實體或在線型式舉辦定期推廣活動，包括簡介會、講座、培訓班及各類推廣活動。年內一項重要而特別的項目，是舉辦了「調解中心調解員/仲裁員招募培訓課程」，香港銀行學會及香港證券及投資學會均為課程的合辦機構。

# 排解爭議服務

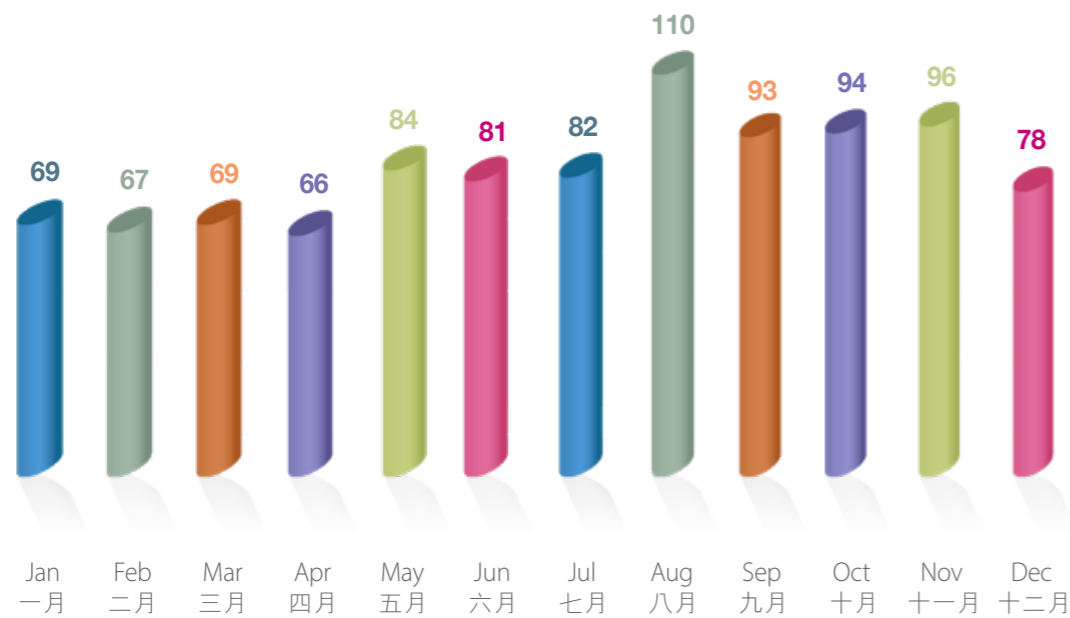
## Dispute Resolution Services

### ENQUIRIES 查詢

#### Number of Enquiries 查詢數字

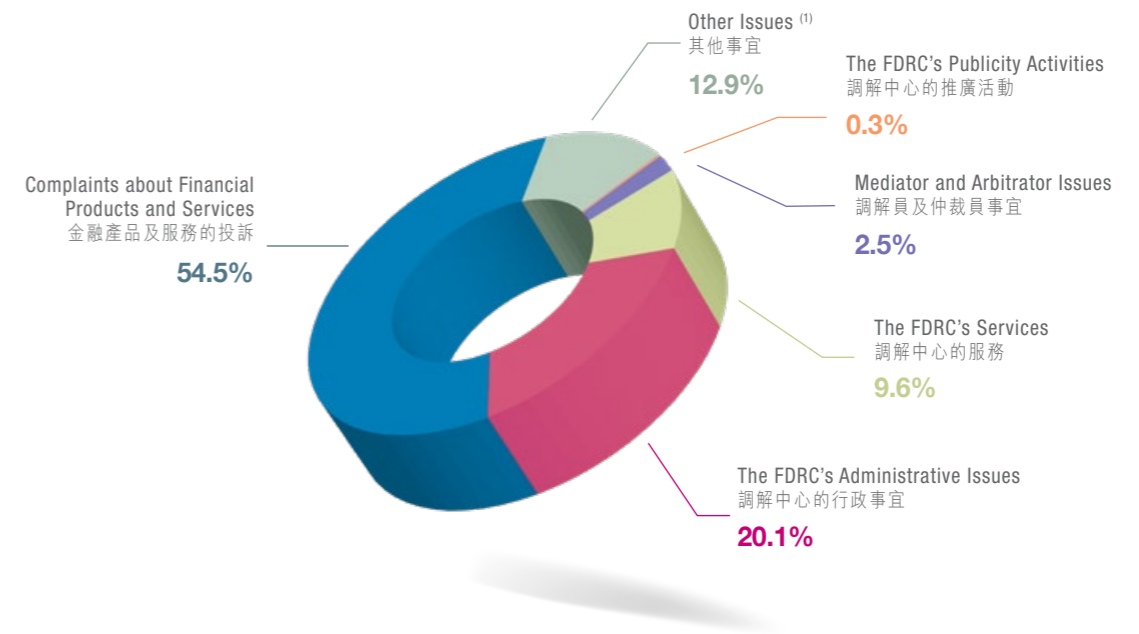
For the year ended 31 December 2021, a total of 989 enquiries were handled by the FDRC.

截至2021年12月31日止的年度內，調解中心共處理989宗查詢。



TOTAL 總數 989

#### Nature of Enquiries 查詢類別



The total percentage does not add up to 100% due to rounding.  
由於四捨五入，總百分比不等於100%。

Out of the 989 enquiries handled, 539 were related to complaints about financial products and services, 95 were about the FDRC's services, 199 were related to the FDRC's administrative issues, 25 were related to mediator and arbitrator issues, 3 were related to the FDRC's publicity activities and 128 were related to other issues (1).

在已處理的989宗查詢中，539宗關於金融產品及服務的投訴，95宗關於調解中心的服務，199宗關於調解中心的行政事宜，25宗關於調解員及仲裁員事宜，3宗關於調解中心的推廣活動，128宗則關於其他事宜 (1)。

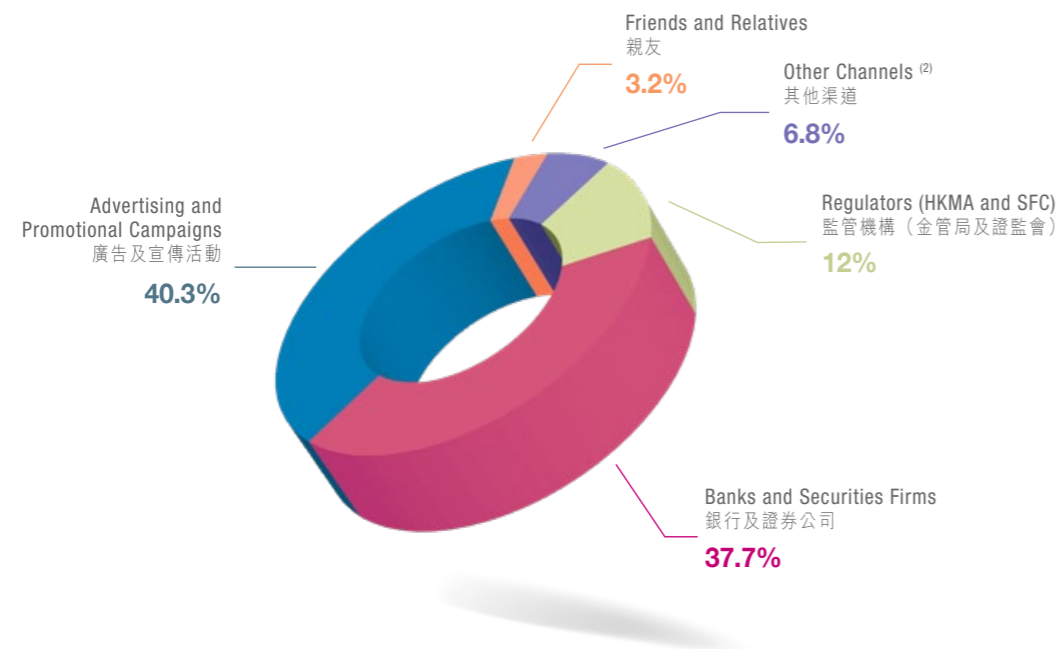
(1) 'Other issues' include regulatory issues not of monetary nature, building management disputes, family disputes, commercial disputes, debt collection, financial disputes between individuals, tenancy disputes and employment disputes, etc.

「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。

# 排解爭議服務

## Dispute Resolution Services

### Channels of Knowing the FDRC 知悉調解中心的途徑



Out of the enquiries received, 467 enquirers disclosed the channels of knowing the FDRC. 188 enquirers were aware of the FDRC through its advertising and promotional campaigns, 176 were referred by banks and securities firms, 56 by regulators (HKMA and SFC), 32 via other channels (2) and 15 by friends and relatives.

(2) 'Other Channels' include the Joint Mediation Helpline Office, Consumer Council, District Council members, seminars, promotion banners and leaflets, etc.

在接獲的查詢當中，有467名查詢人士透露知悉調解中心的途徑。188名查詢者表示透過其廣告及宣傳活動認識調解中心，176名經由銀行及證券公司轉介，56名由監管機構（金管局及證監會）轉介，32名則由其他渠道(2)及15名從親友中得知。

「其他渠道」包括聯合調解專線辦事處、消費者委員會、區議員、講座、宣傳橫幅和單張等。

## COMPLAINTS 投訴

### Nature of Complaints about Financial Products and Services 金融產品及服務之投訴

Among the 989 enquiries handled, 539 were related to complaints about financial products and services. Among which, 163 were about Investments(3), 133 were about Liabilities(4), 86 were related to Insurance(5), 59 were about Assets(6) and 84 were on Others(7), while 14 could not be classified.

