

FDRC



金融糾紛調解中心

FINANCIAL DISPUTE RESOLUTION CENTRE

2018 年報  
Annual Report



# Contents 目錄

- 1 **About FDRC** 金融糾紛調解中心
- 2 **Mission and Vision** 使命及抱負
- 3 **The Guiding Principles** 原則
- 4 **About FDRS** 金融糾紛調解計劃
- 6 **Chairman's Message** 主席的話
- 8 **Chief Executive Officer's Report** 行政總裁報告
- 10 **The Board of Directors** 董事局
- 14 **The Appointment Committee** 遴選委員會
- 17 **The Disciplinary Committee** 紀律委員會
- 21 **The Disciplinary Tribunal** 紀律審裁組
- 24 **The Year at a Glance** 全年回顧
- 25 **Dispute Resolution Services** 排解爭議服務
- 31 **Publicity** 推廣
- 34 **Financial Statements** 財務報告

# About FDRC

## 金融糾紛 調解中心

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 (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。



## Mission 使命

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。

## Vision 抱負

To be the leading provider of financial dispute resolution services for 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。



## The Guiding Principles 原則

### Independence

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

### Impartiality

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

### 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.

### Efficiency

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

### 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.

### 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。

### 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。

### 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。

### 有效

確保金融爭議可盡快及有效地解決。

### 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。



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

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 ToR (January 2018) was effective in phases from 1 January 2018 onwards. Those in relation to small enterprises took effect from 1 July 2018.

Some key requirements of the Intake Criteria of the ToR (January 2018) include:

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。

《職權範圍》（2018年1月）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.

### EXTENDED ELIGIBLE DISPUTES

- Subject to the parties' consent, the FDRS 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 FDRS.

### 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、違反受信人義務、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。

### 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's Statement

## 主席報告

### CHAIRMAN'S MESSAGE

FDRC has been serving the community since its establishment in 2012. Over the years, FDRC has made every effort to administer the Financial Dispute Resolution Scheme (FDRS) in an independent and impartial manner, with the aim of resolving monetary disputes between financial institutions and their customers amicably by way of the "Mediation First, Arbitration Next" approach.

2018 was a remarkable year. Following a consultation exercise, coupled with our operational experience accumulated in past few years, FDRC initiated various service enhancements to the FDRS and implemented them in phases from 1 January 2018 onwards. These included (a) increasing the maximum claimable amount of eligible disputes to HK\$1,000,000 and the limitation period to 24 months; (b) enabling the parties concerned, with mutual agreement, to refer their monetary dispute to FDRC even if it falls beyond the maximum claimable amount and/or the limitation period; and (c) the inclusion of small enterprises as eligible claimant under the FDRS. With these enhancements, FDRC's services can better cater for the growing and changing needs of both financial institutions and consumers, as well as reinforce the financial consumer protection regime in Hong Kong.

In addition, FDRC strives to promote the use of alternative dispute resolution (ADR) process and to enhance public awareness of its benefits. I am delighted to see that financial institutions and members of the public are now considering mediation/arbitration as a practical option in resolving their dispute. It is worth noting that, in recognition of its achievements in the relevant area, FDRC was awarded Financial Education Champion by the Investor and Financial Education Council in 2018.

Looking forward, as an integral part of the financial infrastructure of Hong Kong, FDRC will continue to provide timely and effective dispute resolution services to our scheme users and play a key role in the complaint handling and redress mechanism. I would also like to take this opportunity to express my gratitude to fellow directors, committee and tribunal members, our listed mediators and arbitrators and our staff for their dedication and valuable contribution to FDRC.



**Mr Dieter YIH**  
Chairman



### 主席的話

自2012年成立以來，調解中心一直竭力為公眾提供服務。多年來，調解中心獨立持平地管理調解計劃，致力以「先調解，後仲裁」的方式去協助解決金融機構與客戶之間的金錢爭議。

2018年是值得標記的一年。調解中心在進行業界諮詢後及參考過去數年累積的運作經驗，提出了多項優化調解計劃的措施，並於2018年一月一日起分階段落實執行。優化措施包括（一）將合資格爭議的最高申索金額增加至港幣100萬元及時效期限延長至24個月；（二）即使金錢爭議超出最高申索金額及／或時效期限，在雙方當事人同意下仍可將爭議轉介至調解中心處理；及（三）調解計劃下的合資格申索人延伸至包括小型企業。隨著優化措施的落實，調解中心的服務將更有效應對金融機構及消費者日益增長及改變中的需要，並進一步鞏固香港的金融消費者保障機制。

