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SFC bans Ma Sin Chi for life

14 Nov 2019

The Securities and Futures Commission (SFC) has banned Mr Ma Sin Chi, a former responsible officer of Deutsche Securities Asia Limited (DSAL), from re-entering the industry for life (Note 1).

In February 2018, the Court of First Instance convicted Ma of accepting bribes of around \$6.4 million from his client as rewards for providing information and assistance to the client and the client's family in their trading of Deutsche Bank AKTIENGESELLSCHAFT-issued derivative warrants with DSAL being the liquidity provider (Notes 2 & 3).

The SFC considers that Ma was guilty of misconduct and is not a fit and proper person to be licensed to carry on regulated activities.

End

Notes:

1. Ma was licensed under the Securities and Futures Ordinance to carry on Type 1 (dealing in securities), Type 2 (dealing in futures contracts), Type 4 (advising on securities) and Type 5 (advising on futures contracts) regulated activities. Ma was accredited to DSAL as a responsible officer between 20 April 2010 and 6 January 2012. Ma is currently not licensed by the SFC.
2. Ma pleaded guilty to one count of, being an agent, accepting an advantage contrary to section 9(1)(a) of the Prevention of Bribery Ordinance. He was sentenced to 45 months' imprisonment and ordered to pay \$6,391,758 to Deutsche Bank AKTIENGESELLSCHAFT by way of restitution on 26 February 2018.
3. Please see the Reasons for Sentence (Case No: [2018] HKCFI 438) which is available on the Judiciary's website (www.judiciary.gov.hk).

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證監會終身禁止馬善智重投業界

2019年11月14日

證券及期貨事務監察委員會（證監會）終身禁止德意志證券亞洲有限公司（德意志證券）的前負責人員馬善智（男）重投業界（註1）。

馬因收取了一名客戶約640萬元的賄款，作為向該客戶及其家人在買賣由Deutsche Bank AKTIENGESELLSCHAFT發行及由德意志證券作為流通量提供者的衍生權證時提供資訊及協助的酬金，於2018年2月被原訟法庭裁定罪名成立（註2及3）。

證監會認為馬犯有失當行為，並非獲發牌進行受規管活動的適當人選。

完

備註：

1. 馬曾根據《證券及期貨條例》獲發牌進行第1類（證券交易）、第2類（期貨合約交易）、第4類（就證券提供意見）及第5類（就期貨合約提供意見）受規管活動。馬在2010年4月20日至2012年1月6日期間以負責人員身分隸屬於德意志證券。馬現時並非證監會的持牌人。
2. 馬承認一項代理人接受利益罪名，違反了《防止賄賂條例》第9(1)(a)條。他於2018年2月26日，被判處監禁45個月，並須向Deutsche Bank AKTIENGESELLSCHAFT歸還6,391,758元。
3. 請參閱司法機構網站（www.judiciary.gov.hk）所載的《判刑理由書》（案件編號：[2018] HKCFI 438）。

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