在已處理的989個查詢當中，539宗與金融產品及服務的投訴有關。當中，163宗關於投資(3)，133宗涉及債務(4)，86宗為保險(5)，59宗與資產相關(6)，84宗則為其他產品(7)，其餘14宗則未能分類。

(3) 'Investments' include bonds, commodities, derivatives, unlisted structured products and FX/leveraged FX trading, shares/equities/stocks, and unit trusts/mutual funds/managed funds.

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

(4) 'Liabilities' include credit cards, loan facilities and mortgages.

「債務」包括信用卡、貸款及樓宇按揭等。

(5) 'Insurance' includes investment-linked products, life (non-investment-linked) products, general and group insurance policies.

「保險」包括投資相連保險產品、人壽保險產品（非投資相連）、一般保險及團體保單等。

(6) 'Assets' include integrated bank accounts, cheques, safe deposit boxes, savings and deposits, and stored value cards provided by financial institutions.

「資產」包括綜合銀行賬戶、支票、保險箱、儲蓄和存款、以及由金融機構提供的儲值卡等。

(7) 'Others' include Mandatory Provident Fund Schemes, Occupational Retirement Schemes, payments and cash management, and other investment products.

「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。

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

Among the 539 complaints in relation to financial products and services, a total of 415 was classified as prima facie ineligible disputes under the Intake Criteria of the ToR in force at the time. The three major reasons for ineligibility were:

在539宗與金融產品及服務有關的投訴中，根據當時適用的《職權範圍》的《個案受理準則》，共415宗投訴屬在表面資料上被列為不符合條件的爭議。未能符合資格的爭議其中三個主要原因為：

- Enquirer's knowledge of monetary loss exceeded the limitation period
- The disputes involved organisations which were not members of the FDRS
- Claim amount exceeded the maximum claimable amount

- 查詢者知悉蒙受金錢損失超過時效期限
- 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

# 排解爭議服務

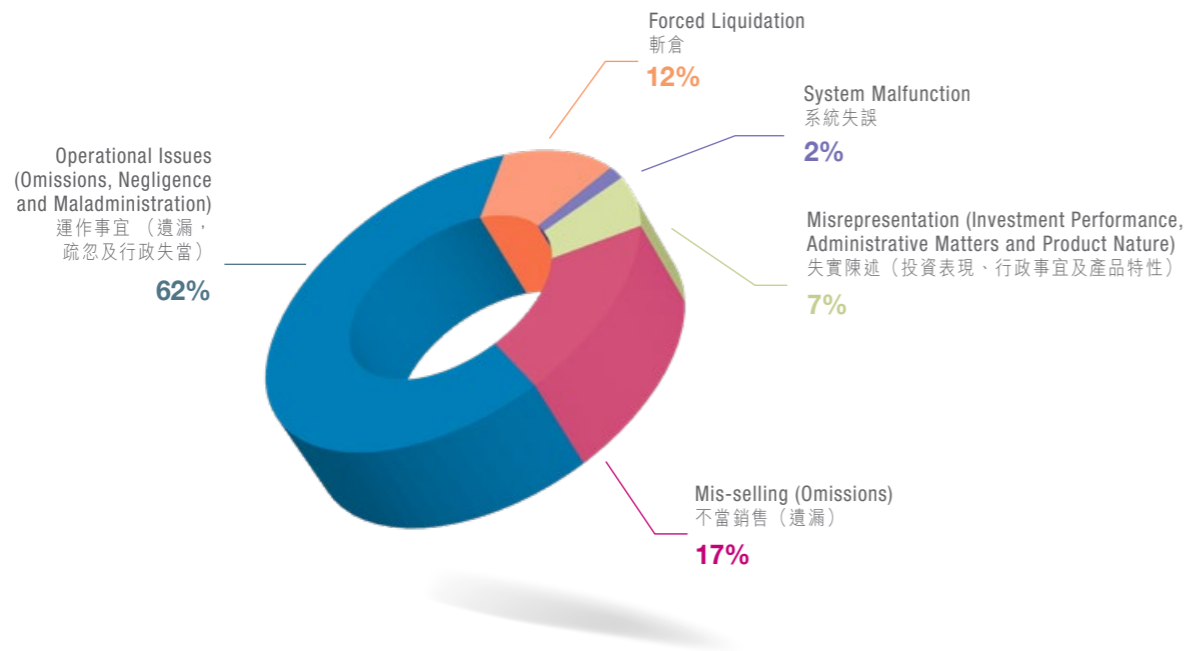
## Dispute Resolution Services

### CASES 個案

For the year ended 31 December 2021, the FDRC received 42 applications for services under the FDRS.

截至2021年12月31日止的年度內，調解中心共接獲42宗調解計劃服務申請。

#### Composition of Applications<sup>(8)</sup> 申請個案類別



(8) Only cases received within 2021 were counted.

只計算在2021年內所收到的個案。

#### Case Status as at 31 December 2021

##### Cases received within 2021

- Among the 42 applications, 28 were accepted, 6 were rejected as not meeting the Intake Criteria of the ToR in force at the time, 7 was under vetting and 1 was withdrawn during vetting.
- Among the 28 cases accepted, 17 cases were still ongoing and 11 went through the mediation process. Among the 11 cases went through the mediation process, 10 were completed and closed and the remaining 1 was under consideration for submission of the Notice to Arbitrate.
- Among the 10 completed and closed cases, 9 were settled at different stages of the mediation process and 1 was not settled in mediation (The case was closed as the claimant did not proceed to arbitration).
- With 9 out of the 10 completed and closed mediation cases in 2021 reaching settlement, the success rate for the year was 90%.

##### Cases brought forward from previous years

In addition to the above mentioned 42 applications received, 23 applications received in previous years were carried forward to 2021. 6 applications were rejected as not meeting the Intake Criteria of the ToR in force at the time. The remaining 17 cases were accepted and entered into the dispute resolution process, 12 of which were completed and closed in mediation process, 2 were still ongoing and 3 proceeded to arbitration. 2 Arbitral Awards were rendered out of the 3 cases proceeded to arbitration.

#### 在2021年12月31日的個案情況

##### 2021年收到的個案

- 在42宗申請中，28宗申請獲受理，6宗因不符合當時適用的《職權範圍》中的《個案受理準則》而被拒絕，7宗申請在審核中及1宗在審核中撤回申請。
- 獲受理的28宗申請中，17宗個案的調解程序正在進行中及11宗已完成調解程序。在11宗已完成調解程序的個案中，10宗已結案，餘下1宗正考慮提交仲裁通知書。
- 在10宗已結案的個案中，9宗都分別於不同的調解階段達成和解，而未能和解的個案則有1宗（這宗個案因有關申索人沒有選擇仲裁而結案）。
- 在2021年10宗已完成並結案的調解個案中有9宗達成和解，年度的成功率為90%。

##### 由往年轉入的個案

除上述42宗接獲的申請外，有23宗在往年接獲的申請轉入至2021年。6宗申請因不符合當時適用的《職權範圍》中的《個案受理準則》而被拒絕，餘下17宗個案獲受理及進入了排解爭議程序，其中12宗已於調解程序結案，2宗的程序仍然在進行中，另外3宗則進入仲裁程序。進入仲裁程序的3宗個案中，2宗已作出《仲裁裁決》。



# 排解爭議服務

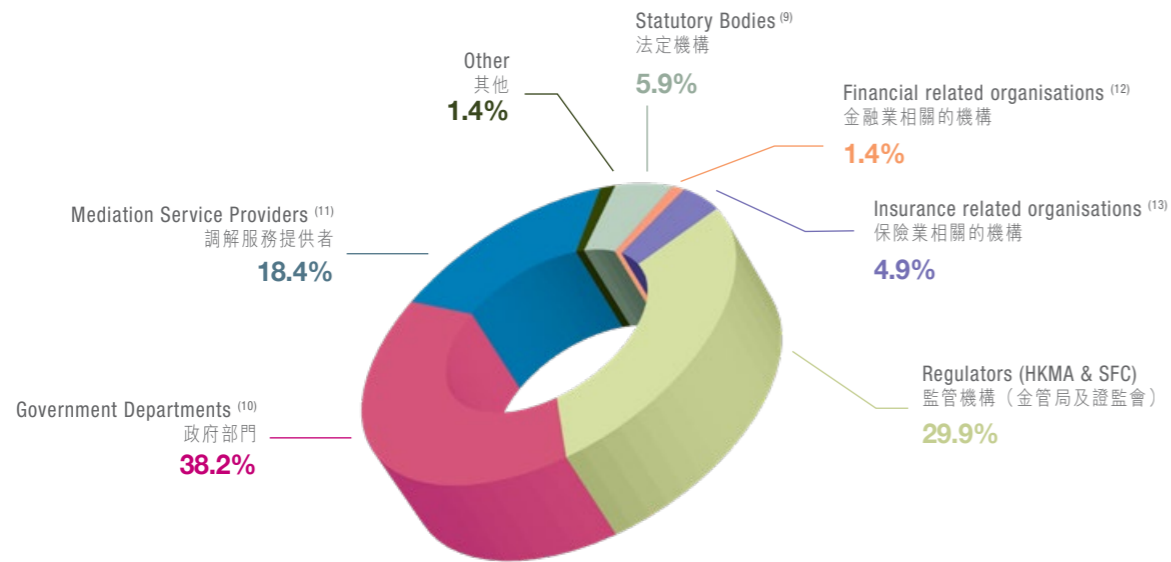
## Dispute Resolution Services

### Provide Information to Enquirers on Available Channels

Apart from explaining the scope of the FDRS, the case officers will also assist the enquirers by providing them with information on available channels for taking forward their enquiries. The FDRC provided a total of 288 related assistance to enquirers in 2021.