此外，調解中心致力推廣解決爭議替代方法的應用及提升市民大眾對其好處的認知。我非常高興看到金融機構及公眾現在已經接受調解／仲裁是解決他們雙方爭議的一個切實可行的方案。值得一提，調解中心於2018年榮獲投資者及理財教育委員會頒發「理財教育獎」，表揚調解中心於相關範疇取得的成果。

放眼將來，作為香港金融基建架構的重要一環，調解中心會繼續為計劃使用者提供適時及有效的糾紛處理服務，並於投訴處理及補償機制中扮演重要角色。我希望藉此機會由衷感謝董事局同袍、委員會及審裁組成員、名單上的調解員／仲裁員及中心職員為調解中心所作出的努力和貢獻。



葉禮德先生  
主席



# Chief Executive Officer's Report

## 行政總裁報告

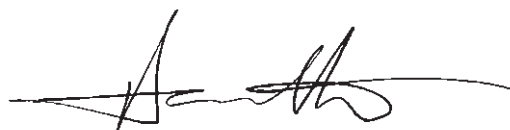
### CHIEF EXECUTIVE OFFICER'S REPORT

I am most pleased to succeed Mr. Anthony NG Tze-wai as the Chief Executive Officer of FDRC from 1 January 2019. Leading FDRC in providing professional and effective financial dispute resolution services, thereby enhancing and contributing to the local financial consumer protection regime and Hong Kong's role as an international financial centre is a challenging and rewarding job.

Following up the Consultation on "Proposals to Enhance the Financial Dispute Resolution Scheme", FDRC's Terms of Reference had been revised and various service enhancements were implemented in phases from 1 January 2018, with those related to small enterprises became effective on 1 July 2018. To fully brief and update various stakeholders on our enhanced services, a series of information seminars for financial institutions, mandatory CPD course to our listed mediators/arbitrators, talks at community events and media interviews, etc. were organized.

We also promoted FDRC and its mediation/arbitration services to different sectors of the society through media advertising and publicity initiatives. On top of the stakeholder engagement events, FDRC had allocated more resources in strengthening its community outreach strategy. We also made more use of the social media platform and organized new online activities to keep up with the popular trend in digital marketing. The publicity works have yielded positive result and FDRC has seen a substantial increase in the number of enquires received. A total of 955 enquires was received by FDRC in 2018, compared with 775 enquires in 2017. Somehow, because of the relatively stable financial environment and tighter supervisory standards of the regulators in past few years, the case applications under the FDRS recorded a drop in 2018. Nevertheless, thanks to the high professional standard of our listed mediators/arbitrators and staff, both FDRC mediation success rate and users' satisfaction rate remained at an encouraging level of about 80% and 90% respectively in 2018. We anticipate a gradual pick-up in case applications in the coming year with our enhanced services in place.

Finally, I would like to thank our Chairman, Board directors and members of the FDRC Committees and Tribunal for their devoted efforts and wise guidance, as well as the continuous support and cooperation of our listed mediators/arbitrators and scheme members. Special thanks must also go to our staff for their dedication and commitment. In the coming year, FDRC remains committed on offering professional services to our users and the community.



**Mr Herman CHO**  
Chief Executive Officer

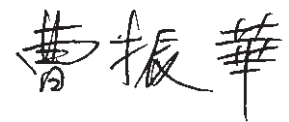
## 行政總裁報告

我非常高興於2019年1月1日起接替吳子威先生出任調解中心行政總裁一職。帶領調解中心提供專業及高效的金融糾紛調解服務，從而協助提升本地金融消費者保障機制及維持香港國際金融中心地位，肯定是充滿挑戰與意義的工作。

就著「優化金融糾紛調解計劃的建議」諮詢的結果，調解中心的《職權範圍》已相應作出修訂，多項優化措施於2018年1月1日起分階段實施，當中小型企業條款於2018年7月1日生效。為了讓不同的持份者充份了解調解計劃的優化措施，我們舉辦了一系列的活動，包括金融機構的簡介會、調解中心名單上的調解員或仲裁員的必修持續專業發展課程、社區演講及媒體訪問等。

