

香港中環金融街 8 號
國際金融中心 2 期 55 樓
香港金融管理局
銀行服務投訴組

致：香港金融管理局

公民黨近日收到不少在購買了與投資銀行雷曼兄弟有關的金融產品的市民求助個案，他們都擔心自己因為雷曼兄弟破產而導致金錢上的損失。

香港金融管理局(金管局)作為政府架構中負責維持金融及銀行體系穩定的機構，對於監管銀行機構以維護公眾利益實責無旁貸。金管局亦有責任每日監察註冊機構的規定活動。就與雷曼兄弟有關的金融產品一事，本黨有以下的查詢：

1. 銀行在出售與雷曼有關的金融產品予顧客前，有否以當事人的身份承擔有關產品之風險？
2. 售賣有關產品的銀行有否利用佣金或其它誘因鼓勵職員出售有關產品？銀行有否訂立銷售目標要求職員每月售出若干數量的有關產品以滿足配額或表現評估的要求？如果這是屬實的話，這是否涉及利益衝突？
3. 請確認金管局以往有否一直審計銀行在相關金融產品的銷售，及對銀行進行售賣守法調查。如有，金管局應能在短時間內處理現在對有關產品的投訴。
4. 很多迷你債券持有人的大部份終生積蓄已放在這些金融產品上，故他們現時十分憂慮。而根據資料顯示，新加坡金融機構已委任「獨立公司」以加快調查與雷曼兄弟有關金融產品的事件中有否牽涉誤導性銷售。請問金管局會否考慮類似的方法使公眾能盡快釋疑？

公民黨相繼收到市民求助，因此我們希望金管局可以盡快解答上述查詢。如有查詢，請聯絡公民黨總策劃幹事歐陽志飛(6117 6320)。

公民黨
二零零八年九月二十九日

Banking Services Complaint Unit
Hong Kong Monetary Authority
55th Floor, Two International Finance Centre
8 Finance Street, Hong Kong

29 September 2008

To: Hong Kong Monetary Authority

The Civic Party has been receiving requests for assistance from citizens who have purchased the Lehman Brothers financial products. They fear that they would suffer financial losses from the bankruptcy of Lehman Brothers Holdings.

As the Government authority in Hong Kong responsible for maintaining monetary and banking stability of the banking system, HKMA is responsible for the day-to-day supervision of the carrying on of regulated activities by registered institutions.

On the Lehman Brothers' related financial products, we have the following enquiries:

1. Before the sale of the financial products, have the banks undertaken the risk as principal before passing them on to their clients?
2. Do the banks encourage their staff to sell the financial products by means of commission or other incentives? Do the banks set sale targets and urge their staff to sell a certain quantity of the products in order to meet the sale target or requirement of the performance assessment? If that is true, will this give rise to a conflict of interest and duty towards the customers?
3. Please confirm that the Hong Kong Monetary Authority has been carrying out audit or compliance checks in relation to the selling of these products. Thus it should not take long to investigate the current complaints.
4. According to information, the financial institutions in Singapore have appointed "independent companies" to study complaints of mis-selling and "fast track" investigations. Will the HKMA consider fast tracking

investigations since many of the complainants are extremely anxious having had a large portion of their life savings tied up in these Lehman Brothers financial products?

Civic Party has been receiving continuous requests for assistance from the citizens and we look forward to your prompt reply. For enquiries, please contact our Chief Project Officer, Au Yeung Chi Fei, at 6117 6320.

The Civic Party Limited