### 向查詢者提供進一步處理查詢的途徑資訊

調解計劃主任除會向查詢者講解調解計劃的適用範圍外，還會協助查詢者，向其提供可進一步處理其查詢的途徑資訊。在2021年，調解中心共提供了288次相關協助予查詢者。



The total percentage does not add up to 100% due to rounding. 由於四捨五入，總百分比不等於100%。

(9) Including the Consumer Council, Insurance Authority, Hong Kong Mortgage Corporation Limited, Office of the Privacy Commissioner for Personal Data, etc., excluding HKMA, SFC

(10) Including the Judiciary (e.g. Small Claims Tribunal and Integrated Mediation Office), Police, Home Affairs Department, etc.

(11) e.g. Joint Mediation Helpline Office

(12) e.g. The Chinese Gold & Silver Exchange Society

(13) e.g. The Hong Kong Federation of Insurers

包括消費者委員會、保險業監管局、香港按揭證券有限公司、個人資料私隱專員公署等，不包括金管局、證監會

包括司法機構（例如小額錢債審裁處及綜合調解辦事處）、警務處、民政事務總署等

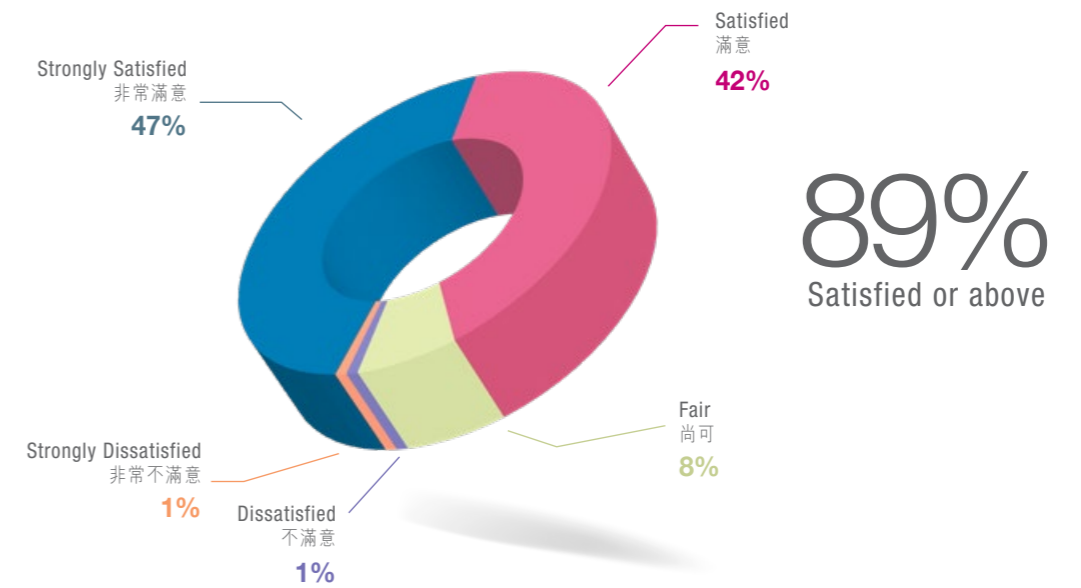
例如聯合調解專線辦事處

例如金銀業貿易場

例如香港保險業聯會

## SATISFACTION SURVEY 滿意度調查

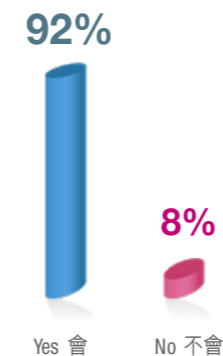
### Overall Satisfaction with the FDRC's Services 調解中心服務的整體滿意度



The total percentage does not add up to 100% due to rounding. 由於四捨五入，總百分比不等於100%。

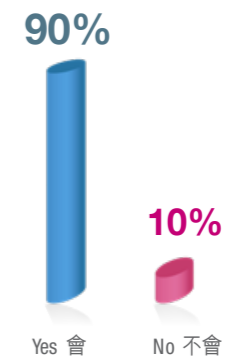
Would you recommend the FDRC mediation service to others if they have similar disputes?

若別人遇到類似糾紛，會向他們推薦調解中心的調解服務嗎？



Would you use mediation again to settle disputes?

未來會再採用調解方式解決糾紛嗎？



# 推廣 Publicity

FDRS continued the ongoing efforts in promoting its services and FDRS to different sectors of the community in 2021. When conventional promotion and publicity activities were affected by the impacts of the COVID-19 pandemic situation and social-distancing requirements, online alternatives such as webinars and virtual visits were arranged as far as possible.

In 2021 FDRS organised a webinar on Continuing Professional Training for members of the Hong Kong Securities and Futures Professionals Association. An online briefing on the FDRS was also arranged for staff of a large financial institution. In the third quarter of the year, four separate talks and tour visits to the FDRS office were organised for students from the Open University of Hong Kong to enhance their understanding on mediation/arbitration. Altogether a total of around 550 persons participated in the activities.

調解中心在2021年繼續致力向社會各界推廣調解計劃及其服務。當傳統的推廣和宣傳活動受到2019冠狀病毒病疫情與社交距離措施影響時，中心會儘可能安排包括網絡研討會和虛擬探訪等在線方式作為替代。

在2021年，調解中心為香港證券及期貨專業總會的會員舉辦了一場持續專業培訓網絡研討會，並為一家大型金融機構的職員安排有關調解計劃的在線簡介會。同年第三季，調解中心為來自香港公開大學的學生分別舉辦了四次包括參觀中心辦事處的講座，增加同學對調解/仲裁的認識。合共約有550人參加了相關活動。



FDRS received Star Logo Award from DoJ at 'Mediate First Pledge' function in May 2021. 調解中心於2021年5月「調解為先承諾書」活動獲律政司頒授星徽獎狀。

As an active player in promoting mediation/arbitration and other law-related activities in Hong Kong, FDRS was the supporting organisation in a number of events and functions during 2021. Major examples included the 'Hong Kong Money Month 2021' organised by the Investor and Financial Education Council; the seminar on 'Business opportunities for Hong Kong legal professionals in the Greater Bay Area'; the 'Mediate First Pledge' by the Department of Justice; and the 'Annual Banking Conference 2021' by the Hong Kong Institute of Bankers.

For its regular publicity programme, FDRS arranged paid advertisements in major promotional channels including TV station, social media platforms and radio station in 2021. As a new initiative, FDRS co-organised a webinar with the hosts of a popular radio finance programme in late November 2021. Over 300 participants joined the event which included sessions on analysis of the financial markets, FDRS's roles and sharing on dispute cases handled.

作為在香港推動調解/仲裁及其他法律相關活動的積極參與者，調解中心在2021年度成為多個有關活動和項目的支持機構。主要的例子包括投資者及理財教育委員會舉辦的「香港理財月2021」；「香港法律專業在粵港澳大灣區執業及其他機遇」宣介座談會；律政司舉辦的「調解為先承諾書」活動；及香港銀行學會舉辦的「2021年銀行業年會」。

在恒常推廣計劃方面，調解中心於2021年度在包括電視台、社交媒體平台及電台等主要宣傳渠道，投放付費廣告。作為一項新試點，調解中心與一個熱門電台財經節目的主持人，在2021年11月下旬合辦了一場網絡研討會，活動環節包括金融市場分析、調解中心的角色及曾處理的爭議個案分享等，有超過300位人士參加。



Chit-chat on FDRS services with radio finance programme hosts. 與電台財經節目主持人間談調解中心服務。

Board Chairman attended a GBA-related seminar in September 2021.

董事局主席在2021年9月出席有關大灣區的座談會。



「香港法律專業在粵港澳大灣區執業及其他機遇」宣介座談會

# 財務報告

## Financial Statements

### REPORT OF THE DIRECTORS

The directors submit herewith their annual report together with the audited financial statements for the year ended 31 December 2021.

#### 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 Room 408 - 409, 4/F, West Wing, Justice Place, 11 Ice House Street, Central, Hong Kong.

#### Principal activities

The Company is a non-profit making company limited by guarantee. It independently and impartially administers 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.

#### 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 2021 are set out in statement of changes in equity on page 41.

#### The Board of Directors

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

Mr Dieter Yih  
Mr Joseph Chan Ho Lim  
Ms Carmen Chu Lap Kiu  
Mr Paul Yeung Kwok Leung  
Mr Gary Cheung Wai Kwok  
Mr Richard Leung Wai Keung  
Mr Tong Hon Shing (Retired with effect from 1 March 2022)  
Mr William Wong Kam Fai  
Mr Tang Nai Pan (Appointed with effect from 1 March 2022)  
Mr Herman Cho Chun Wah

### 董事局報告書

董事會全人謹將截至二零二一年十二月三十一日止年度的年報和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設於香港中環雪廠街11號律政中心西座4樓408-09室。

#### 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。本公司獨立公正地管理一套金融糾紛調解計劃(「調解計劃」)，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。

#### 股本

本公司以擔保有限公司形式成立，因此並無任何股本。

#### 儲備

本公司截至二零二一年十二月三十一日止年度的儲備變動詳載於第41頁的權益變動表內。

#### 董事局

本財政年度內及截至本報告刊發日在任的董事如下：

葉禮德先生  
陳浩濂先生  
朱立翹女士  
楊國樑先生  
張為國先生  
梁偉強先生  
唐漢城先生(卸任於二零二二年三月一日生效)  
黃錦輝教授  
鄧翬斌先生(委任於二零二二年三月一日生效)  
曹振華先生

In accordance with Article 22(3) of Part B of the Company's Articles of Association, all the existing directors shall continue in office for the following year.

#### Indemnity of directors

A permitted indemnity provision (as defined in section 469 of the Hong Kong Companies Ordinance) for the benefit of the directors of the Company is currently in force and was in force throughout this year.