我們亦透過廣告宣傳及公眾推廣工作向社會不同階層宣傳調解中心及其調解及仲裁的服務。除了持份者聯繫活動外，調解中心亦投入更多資源加強社區外展策略。我們已增加採用社交媒體平台及舉辦更多網上活動，以迎合數碼市場推廣的新趨勢。宣傳推廣工作帶來了正面效益，年內接獲的查詢數字錄得顯著升幅，調解中心於2018年共錄得955宗查詢，對比2017年有775宗。惟基於過去數年間相對穩定的經濟環境，以及監管機構收緊監管標準，調解計劃下的個案申請於2018年間錄得下跌。儘管如此，有賴調解中心名單上的調解員／仲裁員及中心職員的高度專業，調解中心於2018年間的調解成功率及用家滿意度維持在令人鼓舞的水平，分別約為80%及90%。隨著服務優化措施的落實，我們預期來年的個案數目將逐步回升。

最後，我對主席、董事會成員及調解中心各委員會及審裁組成員的貢獻及指導，以及名單上的調解員／仲裁員及計劃成員的持續支持和合作，深表謝意，亦特別感謝中心職員克盡所能、全情投入。來年，調解中心將繼續以為計劃使用者及社會大眾提供專業服務為己任。



曹振華先生  
行政總裁

## The Board of Directors 董事局



### 主席 Chairman

**Mr Dieter YIH, JP**

葉禮德先生 JP

- Hong Kong Practicing Solicitor
- Member, Listing Committee, Hong Kong Exchanges and Clearing Limited
- Convenor, Investigation Panel, Hong Kong Institute of Certified Public Accountants
- Deputy Chairman, Council of the Education University of Hong Kong
- Member, Education Commission
- Member, Standing Committee, Judicial Salaries and Conditions of Service
- Chairman, King's College London Hong Kong Foundation
- 香港執業律師
- 香港交易所上市委員會成員
- 香港會計師公會調查小組召集人
- 香港教育大學理事會副主席
- 教育統籌委員會委員
- 司法人員薪俸及服務條件常務委員會成員
- 倫敦國王學院香港基金會主席

\* *Mr Dieter YIH was appointed with effect from 12 January 2018.*

\* 葉禮德先生於二零一八年一月十二日獲委任。



### 董事 Director

**Mr Joseph CHAN Ho-lim, JP**

陳浩濂先生 JP

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



### 董事 Director

**Ms Carmen CHU, JP**

朱立翹女士 JP

- Executive Director (Enforcement and AML), Hong Kong Monetary Authority
- 香港金融管理局助理總裁（法規及打擊清洗黑錢）

## The Board of Directors 董事局



### 董事 Director

Mr Paul YEUNG

楊國樑先生

- Senior Director & Commission Secretary, Securities and Futures Commission
- 證券及期貨事務監察委員會高級總監及秘書長



### 董事 Director

Mr Philip LEUNG Kwong-hon, MH

梁光漢先生 MH

- Past Vice-Chairman, Hong Kong Consumer Council
- Senior College Tutor, Wu Yee Sun College, The Chinese University of Hong Kong
- Director, Internet Society Hong Kong
- 前香港消費者委員會副主席
- 香港中文大學伍宜孫書院資深書院導師
- 香港互聯網協會董事



### 董事 Director

Mr Frederick KAN Ka-chong

簡家驄先生

- Senior Partner, Fred Kan & Co.
- Chairman, The Belt and Road Committee, The Law Society of Hong Kong
- 簡家驄律師行高級合夥人
- 香港律師會一帶一路委員會主席

## The Board of Directors 董事局



**董事 Director**  
**Mr TONG Hon-shing**

唐漢城先生

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



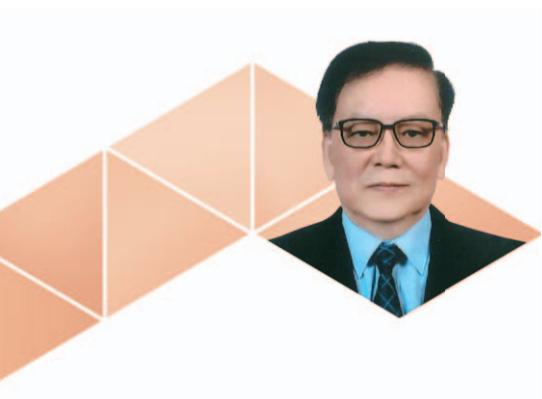
**董事 Director**  
**Mr Gary CHEUNG**

張為國先生

- Chief Executive Officer, CSL Securities Limited
- Chairman, Hong Kong Securities Association
- 康證有限公司行政總裁
- 香港證券業協會主席