#### Directors' interests in transaction, arrangements or contracts

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

Mr Dieter YIH  
Chairman  
Hong Kong  
13 May 2022

根據本公司的公司組織章程細則B部第22(3)條，全體現任董事將於來年繼續留任。

#### 董事的彌償

惠及本公司董事的獲准許彌償條文(定義見香港《公司條例》第469條)現正生效，並於整個年度內生效。

#### 董事擁有交易、安排或合約的利益

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

葉禮德先生  
主席  
香港  
二零二二年五月十三日

## INDEPENDENT AUDITOR'S REPORT 獨立核數師報告書

to the members of Financial Dispute Resolution Centre (Incorporated in Hong Kong and limited by guarantee)  
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)

### Opinion

We have audited the financial statements of Financial Dispute Resolution Centre (the "Company") set out on pages 39 to 60, which comprise the statement of financial position as at 31 December 2021, the statement of comprehensive income, the statement of changes in equity and the cash flow statement for the year then ended and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the financial statements give a true and fair view of the financial position of the Company as at 31 December 2021 and of its financial performance and its cash flows for the year then ended in accordance with Hong Kong Financial Reporting Standards ("HKFRSs") issued by the Hong Kong Institute of Certified Public Accountants ("HKICPA") and have been properly prepared in compliance with the Hong Kong Companies Ordinance.

### Basis for opinion

We conducted our audit in accordance with Hong Kong Standards on Auditing ("HKSA") issued by the HKICPA. Our responsibilities under those standards are further described in the *Auditor's responsibilities for the audit of the financial statements* section of our report. We are independent of the Company in accordance with the HKICPA's *Code of Ethics for Professional Accountants* (the "Code") and we have fulfilled our other ethical responsibilities in accordance with the Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### Information other than the financial statements and auditor's report thereon

The directors are responsible for the other information. The other information comprises all the information included in the annual report, other than the financial statements and our auditor's report thereon.

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

### 意見

本核數師(以下簡稱「我們」)已審核刊於第39至第60頁金融糾紛調解中心(「貴公司」)的財務報表，此財務報表包括於二零二一年十二月三十一日的財務狀況表與截至該日止年度的全面收益表、權益變動表和現金流量表，以及財務報表附註，包括主要會計政策概要。

我們認為，該等財務報表已根據香港會計師公會頒佈的《香港財務報告準則》真實而公允地反映貴公司於二零二一年十二月三十一日的財務狀況、及貴公司截至該日止年度的財務業績和現金流量，並已按照香港《公司條例》妥為編制。

### 核數師意見的基礎

我們已根據香港會計師公會頒佈的《香港審計準則》進行審核。我們根據該等準則應負的責任詳見本報告書「核數師就財務報表審計須承擔的責任」一節。根據香港會計師公會頒佈的《專業會計師道德守則》(「道德守則」)，我們保持對貴公司的獨立性，並已符合道德守則規定的其他道德要求。我們相信，我們所獲得的審核憑證能充足和適當地為我們的審核意見提供基礎。

### 財務報表及核數師報告外的其他資訊

董事須對其他資訊負責。其他資訊是指年報中除財務報表及核數師報告外的所有資訊。

我們對財務報表發表的意見並不涵蓋其他資訊，因此我們不會就該等資訊發表任何形式的保證結論。

在財務報表審計過程中，我們的責任是審閱其他資訊，以考慮該等資訊是否與財務報表或我們在審計過程中獲得的資訊存在重大不符，或是否存在重大錯誤陳述。

如果我們根據已執行的工作，認為該等其他資訊存在重大錯誤陳述，那麼我們就須對此進行報告。我們在此方面未發現任何問題。

### Responsibilities of the directors for the financial statements

The directors are responsible for the preparation of the financial statements that give a true and fair view in accordance with HKFRSs issued by the HKICPA 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.

In preparing the financial statements, the directors are responsible for assessing the Company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the directors either intend to liquidate the Company or to cease operations, or have no realistic alternative but to do so.

### Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. This report is made solely to you, as a body, in accordance with section 405 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.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with HKSA will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with HKSA, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control.

### 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》編制真實而公允的財務報表，並負責董事認為編制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。

在編制財務報表時，董事須負責評估貴公司持續經營的能力；在合適的情況下披露與持續經營有關的事項；以及使用持續經營編制基礎，董事有意或必須對貴公司進行清算或停止營運的情況除外。

### 核數師就審計財務報表承擔的責任

我們執行審計的目的是就整體財務報表是否不存在由於欺詐或錯誤而導致的重大錯誤陳述而獲取合理保證，並出具核數師報告書以陳述我們的意見。我們是按照香港《公司條例》第405條的規定，僅向整體股東報告。除此以外，我們的報告書不可用作任何其他任何用途。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。

合理保證雖是高等級的保證，但按照《香港會計準則》執行的審計並不一定就能檢測到重大錯誤陳述(若有)。錯誤陳述可源於舞弊或錯誤，在可被合理預期會單獨或合併地影響使用者根據該等財務報表所作的經濟決定時，會被視為重大錯誤陳述。

按照《香港會計準則》的規定，我們在審計過程中行使專業判斷並保持專業懷疑態度。我們同時：

- 識別及評估源於舞弊或錯誤的財務報表重大錯誤陳述風險，針對這些風險設計並執行適當的審計程式，並獲取可充足和適當地為我們的審計意見提供基礎的審計憑證。源於舞弊的重大錯誤陳述不能被檢測的風險大於源於錯誤的重大錯誤陳述不能被檢測的風險，因舞弊往往涉及共謀、偽造、有意遺漏、錯報或違反內部控制。

## INDEPENDENT AUDITOR'S REPORT 獨立核數師報告書

to the members of Financial Dispute Resolution Centre (Incorporated in Hong Kong and limited by guarantee)  
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)

- Obtain an understanding of internal control relevant to the audit 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 Company's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the directors.
- Conclude on the appropriateness of the directors' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Company's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Company to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

- 了解與審計有關的內部控制，以設計適當的審計程式，但並非為對公司的內部控制的效能發表意見。
- 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和相關披露的合理性。
- 評價董事使用持續經營基礎的合理性，並根據所獲得的審計憑證，確定在可能對公司持續經營能力產生重大影響的事件或情況有關方面是否存在重大不確定因素。如果我們認為存在重大不確定性，則有必要在核數師報告中提請使用者注意財務報表中的相關披露。假若有關的披露不足，則我們應當發表非無保留意見。我們的結論基於我們在截至核數師報告日止獲得的審計憑證。隨後發生的事件或具體情況可能會使公司喪失持續經營的能力。
- 評價財務報表的整體列報方式、結構和內容，其中包括披露部分，以及財務報表是否公允地列報相關交易及事件。

We communicate with the directors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

我們會與董事溝通審計的計畫範圍、時間表以及重大審計發現，其中包括我們在審計過程中發現的內部控制重大缺陷。

KPMG  
Certified Public Accountants

畢馬威會計師事務所  
執業會計師

8th Floor, Prince's Building  
10 Chater Road  
Central, Hong Kong  
13 May 2022

香港中環  
遮打道10號  
太子大廈8樓  
二零二二年五月十三日

## STATEMENT OF COMPREHENSIVE INCOME 全面收益表

for the year ended 31 December 2021 (Expressed in Hong Kong dollars)  
截至二零二一年十二月三十一日止年度 (以港幣列示)

	Note 附註	2021	2020
<b>Income 收入</b>			
Revenue 收入	3	\$ 27,400	\$ 20,000
Other revenue 其他收入	4	77,538	439,804
		<u>\$ 104,938</u>	<u>\$ 459,804</u>
<b>Expenditure 支出</b>			
Staff costs 員工成本	5(b)	\$ 5,656,508	\$ 5,395,720
Depreciation and amortisation 折舊及攤銷		465,141	1,921,085
Other administrative and operating expenses 其他行政及經營費用		1,703,489	2,657,534
		<u>\$ 7,825,138</u>	<u>\$ 9,974,339</u>
Deficit and total comprehensive income for the year 年度虧損及全面收益總額	5	<u>\$ (7,720,200)</u>	<u>\$ (9,514,535)</u>

The notes on pages 43 to 60 form part of these financial statements.  
第43至第60頁的附註屬本財務報表的一部分。

## STATEMENT OF FINANCIAL POSITION 財務狀況表

at 31 December 2021 (Expressed in Hong Kong dollars)  
於二零二一年十二月三十一日 (以港幣列示)

	Note 附註	2021	2020
<b>Non-current assets 非流動資產</b>			
Property, plant and equipment 物業、廠房和設備	7	\$ 1,071,020	\$ 1,487,411
Intangible asset 無形資產	8	40,438	81,688
		<u>\$ 1,111,458</u>	<u>\$ 1,569,099</u>
<b>Current assets 流動資產</b>			
Deposits, prepayments and other receivables 按金、預付款和其他應收款	9	\$ 204,038	\$ 214,491
Time deposits with original maturity of over three months 原定期限多於三個月之定期存款		7,000,000	15,500,000
Cash and cash equivalents 現金和現金等價物	10	5,717,932	4,549,421
		<u>\$ 12,921,970</u>	<u>\$ 20,263,912</u>
<b>Current liabilities 流動負債</b>			
Accruals and other payables 應計款項和其他應付款	11	795,441	924,824
		<u>\$ 795,441</u>	<u>\$ 924,824</u>
<b>Net current assets 流動資產淨值</b>			
		<u>\$ 12,126,529</u>	<u>\$ 19,339,088</u>
<b>Total assets less current liabilities 資產總值減流動負債</b>			
		<u>\$ 13,237,987</u>	<u>\$ 20,908,187</u>
<b>Non-current liabilities 非流動負債</b>			
Accruals and other payables 應計款項和其他應付款	11	\$ 100,000	\$ 50,000
		<u>\$ 100,000</u>	<u>\$ 50,000</u>
<b>NET ASSETS 資產淨值</b>			
		<u>\$ 13,137,987</u>	<u>\$ 20,858,187</u>
<b>RESERVES 儲備</b>			
Reserves 儲備	12	\$ 13,137,987	\$ 20,858,187
<b>TOTAL RESERVES 儲備總額</b>			
		<u>\$ 13,137,987</u>	<u>\$ 20,858,187</u>

Approved and authorized for issue by the board of directors on 13 May 2022 and signed on its behalf by:  
董事局於二零二二年五月十三日核准並許可發出，並由下列人士代表簽署：

Mr Dieter YIH 葉禮德先生  
Chairman 主席

Mr Herman CHO Chun Wah 曹振華先生  
Director and CEO 董事及行政總裁

The notes on pages 43 to 60 form part of these financial statements.  
第43至第60頁的附註屬本財務報表的一部分。

## STATEMENT OF CHANGES IN EQUITY 權益變動表

for the year ended 31 December 2021 (Expressed in Hong Kong dollars)  
截至二零二一年十二月三十一日止年度 (以港幣列示)

	Reserves 儲備
At 1 January 2020 於2020年1月1日	\$ 30,372,722
Change in equity for 2020: 2020年權益變動：	
Deficit and total comprehensive income for the year 年度虧損及全面收益總額	<u>(9,514,535)</u>
At 31 December 2020 and 1 January 2021 於2020年12月31日及2021年1月1日	\$ 20,858,187
Change in equity for 2021: 2021年權益變動：	
Deficit and total comprehensive income for the year 年度虧損及全面收益總額	<u>(7,720,200)</u>
At 31 December 2021 於2021年12月31日	<u>\$ 13,137,987</u>

The notes on pages 43 to 60 form part of these financial statements.  
第43至第60頁的附註屬本財務報表的一部分。

## CASH FLOW STATEMENT 現金流量表

for the year ended 31 December 2021 (Expressed in Hong Kong dollars)  
截至二零二一年十二月三十一日止年度 (以港幣列示)

	Note 附註	2021	2020
<b>Operating activities 經營活動</b>			
Deficit for the year 年度虧損		\$ (7,720,200)	\$ (9,514,535)
Adjustments for 調整項目：			
Depreciation and amortisation 折舊及攤銷		465,141	1,921,085
Interest income 利息收入		(65,038)	(406,004)
Interest expense on lease liability 租賃負債利息支出		-	17,657
<b>Operating deficit before changes in working capital 營運資金變動前的經營虧損</b>		<b>\$ (7,320,097)</b>	<b>\$ (7,981,797)</b>
Decrease in deposits, prepayments and other receivables 按金、預付款和其他應收款減少		7,804	976,965
Increase/(decrease) in accruals and other payables 應計款項和其他應付款增加 / (減少)		(79,383)	(381,443)
<b>Net cash used in operating activities 經營活動所用的現金淨額</b>		<b>\$ (7,391,676)</b>	<b>\$ (7,386,275)</b>
<b>Investing activities 投資活動</b>			
Decrease in time deposits with original maturity of over three months 原定期限多於三個月之定期存款減少		\$ 8,500,000	\$ 3,000,000
Payment for purchase of property, plant and equipment 購置物業、廠房和設備款項		(7,500)	(1,696,652)
Payment for purchase of intangible assets 購置無形資產款項		-	(61,875)
Written off fixed assets 沖銷物業、廠房和設備款項		-	35
Interest income received 已收利息收入		67,687	431,577
<b>Net cash generated from investing activities 投資活動產生的現金淨額</b>		<b>\$ 8,560,187</b>	<b>\$ 1,673,085</b>
<b>Financing activities 融資活動</b>			
Capital element of lease rentals paid 已付租賃租金的資本部分		\$ -	\$ (1,408,663)
Interest element of lease rentals paid 已付租賃租金的利息部分		-	(17,657)
<b>Net cash used in financing activities 融資活動所用的現金淨額</b>		<b>\$ -</b>	<b>\$ (1,426,320)</b>
<b>Net increase/(decrease) in cash and cash equivalents 現金和現金等價物增加 / (減少) 淨額</b>		<b>\$ 1,168,511</b>	<b>\$ (7,139,510)</b>
<b>Cash and cash equivalents as at 1 January 於1月1日的現金和現金等價物</b>		<b>4,549,421</b>	<b>11,688,931</b>
<b>Cash and cash equivalents as at 31 December 於12月31日的現金和現金等價物</b>	10	<b>\$ 5,717,932</b>	<b>\$ 4,549,421</b>

The notes on pages 43 to 60 form part of these financial statements.  
第43至第60頁的附註屬本財務報表的一部分。

## NOTES TO THE FINANCIAL STATEMENTS 財務報表附註

(Expressed in Hong Kong dollars 以港幣列示)

### 1. Principal activities

The Company is a non-profit making company limited by guarantee. It independently and impartially administers 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. Significant accounting policies

#### (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. Significant accounting policies adopted by the Company are disclosed below.

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(c) 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) Basis of preparation of the financial statements

The measurement basis used in the preparation of the financial statements is the historical cost basis.

The preparation of financial statements in conformity with HKFRSs requires management to make judgements, estimates and assumptions that affect the application of policies and reported amounts of assets, liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances, the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

### 1. 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。本公司獨立公正地管理一套調解計劃，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。

### 2. 主要會計政策

#### (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)、香港公認會計原則及香港《公司條例》的規定編製。本公司採用的主要會計政策於下文披露。

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(c)。

#### (b) 財務報表的編製基準

編製本財務報表時是以歷史成本作為計量基準。

管理層需在編製符合《香港財務報告準則》的財務報表時作出會對會計政策的應用，以及資產、負債、收入和支出的報告數額構成影響的判斷、估計和假設。這些估計和相關假設是根據以往經驗和管理層因應當時情況認為合理的多項其他因素作出的，其結果構成了管理層在無法依循其他途徑即時得知資產與負債的賬面值時所作出判斷的基礎。實際結果可能有別於估計數額。

## NOTES TO THE FINANCIAL STATEMENTS 財務報表附註

(Expressed in Hong Kong dollars 以港幣列示)

### 2. Significant accounting policies (Continued)

#### (b) Basis of preparation of the financial statements (Continued)

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects only that period, or in the period of the revision and future periods if the revision affects both current and future periods.

#### (c) Changes in accounting policies

The HKICPA has issued a number of amendments to HKFRSs that are first effective for the current accounting period of the Company.

None of the developments have had a material effect on how the Company's results and financial position for the current or prior periods have been prepared or presented. The Company has not applied any new standard or interpretation that is not yet effective for the current accounting period (see note 15).

#### (d) Property, plant and equipment

Property, plant and equipment including right-of-use assets arising from leases of underlying property, plant and equipment (see note 2(e)), 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:

	Over the shorter of unexpired term of the lease and their estimated useful lives
- Leasehold improvements	
- Furniture and fixtures	5 years
- Office equipment	3 years
- Computer equipment	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 comprehensive income 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 of disposal and value in use. In assessing value in use, the estimated future

### 2. 主要會計政策 (續)

#### (b) 財務報表的編製基準 (續)

管理層會不斷審閱各項估計和相關假設。如果會計估計的修訂只是影響某一期間，其影響便會在該期間內確認；如果修訂對當前和未來期間均有影響，則在作出修訂的期間和未來期間確認。

#### (c) 會計政策變動

香港會計師公會已發佈了數項於本公司的本會計期間首次生效的《香港財務報告準則》的修訂。

該等修訂均未對本公司本期或前期的業績和財務狀況的準備或呈報方式產生重大影響。本公司並無採用任何於本會計期間尚未生效的新訂準則或詮釋(見附註15)。

#### (d) 物業、廠房和設備

物業、廠房和設備包括標的物業、廠房和設備(參閱附註2(e))租賃產生的使用權資產。物業、廠房和設備是以成本扣除累計折舊及減值虧損後列賬。

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	按尚餘租賃期和預計可用期限兩者中的較短期間計提折舊
- 傢具及固定裝置		5年
- 辦公室設備		3年
- 電腦設備		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、廠房及設備的賬面值是否出現減值跡象。如資產賬面值高於其可收回數額，便會於全面收益中確認減值虧損。資產的可收回數額是其公允價值(已扣除出售成本)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

## NOTES TO THE FINANCIAL STATEMENTS 財務報表附註

(Expressed in Hong Kong dollars 以港幣列示)

### 2. Significant accounting policies (Continued)

#### (d) Property, plant and equipment

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 comprehensive income on the date of retirement or disposal.

#### (e) Leased assets

At inception of a contract, the Company assesses whether the contract is, or contains, a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. Control is conveyed where the customer has both the right to direct the use of the identified asset and to obtain substantially all of the economic benefits from that use.

##### (i) As a lessee

Where the contract contains lease component(s) and non-lease component(s), the Company has elected not to separate non-lease components and accounts for each lease component and any associated non-lease components as a single lease component for all leases.

At the lease commencement date, the Company recognises a right-of-use asset and a lease liability, except for short-term leases that have a lease term of 12 months or less and leases of low-value assets. When the Company enters into a lease in respect of a low-value asset, the Company decides whether to capitalise the lease on a lease-by-lease basis. The lease payments associated with those leases which are not capitalised are recognised as an expense on a systematic basis over the lease term.

Where the lease is capitalised, the lease liability is initially recognised at the present value of the lease payments payable over the lease term, discounted using the interest rate implicit in the lease or, if that rate cannot be readily determined, using a relevant incremental borrowing rate. After initial recognition, the lease liability is measured at amortised cost and interest expense is calculated using the effective interest method. Variable lease payments that do not depend on an index or rate are not included in the measurement of the lease liability and hence are charged to profit or loss in the accounting period in which they are incurred.