\* *Mr Gary CHEUNG was appointed with effect from 1 March 2018.*

\* 張為國先生於二零一八年三月一日獲委任。



**董事 Director**  
**Mr Herman CHO**

曹振華先生

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

\* *Mr Herman CHO was appointed with effect from 1 January 2019.*

\* 曹振華先生於二零一九年一月一日獲委任。

## The Board of Directors 董事局



**前主席 Immediate Past Chairman**  
Prof Teresa CHENG Yeuk-wah, GBS, SC, JP  
鄭若驊教授 GBS, SC, JP

- \* Prof Teresa CHENG Yeuk-wah retired with effect from 4 January 2018.
- \* 鄭若驊教授於二零一八年一月四日卸任。



**前董事 Immediate Past Director**  
Mr Brian FUNG Wei-lung  
馮煒能先生

- \* Mr Brian Fung Wei-lung retired with effect from 1 March 2018.
- \* 馮煒能先生於二零一八年三月一日卸任。



**前董事 Immediate Past Director**  
Mr Anthony NG Tze-wai  
吳子威先生

- Past Chief Executive Officer, FDRC
- 前金融糾紛調解中心行政總裁
- \* Mr Anthony NG Tze-wai retired with effect from 1 January 2019.
- \* 吳子威先生於二零一九年一月一日卸任。

## The Appointment Committee 遴選委員會

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 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 2018, the AC continued to be chaired by Mr Frederick KAN Ka-chong. It resolved a variety of matters including:

- reviewing 15 Continuing Professional Development (CPD) activities and awarding 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;
- considering and approving 4 applications for admission to the FDRC List of Mediators;
- considering and approving 2 applications for admission to the FDRC List of Arbitrators;
- considering and approving applications for membership renewal under the Lists; and
- recommending guidelines on the Procedures of Removal of Arbitrators, the Role of the FDRC and the Ethics Codes for FDRC Mediators and Arbitrators.

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2018年，選委會繼續由簡家聰先生擔任主席，並於年內審議多項事宜，包括：

- 檢討十五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4份要求加入調解中心調解員名單的申請；
- 審核及批准2份要求加入調解中心仲裁員名單的申請；
- 審核及批准調解中心調解員和仲裁員名單成員的續會申請；及
- 就撤換仲裁員的程序、調解中心的角色及調解中心《調解員及仲裁員操守守則》，作出建議指引。



## The Appointment Committee 遴選委員會



### 主席 Chairman Mr Frederick KAN Ka-chong

簡家驄先生

- Senior Partner, Fred Kan & Co.
- Chairman, The Belt and Road Committee, The Law Society of Hong Kong
- 簡家驄律師行高級合夥人
- 香港律師會一帶一路委員會主席



### 委員 Member Dr Shahla ALI

安夏蘭博士

- Professor & Associate Dean (International), Faculty of Law, The University of Hong Kong
- Deputy Director, LLM in Arbitration and Dispute Resolution, The University of Hong Kong
- 香港大學法律學院教授及副院長（國際）
- 香港大學仲裁及排解爭端法學碩士課程副院長

## The Appointment Committee 遴選委員會



### 委員 Member

**Ms Sylvia SIU Wing-ye**, BSC, MBA, LL.M, FCI Arb, FHKI Arb, JP

蕭詠儀女士 BSC, MBA, LL.M, FCI Arb, FHKI Arb, JP

- Consultant Solicitor, Sit, Fung, Kwong & Shum
- President, Hong Kong Institute of Arbitrators
- Chairperson, ADR & International Relation Committee, Hong Kong Federation of Women Lawyers
- Vice-Chairperson, Nansha International Arbitration Centre
- Vice-President, Guangdong, Hong Kong & Macao Arbitration Mediation Alliance
- Member, Advisory Committee on Promotion of Arbitration
- 薛馮鄭岑律師行顧問律師
- 香港仲裁司學會會長
- 香港女律師協會另類爭議解決方案主席
- 南沙國際仲裁中心副會長
- 粵港澳仲裁調解聯盟副會長
- 仲裁督導委員會成員