### 2. 主要會計政策 (續)

#### (d) 物業、廠房和設備

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賬面金額之間的差額釐定，並於報廢或處置日在損益中確認。

#### (e) 租賃資產

於合約開始時，本公司評估合約是否為租賃或是否包含租賃。如合約讓渡了一段時間以控制對被識別資產的使用權以換取對價，則合約為租賃或包含租賃。若客戶不但擁有主導可識別資產使用的權利，還有權獲得使用可識別資產所產生的幾乎全部經濟利益，則資產的使用權發生讓渡。

##### (i) 作為承租人

對於所有租賃，若合約同時包含租賃組成部分和非租賃組成部分，本公司選擇不拆分非租賃組成部分，而將各個租賃組成部分和其相關的非租賃組成部分作為單一的租賃組成部分進行會計處理。

於租賃開始日，本公司確認使用權資產和租賃負債，租賃期少於或等於12個月的短期租賃和低價值資產租賃除外。當本公司簽訂有關低價值資產的租賃時，本公司決定是否按每項租賃的基準將租賃資本化。與未資本化租賃有關的租賃支付，在租賃期內以系統性基準確認為支出。

若租賃被資本化，租賃負債按照租賃期內的應付租賃付款額按租賃內含利率(若租賃內含利率無法直接確定，則使用相關的增量借款利率)折現後的現值進行初始確認。初始確認後，租賃負債按攤余成本計量，並採用實際利率法計算利息費用。不取決於指數或比率的可變租賃付款額不納入租賃負債的計量，因此在其發生的會計期間內在損益中列支。



## NOTES TO THE FINANCIAL STATEMENTS 財務報表附註

(Expressed in Hong Kong dollars 以港幣列示)

### 2. Significant accounting policies (Continued)

#### (e) Leased assets (Continued)

##### (i) As a lessee (Continued)

The right-of-use asset recognised when a lease is capitalised is initially measured at cost, which comprises the initial amount of the lease liability plus any lease payments made at or before the commencement date, and any initial direct costs incurred. Where applicable, the cost of the right-of-use assets also includes an estimate of costs to dismantle and remove the underlying asset or to restore the underlying asset or the site on which it is located, discounted to their present value, less any lease incentives received. The right-of-use asset is subsequently stated at cost less accumulated depreciation and impairment losses (see note 2(d)).

The lease liability is remeasured when there is a change in future lease payments arising from a change in an index or rate, or there is a change in the Company's estimate of the amount expected to be payable under a residual value guarantee, or there is a change arising from the reassessment of whether the Company will be reasonably certain to exercise a purchase, extension or termination option. When the lease liability is remeasured in this way, a corresponding adjustment is made to the carrying amount of the right-of-use asset, or is recorded in profit or loss if the carrying amount of the right-of-use asset has been reduced to zero.

In the statement of financial position, the Company presents right-of-use assets within the same line item as similar underlying assets and presents lease liabilities separately.

##### (ii) As a lessor

When the company acts as a lessor, it determines at lease inception whether each lease is a finance lease or an operating lease. A lease is classified as a finance lease if it transfers substantially all the risks and rewards incidental to the ownership of an underlying assets to the lessee. If this is not the case, the lease is classified as an operating lease.

Where the Company has the use of assets under operating leases, payments made under the leases are charged to comprehensive income 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 comprehensive income as an integral part of the aggregate net lease payments made. Contingent rentals are charged to comprehensive income in the accounting period in which they are incurred.

### 2. 主要會計政策 (續)

#### (e) 租賃資產 (續)

##### (i) 作為承租人 (續)

在資本化租賃時確認的使用權資產按成本初始計量。使用權資產的成本包括租賃負債的初始金額，加上在租賃期開始日或之前支付的租賃付款額以及已發生的初始直接費用。在適用情況下，使用權資產的成本還包括拆卸及移除標的資產、復原標的資產或其所在場所估計將發生的成本折現後的現值，減去收到的租賃激勵。使用權資產以成本減去累計折舊和減值虧損(參閱附註2(d))後入賬。

倘指數或比率變化導致未來租賃付款額發生變動，或者本公司根據餘值擔保估計的應付金額發生變動，或者對於本公司是否合理確定將行使購買、續租或終止租賃選擇權的重估結果發生變化，則應重新計量租賃負債。倘在這種情況下重新計量租賃負債，應對使用權資產的賬面金額作出相應調整；倘使用權資產的賬面金額已減至零，則將相關調整計入損益。

財務狀況表中，本公司在與類似相關資產相同的項目下列示使用權資產，並分別列示租賃負債。

##### (ii) 作為出租人

本公司作為出租人時，會於租賃開始日確定各項租賃是融資租賃還是經營租賃。如果租賃使相關資產所有權附帶的絕大部分風險及回報轉移至承租人，則此項租賃分類為融資租賃。否則，該租賃被劃歸為經營租賃。

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。已收到的租賃激勵均在全面收益中確認為租賃淨付款總額的組成部分。或然租金在其產生的會計期間內在全面收益中列支。

## NOTES TO THE FINANCIAL STATEMENTS 財務報表附註

(Expressed in Hong Kong dollars 以港幣列示)

### 2. Significant accounting policies (Continued)

#### (f) 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 comprehensive income 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 follows:

- Computer software	3 years
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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 comprehensive income 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.

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

Deposits, prepayments and other receivables are initially recognised at fair value. Receivables are thereafter stated at amortised cost using the effective interest method, less loss allowance, except where the effect of discounting would be immaterial. In such cases, the receivables are stated at cost less loss allowance.

### 2. 主要會計政策 (續)

#### (f) 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)和減值虧損後列賬。

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全面收益中列支。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
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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賬。

本公司會於每個報告期末審閱無形資產的賬面值是否出現減值跡象。如資產賬面值高於其可收回數額，便會於全面收益中確認減值虧損。資產的可收回數額是其公允價值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。

#### (g) 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進行初始確認。對於應收款，其後以實際利率法按攤銷成本減去損失準備後所得數額入賬；但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損失準備後所得數額入賬。

## NOTES TO THE FINANCIAL STATEMENTS 財務報表附註

(Expressed in Hong Kong dollars 以港幣列示)

### 2. Significant accounting policies (Continued)

#### (g) Deposits, prepayments and other receivables (Continued)

Receivables are stated at amortised cost using the effective interest method less allowance for credit losses as determined below:

The loss allowance is measured at an amount equal to lifetime expected credit losses (“ECLs”), which are those losses that are expected to occur over the expected life of the receivables. The loss allowance is estimated using a provision matrix based on the Company’s historical credit loss experience, adjusted for factors that are specific to the debtors and an assessment of both the current and forecast general economic conditions at the reporting date. ECLs are remeasured at each reporting date with any changes recognised as an impairment gain or loss in profit or loss. The Company recognises an impairment gain or loss with a corresponding adjustment to the carrying amount of receivables through a loss allowance account.

The gross carrying amount of receivables is written-off (either partially or in full) to the extent that there is no realistic prospect of recovery. This is generally the case when the Company determines that the debtor does not have assets or sources of income that could generate sufficient cash flows to repay the amounts subject to the write-off.

#### (h) 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.

#### (i) 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.

#### (j) Income tax

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

### 2. 主要會計政策 (續)

#### (g) 按金、預付款和其他應收款 (續)

應收款採用實際利率法減去按下文釐定的信用損失，按攤銷成本列賬：

本公司按照相當於整個存續期內預期信用損失的金額(即預期將於應收賬款的預計存續期內發生的損失)計量損失準備。本公司基於歷史信用損失經驗、使用準備矩陣計算損失準備，相關歷史經驗根據茲報告日借款人的特定因素、以及對當前狀況和未來經濟狀況預測的評估進行調整。本公司在每個報告日重新計量預期信用損失，由此形成的損失準備的增加或轉回金額，應當作為減值損失或利得計入當期損益。對於其他應收款，本公司通過損失準備抵減該項其他應收款在財務狀況表中列示的帳面價值。

如果本公司不再合理預期按金、預付款和其他應收款的合約現金流量能夠全部或部分收回，則直接減記按金、預付款和其他應收款的帳面餘額。這種情況通常發生在本公司確定債務人沒有資產或收入來源可產生足夠的現金流量以償還將被減記的金額。

#### (h) 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，其後按攤銷成本入賬；但如折現影響並不重大，則按成本入賬。

#### (i) 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，並在購入後三個月內到期。

#### (j) 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。

## NOTES TO THE FINANCIAL STATEMENTS 財務報表附註

(Expressed in Hong Kong dollars 以港幣列示)

### 2. Significant accounting policies (Continued)

#### (k) 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.

#### (l) Revenue recognition

Income is classified by the Company as revenue when it arises from the provision of services in the ordinary course of the Company’s business.

Further details of the Company’s revenue and other income recognition policies are 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.

#### (m) 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 comprehensive income on a systematic basis over the periods in which the Company recognises as expenses the related cost for which the contributions are intended to compensate.

### 2. 主要會計政策 (續)

#### (k) 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。

#### (l) 收入確認

本公司將日常經營活動中提供服務產生的收益分類為收入。

有關本公司收入及其他所得的確認政策詳情載列如下：

(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。

#### (m) 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全面收益中確認。

## NOTES TO THE FINANCIAL STATEMENTS

### 財務報表附註

(Expressed in Hong Kong dollars 以港幣列示)

#### 2. Significant accounting policies (Continued)

##### (n) 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.

##### (o) 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).
- (viii) The entity, or any member of a group of which it is a part, provides key management personnel services to the Company or to the Company's parent.