### 委員 Member

**Mr Norris YANG**

楊洪鈞先生

- Partner, Zhong Lun Law Firm
- Executive Director, ADR International Limited
- Chairman, Communications and Publicity Committee, Hong Kong Mediation Accreditation Association Limited
- 中倫律師事務所合夥人
- 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傳訊及宣傳委員會主席

*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。

## The Disciplinary Committee 紀律委員會

The FDRC 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 on 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 2018, the DC reviewed the report on mediation and arbitration cases and noted that no follow-up action on disciplinary matter was required.

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，以處理外界對調解中心的調解員及仲裁員名單上成員所作出的投訴個案。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。

紀委會於2018年審閱了有關調解及仲裁個案的報告，同意沒有需要就紀律事宜作出跟進工作。

## The Disciplinary Committee 紀律委員會



### 主席 Chairman

Mr Huen WONG, BBS, JP

王桂壘先生 BBS, JP

- Chairman, The Copyright Tribunal
- Deputy Chairman, Board of Review (Inland Revenue Ordinance)
- 版權審裁處主席
- 稅務上訴委員會副主席



### 委員 Member

Ms Elaine LIU Yuk-ling, JP

廖玉玲女士 JP

- Chairman of Hong Kong Bar Association's Committee on Mediation
- Chairman of Licensing Appeal Board
- Deputy Chairman of the Board of Review (Inland Revenue Ordinance)
- Deputy Chairman of Administrative Appeal Board
- 香港大律師公會調解委員會主席
- 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



### 委員 Member

Mrs Cecilia WONG NG Kit-wah

黃吳潔華女士

- Member of the Chief Justice's Working Party on Mediation
- Member of Secretary for Justice's Steering Committee on Mediation
- Chairlady of the Council of Hong Kong Mediation Accreditation Association Limited
- Council member of the Law Society of Hong Kong and the Chairlady of its Risk Management Education Committee
- 首席大法官調解工作小組成員
- 律政司司長調解督導委員會委員
- 香港調解資歷評審協會有限公司理事會主席
- 香港律師會理事及其風險管理教育委員會主席



**委員 Member**  
**Mr YEUNG Man-sing**  
楊文聲先生

- Practicing solicitor, Hong Kong
- Chartered quantity surveyor and chartered arbitrator
- Accredited mediator and adjudicator
- Chair of the Law Society's Arbitrators Admission Committee, and the Appeal Tribunal Panel, Buildings Ordinance
- Member of the Accreditation Sub-Committee of the Steering Committee on Mediation of Department of Justice, HKSAR
- Committee Member of the CI Arb's Examination Board, and Panels Management Group
- 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及建築物條例上訴審裁小組主席
- 律政司調解督導委員會屬下調解評審委員會成員
- 英國特許仲裁學會考評會會員及仲裁／調解／審裁員名冊管理組成員



**委員 Member**  
**Dr Helena YUEN CHAN Suk-ye, JP**  
阮陳淑怡博士 JP

- Practicing solicitor, Hong Kong
- Accredited General Mediator and Trainer, Hong Kong
- Family Mediator and Family Mediation Supervisor, Hong Kong
- Honorary assistant professor, The University of Hong Kong
- 香港執業律師
- 香港認可調解員及培訓導師
- 香港認可家事調解員及家事調解督導員
- 香港大學名譽助理教授

## The Disciplinary Committee 紀律委員會



### 前委員 Immediate Past Member

Ms Angelina KWAN, CPA

關蕙女士 CPA

- Chief Operating Officer, private company
- Ex-Managing Director and Head of Regulatory Compliance, Hong Kong Exchanges and Clearing Limited
- 首席運營官（私人公司）
- 香港交易及結算所有限公司前董事總經理及監管合規部主管



### 前委員 Immediate Past Member

Mrs Clarie LO KU Ka-lee

盧古嘉利女士

- Non-official Member, The Basic Law Promotion Steering Committee and Convenor of the Commercial, Industrial and Professional Subcommittee
- Director, private company
- Counsellor, China-United States Exchange Foundation
- Co-Chairman, Alliance for Financial Stability with Information Technology
- Chairman, Alliance of Anti-Drug Professionals Association
- 基本法推廣督導委員會非官方成員及工商專業小組召集人
- 董事（私人公司）
- 中美交流基金會顧問
- 金融安全發展聯盟聯席主席
- 禁毒專業聯盟主席