#### 2. 主要會計政策 (續)

##### (n) 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賬。

##### (o) 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公司(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(或另一實體所屬公司旗下成員公司的聯營公司或合營企業)。
- (iii) 兩家實體是同一協力廠商的合營企業。
- (iv) 一家實體是協力廠商實體的合營企業，而另一實體是協力廠商實體的聯營公司。
- (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。
- (viii) 該實體或其作為一部分的任何公司成員公司向本公司或本公司母公司提供關鍵管理人員服務。

## NOTES TO THE FINANCIAL STATEMENTS

### 財務報表附註

(Expressed in Hong Kong dollars 以港幣列示)

#### 2. Significant accounting policies (Continued)

##### (o) Related parties (Continued)

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.

#### 3. Revenue

The Company's principal activities are to provide mediation and arbitration services to financial institutions (which are members of FDRS) and their customers for the resolution of monetary dispute.

	2021	2020
Application fee for mediation service 調解服務申請費	\$ 8,400	\$ 7,000
In-house mediation service 本公司提供的調解服務	19,000	13,000
<b>Total 總額</b>	<b>\$ 27,400</b>	<b>\$ 20,000</b>

#### 4. Other revenue

	2021	2020
Renewal fee for FDRC Lists of Mediators/Arbitrators 調解計劃轄下調解員/仲裁員名單的續期費	\$ 8,600	\$ 2,600
Room rental income 房間租賃收入	-	30,200
Interest income 利息收入	65,038	406,004
Sundry income 雜項收入	3,900	1,000
	<b>\$ 77,538</b>	<b>\$ 439,804</b>

#### 5. Deficit

Deficit is arrived at after charging:

	2021	2020
(a) Finance cost 融資成本：		
Interest on lease liabilities 租賃負債利息	\$ -	\$ 17,657
	<b>\$ -</b>	<b>\$ 17,657</b>

#### 2. 主要會計政策 (續)

##### (o) 關聯方 (續)

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。

#### 3. 收入

本公司主要業務為向金融機構(調解計劃轄下的成員)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。

#### 4. 其他收入

	2021	2020
Renewal fee for FDRC Lists of Mediators/Arbitrators 調解計劃轄下調解員/仲裁員名單的續期費	\$ 8,600	\$ 2,600
Room rental income 房間租賃收入	-	30,200
Interest income 利息收入	65,038	406,004
Sundry income 雜項收入	3,900	1,000
	<b>\$ 77,538</b>	<b>\$ 439,804</b>

#### 5. 虧損

有關虧損是計及以下各項後得出：

	2021	2020
(a) Finance cost 融資成本：		
Interest on lease liabilities 租賃負債利息	\$ -	\$ 17,657
	<b>\$ -</b>	<b>\$ 17,657</b>

## NOTES TO THE FINANCIAL STATEMENTS

### 財務報表附註

(Expressed in Hong Kong dollars 以港幣列示)

#### 5. Deficit (Continued)

#### 5. 虧損 (續)

	2021	2020
(b) Staff costs 員工成本		
Salaries, wages and other benefits 薪金、工資和其他福利	\$ 5,521,723	\$ 5,270,270
Contributions to defined contribution retirement plan 界定供款退休計劃供款	134,785	125,450
	<u>\$ 5,656,508</u>	<u>\$ 5,395,720</u>
(c) Other items 其他項目		
Auditors' remuneration 核數師酬金	\$ 134,700	\$ 133,100
Depreciation on 折舊		
- owned property, plant and equipment 自建物業、廠房和設備	423,891	392,455
- right-of-use assets 使用權資產	-	1,374,216
Amortisation 攤銷	41,250	154,414
Other administrative and operating expense 其他行政及經營費用	1,568,789	2,506,777
	<u>\$ 2,168,630</u>	<u>\$ 4,560,962</u>

#### 6. Directors' emoluments

Directors' emoluments disclosed pursuant to section 383(1) of the Hong Kong Companies Ordinance and Part 2 of the Companies (Disclosure of Information about Benefits of Directors) Regulation are as follows:

#### 6. 董事酬金

根據香港《公司條例》第383(1)條及第2部《公司(披露董事利益資料)規例》列報的董事酬金如下：

	2021	2020
Salaries and allowances 薪金和津貼	\$ 1,816,704	\$ 1,672,884
Performance-based bonus 績效獎金	75,696	206,650
Retirement scheme contribution 退休計劃供款	18,000	18,000

All directors' emoluments disclosed above were paid to or receivable by the executive director(s) in respect of services rendered as executive(s) of the Company.

上述披露的所有董事酬金已支付或應付予作為本公司行政人員而提供服務的執行董事。

## NOTES TO THE FINANCIAL STATEMENTS

### 財務報表附註

(Expressed in Hong Kong dollars 以港幣列示)

#### 7. Property, plant and equipment

#### 7. 物業、廠房和設備

(a) Property, plant and equipment

(a) 物業、廠房和設備

	Leasehold improvements 租賃改善	Furniture and fixtures 傢俱及固定裝置	Office equipment 辦公室設備	Computer equipment and software 電腦設備及軟件	Properties leased for own use 租賃自用物業	Total 總額
Cost 成本：						
At 1 January 2021 於2021年1月1日	\$ 1,389,332	\$ 169,224	\$ 178,429	\$ 1,281,925	\$ -	\$ 3,018,910
Additions 增置	7,500	-	-	-	-	7,500
At 31 December 2021 於2021年12月31日	<u>\$ 1,396,832</u>	<u>\$ 169,224</u>	<u>\$ 178,429</u>	<u>\$ 1,281,925</u>	<u>\$ -</u>	<u>\$ 3,026,410</u>
Accumulated depreciation 累計折舊：						
At 1 January 2021 於2021年1月1日	\$ (267,409)	\$ (92,289)	\$ (97,408)	\$ (1,074,393)	\$ -	\$ (1,531,499)
Charge for the year 本年度折舊	(279,041)	(17,800)	(34,992)	(92,058)	-	(423,891)
At 31 December 2021 於2021年12月31日	<u>\$ (546,450)</u>	<u>\$ (110,089)</u>	<u>\$ (132,400)</u>	<u>\$ (1,166,451)</u>	<u>\$ -</u>	<u>\$ (1,955,390)</u>
Net book value 賬面淨值：						
At 31 December 2021 於2021年12月31日	<u>\$ 850,382</u>	<u>\$ 59,135</u>	<u>\$ 46,029</u>	<u>\$ 115,474</u>	<u>\$ -</u>	<u>\$ 1,071,020</u>

## NOTES TO THE FINANCIAL STATEMENTS

### 財務報表附註

(Expressed in Hong Kong dollars 以港幣列示)

#### 7. Property, plant and equipment (Continued)

(a) Property, plant and equipment (Continued)

	Leasehold improvements 租賃改善	Furniture and fixtures 傢俱及固定裝置	Office equipment 辦公室設備	Computer equipment and software 電腦設備及軟件	Properties leased for own use 租賃自用物業	Total 總額
Cost 成本：						
At 1 January 2020 於2020年1月1日	\$ 3,032,964	\$ 261,225	\$ 414,787	\$ 1,788,311	\$ 4,672,333	\$ 10,169,620
Additions 增置	1,389,332	89,000	102,562	115,758	-	1,696,652
Write-off 沖銷	(3,032,964)	(181,001)	(338,920)	(622,144)	(4,672,333)	(8,847,362)
At 31 December 2020 於2020年12月31日	\$ 1,389,332	\$ 169,224	\$ 178,429	\$ 1,281,925	\$ -	\$ 3,018,910
Accumulated depreciation 累計折舊：						
At 1 January 2020 於2020年1月1日	\$ (3,032,964)	\$ (260,980)	\$ (405,696)	\$ (1,614,398)	\$ (3,298,117)	\$ (8,612,155)
Charge for the year 本年度折舊	(267,409)	(12,275)	(30,632)	(82,139)	-	(392,455)
Write-off 沖銷	3,032,964	180,966	338,920	622,144	3,298,117	7,473,111
At 31 December 2020 於2020年12月31日	\$ (267,409)	\$ (92,289)	\$ (97,408)	\$ (1,074,393)	\$ -	\$ (1,531,499)
Net book value 賬面淨值：						
At 31 December 2020 於2020年12月31日	\$ 1,121,923	\$ 76,935	\$ 81,021	\$ 207,532	\$ -	\$ 1,487,411

## NOTES TO THE FINANCIAL STATEMENTS

### 財務報表附註

(Expressed in Hong Kong dollars 以港幣列示)

#### 8. Intangible asset

#### 8. 無形資產

	2021	2020
Cost 成本：		
At 1 January 於1月1日	\$ 1,225,396	\$ 1,163,521
Additions 增置	-	61,875
At 31 December 於12月31日	\$ 1,225,396	\$ 1,225,396
Accumulated amortisation 累計攤銷：		
At 1 January 於1月1日	\$ 1,143,708	\$ 989,293
Charge for the year 本年度攤銷	41,250	154,415
At 31 December 於12月31日	\$ 1,184,958	\$ 1,143,708
Net book value 賬面淨值：		
At 31 December 於12月31日	\$ 40,438	\$ 81,688

#### 9. Deposits, prepayments and other receivables

#### 9. 按金、預付款和其他應收款

	2021	2020
Deposits 按金	\$ 4,520	\$ 4,520
Prepayments 預付款	197,874	205,678
Other receivables 其他應收款	1,644	4,293
	\$ 204,038	\$ 214,491

All of the other deposits, prepayments and other receivables are expected to be recovered or recognised as expense within one year.