### 前委員 Immediate Past Member

Ms Melissa Kaye PANG, MH, JP

彭韻僊女士 MH, JP

- President, The Law Society of Hong Kong
- Chairman, Committee on the Promotion of Civic Education
- Chairman, Hong Kong Press Council
- 香港律師會會長
- 公民教育委員會主席
- 香港報業評議會主席

## The Disciplinary Tribunal 紀律審裁組

The 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 Panel 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.

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。

## The Disciplinary Tribunal 紀律審裁組



### 召集人 Convenor 2018

Ms Audrey EU Yuet-mee, SC, JP

余若薇女士 SC, JP

- Senior Counsel
- Accredited Mediator
- 資深大律師
- 認可調解員



### 替任召集人 Alternate Convenor 2018

Prof Anselmo REYES

芮安牟先生

- International Judge, Singapore International Commercial Court
- 新加坡國際商業法庭國際法官



### 成員 Member

Dr Anthony NEOH, QC, SC, JP

梁定邦博士 QC, SC, JP

- Chairman, Independent Police Complaints Council
- 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
- Dean's Visiting Professor, School of Business, National University of Singapore
- 獨立監察警方處理投訴委員會主席
- 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
- 新加坡國立大學商學院客座教授





**成員 Member**

**Dr Margaret NG Ngoi-ye**

吳靄儀博士

- Practicing Barrister
- Accredited Mediator
- Executive Committee Member, Hong Kong Unison
- 執業大律師
- 認可調解員
- 融樂會執行委員會成員



**成員 Member**

**Dr William WONG, SC**

王鳴峰博士 SC

- Senior Counsel
- Non-Executive Director of the Securities and Futures Commission (SFC)
- Chairman of the Remuneration Committee of the SFC
- 資深大律師
- 證券及期貨事務監察委員會（證監會）非執行董事
- 證監會薪酬委員會主席



## The Year at a Glance 全年回顧

### Implementation of enhancements of the FDRS

With effect from 1 January 2018, the FDRC enhanced its services by: (a) increasing the maximum claimable amount of eligible disputes to one million Hong Kong Dollars and the limitation period to 24 months and, (b) enabling the parties concerned, with mutual agreement, to apply for services from the FDRC if the monetary disputes exceeds the maximum claimable amount and/or the limitation period. The inclusion of small enterprises as Eligible Claimants also took effect from 1 July 2018.

### Dispute resolution services

The FDRC's hotline and enquiry services received 955 enquiries during the year. Of all the enquiries received, 573 or approximately 60% were related to complaints about financial products and services. Among these 573 complaints, 487 were classified as prima facie ineligible disputes under the Intake Criteria of the ToR in force at the time. For the year of 2018, the FDRC received 15 applications under the services of FDRS.

### High mediation success rate and satisfaction rate

The mediation success rate was maintained at an encouraging level, with 80% of the cases received and handled in 2018 being successfully settled in mediation processes. 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.

### Publicity activities

FDRC conducted publicity activities regularly, including information seminars, talks, CPD courses and various promotional activities. In 2018, FDRC was awarded "Financial Education Champion" in recognition of its achievements in promoting financial consumer protection in the previous years.

### 實施優化金融糾紛調解計劃

自2018年1月1日起，調解中心實施了以下優化服務措施：(a) 將符合條件的爭議的最高申索金額增加至100萬港元，並將時效期限提高至24個月；及(b) 若金錢爭議超出最高申索金額及／或時效期限，在當事人雙方同意下亦可向調解中心申請服務。自2018年7月1日起，合資格申索人的範疇亦延伸至小型企業。

### 排解爭議服務

調解中心的熱線及查詢服務在年內共接獲955宗查詢。在所收到的查詢中，573宗或約60%是關於金融產品及服務的投訴。在這573宗投訴中，根據當時適用的《職權範圍》的《個案受理準則》，487宗投訴屬在表面資料上被列為不符合條件的爭議。於2018年度，調解中心接獲15宗調解計劃服務申請。

### 高調解成功率及滿意度

調解成功率維持於令人鼓舞的水平，2018年度內收到並已處理的個案中，八成個案能在調解過程中成功和解。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。