所有其他按金、預付款和其他應收款預期可於一年內收回或確認為開支。

#### 10. Cash and cash equivalents

#### 10. 現金和現金等價物

	2021	2020
Cash and cash equivalents comprise:		
Cash at bank and on hand 銀行存款和現金	\$ 717,932	\$ 1,049,421
Time deposits with original maturity of less than three months 原定期限少於三個月之定期存款	5,000,000	3,500,000
Cash and cash equivalents 現金和現金等價物	\$ 5,717,932	\$ 4,549,421

## NOTES TO THE FINANCIAL STATEMENTS 財務報表附註

(Expressed in Hong Kong dollars 以港幣列示)

### 11. Accruals and other payables

Accruals 應計款項  
Other payables 其他應付款項

	2021	2020
	\$ 760,741	\$ 841,824
	134,700	133,000
	<u>\$ 895,441</u>	<u>\$ 974,824</u>

The amount of the accruals and other payables that are settled after more than one year is \$100,000 (2020: \$50,000) and is disclosed under non-current liabilities. All of the other accruals and other payables are expected to be settled within one year or are repayable on demand.

### 12. Capital and reserve

#### (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 Articles 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 Under Secretary for Financial Services and the Treasury ("USFST"), the Hong Kong 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 2021 was \$13,137,987 (2020: \$20,858,187). The Company's primary objectives when managing capital are to safeguard the Company's ability to continue as a going concern.

### 11. 應計款項和其他應付款

一年後結清的應計款項和其他應付款項為100,000元(二零二零年:50,000元),並在非流動負債下披露。所有其他應計款項和其他應付款項預計將在一年內結清或應要求償還。

### 12. 資本和儲備

#### (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」界定為由本公司持存的儲備。按此基準計算,於二零二一年十二月三十一日的資本額為13,137,987元(2020年:20,858,187元)。本公司管理資本的主要目的是保障本公司可持續經營。

## NOTES TO THE FINANCIAL STATEMENTS 財務報表附註

(Expressed in Hong Kong dollars 以港幣列示)

### 12. Capital and reserve (Continued)

#### (b) Capital management (Continued)

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 Financial Services and the Treasury Bureau ("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. To allow more time for the Company to carry out its consultation study on funding formula, however, the three funding parties agreed that the Company may use its accumulated surplus and their funding commitments to sustain the operation of the Company after 31 December 2014 until around 2022. Upon the implementation of its funding formula and subject to the results of the consultation, the Company shall be funded by the members of the FDRS, as part of the financial industry's commitment to the general public to resolve disputes in a fair and efficient manner. The HKMA and SFC have provided a commitment to provide a further \$10,500,000 each on request by the Company.

The Company was not subject to externally imposed capital requirements.

### 12. 資本和儲備 (續)

#### (b) 資本管理 (續)

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。但為本公司提供更充裕時間來對融資方案進行諮詢研究,三個出資方已同意使用本公司的累計盈餘及財務承擔,以資助本公司於二零一四年十二月三十一日至二零二二年期間的運作。在實施融資方案後及取決於諮詢結果,調解計劃的成員將為本公司提供資金,以體現金融業以公平高效的方式為公眾解決糾紛的承擔。金管局和證監會已作出承諾,在本公司要求下,各自再提供10,500,000元。

本公司毋須遵守外間訂立的資本規定。

## NOTES TO THE FINANCIAL STATEMENTS 財務報表附註

(Expressed in Hong Kong dollars 以港幣列示)

### 13. Financial risk management and fair values

Exposure to liquidity, credit, 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:

	2021			2020		
	Carrying amount 賬面金額	Within 1 year or on demand 1年內或 按要求償還	More than 1 year but less than 5 years 1年後但5年內	Carrying amount 賬面金額	Within 1 year or on demand 1年內或 按要求償還	More than 1 year but less than 5 years 1年後但5年內
Accruals and other payables 應計款項和其他應付款	\$ 895,441	\$ 795,441	\$ 100,000	\$ 974,824	\$ 924,824	\$ 50,000
	<u>\$ 895,441</u>	<u>\$ 795,441</u>	<u>\$ 100,000</u>	<u>\$ 974,824</u>	<u>\$ 924,824</u>	<u>\$ 50,000</u>

#### (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 banks and deposits and other receivables. At year end, the credit risk is not significant as the cash was placed with reputable banks. The management monitors the credit risk associated with cash placed with banks and deposits and other receivables on an ongoing basis. No amounts of deposits and other receivables are past due or impaired.

### 13. 金融風險管理和公允價值

本公司須在正常業務過程中承受流動資金、信貸、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：

#### (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賬面金額。

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多家信譽良好的銀行，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。

## NOTES TO THE FINANCIAL STATEMENTS 財務報表附註

(Expressed in Hong Kong dollars 以港幣列示)

### 13. Financial risk management and fair values (Continued)

#### (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 and fixed deposits accounts. As at 31 December 2021, the Company was not exposed to significant interest rate risk arising from cash deposited in savings and fixed deposits accounts.

At 31 December 2021, it is estimated that a general decrease/increase of 100 basis points in interest rates, with all other variables held constant, would have increased/decreased the Company's profit after tax and retained profits by approximately \$122,476 (2020: \$191,310).

#### (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. Material related party transactions

#### (a) Transactions with key management personnel

The emoluments of key management personnel who are directors of the Company is disclosed in note 6 which includes fees, salaries and allowances, bonus, retirement benefit contribution and payment in lieu of notice, if any.

#### (b) Other related party transactions

In addition to the transactions and balances disclosed elsewhere in these financial statements, the Company entered into the following material related party transactions during the year.

(i) During the year, the Company entered into the following material related party transactions with The Bank of East Asia. A director of the Company is a Deputy Chief Executive of The Bank of East Asia.

	2021	2020
Cash and cash equivalents 現金及現金等價物	<u>\$ 5,000,000</u>	<u>\$ 3,500,000</u>
Time deposits with original maturity of over three months 原到期日超過三個月的定期存款	<u>\$ 7,000,000</u>	<u>\$ 15,500,000</u>
Interest income 利息收入	<u>\$ 44,611</u>	<u>\$ 250,133</u>

(ii) In January 2021, FDRC entered into a five-year lease for office with the Government Property Agency effective from 15 January 2020. The Government Property Agency is considered to be related to the USFST. The amount of rent payable by the company under the lease is \$1 per annum if demanded.

### 13. 金融風險管理和公允價值(續)

#### (c) 利率風險

本公司承受的利率風險只限於其就儲蓄和定期存款戶口的現金存款所賺取的銀行利息收入。於二零二一年十二月三十一日，本公司並無就儲蓄和定期存款戶口的現金存款承受重大的利率風險。

於二零二一年十二月三十一日，估計整體利率每減少／增加100個基點（假設所有其他可變因素維持不變），本公司的除稅後溢利和保留溢利便會增加／減少約122,476元（二零二零年：191,310元）。

#### (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。

### 14. 重大關聯方交易

#### (a) 與關鍵管理人員的交易

本公司的關鍵管理人員若兼任董事，有關酬金已於附註6中披露，其中包括酬金、薪金、津貼、花紅、退休供款計劃和代通知金(如有)。

#### (b) 與其他關聯方的交易

除本財務報表其他部分披露的交易和餘額外，本公司於年內進行了以下的重大關連方交易。

(i) 本公司於年內與東亞銀行進行了以下的重大關連方交易。本公司董事為東亞銀行副行政總裁。

(ii) 於二零二一年一月，金融糾紛調解中心與政府產業署訂立了為期五年的辦公室租約，自二零二零年一月十五日起生效。政府產業署被視為與財經事務及庫務局相關聯。如要求，本公司根據租約應付的租金為每年1港元。

## NOTES TO THE FINANCIAL STATEMENTS

### 財務報表附註

(Expressed in Hong Kong dollars 以港幣列示)

#### 15. Possible impact of amendments, new standards and interpretations issued but not yet effective for the year ended 31 December 2021

Up to the date of issue of these financial statements, the HKICPA has issued a number of amendments and a new standard, HKFRS 17, Insurance contracts, which are not yet effective for the year ended 31 December 2021 and which have not been adopted in these financial statements. These include the following which may be relevant to the company.

#### 15. 已頒布但尚未在截至二零二一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

截至本財務報表刊發日，香港會計師公會已頒布數項在截至二零二一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及一項新準則，《香港財務報告準則》第17號「保險合約」。這些準則變化包括下列可能與本公司有關的項目。

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

Amendments to HKFRS 3, Reference to the conceptual framework 《香港財務報告準則》第3號修訂本「對概念框架的引述」	1 January 2022 2022年1月1日
Amendments to HKAS 16, Property, plant and equipment: Proceeds before intended use 《香港會計準則》第16號修訂本「物業、廠房及設備：作擬定用途前之所得款項」	1 January 2022 2022年1月1日
Amendments to HKAS 37, Onerous Contracts - cost of fulfilling a contract 《香港會計準則》第37號修訂本「虧損合約—履行合約的成本」	1 January 2022 2022年1月1日
Annual improvements to HKFRSs 2018-2020 cycle 《香港財務報告準則》2018至2020年週期年度改進	1 January 2022 2022年1月1日
Amendments to HKAS 1, Classification of liabilities as current or non-current 《香港會計準則》第1號修訂本「流動與非流動負債的劃分」	1 January 2023 2023年1月1日
Amendments to HKAS 1 and HKFRS Practice Statement 2, Disclosure of accounting policies 《會計政策的披露—對〈香港會計準則第1號〉和〈香港財務報告準則實務公告第2號〉的修訂》	1 January 2023 2023年1月1日
Amendments to HKAS 8, Definition of accounting estimates 《香港會計準則》第8號修訂—「會計估計的定義」	1 January 2023 2023年1月1日
Amendments to HKAS 12, Deferred tax related to assets and liabilities arising from a single transaction 《香港會計準則》第12號修訂—「與單項交易產生的資產和負債相關的遞延所得稅」	1 January 2023 2023年1月1日

The company is in the process of making an assessment of what the impact of these developments 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 financial statements.

本公司正在評估這些修訂對初始採用期間的影響。到目前為止，本公司相信採納這些修訂不大可能對本財務報表產生重大影響。





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