### 舉辦推廣活動

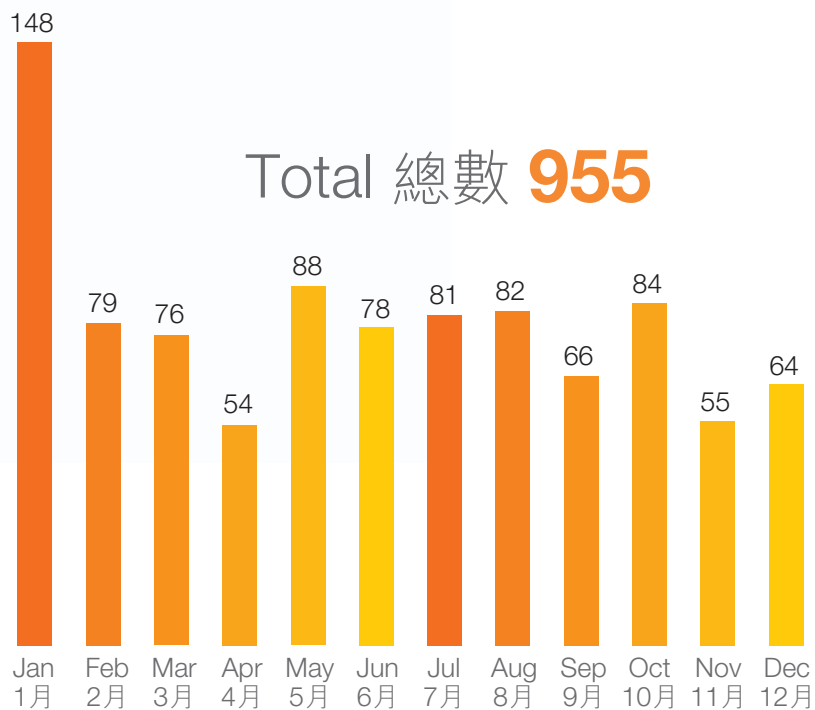
調解中心定期舉辦推廣活動，當中包括簡介會、講座、培訓班及各類推廣活動。於2018年，調解中心獲頒發「理財教育獎」，以表揚調解中心多年來推動金融消費者保障的貢獻與成果。

# Dispute Resolution Services 排解爭議服務

## ENQUIRIES 查詢

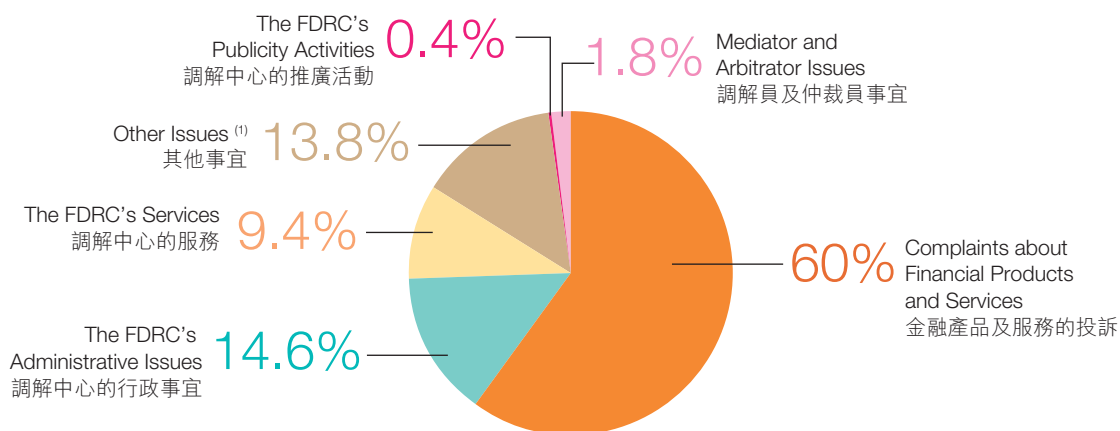
Number of enquiries  
查詢數字

For the year ended 31 December 2018, a total of 955 enquiries was received by the FDRC.  
截至2018年12月31日止的年度內，調解中心共接獲955宗查詢。



## Dispute Resolution Services 排解爭議服務

### Nature of enquiries 查詢類別



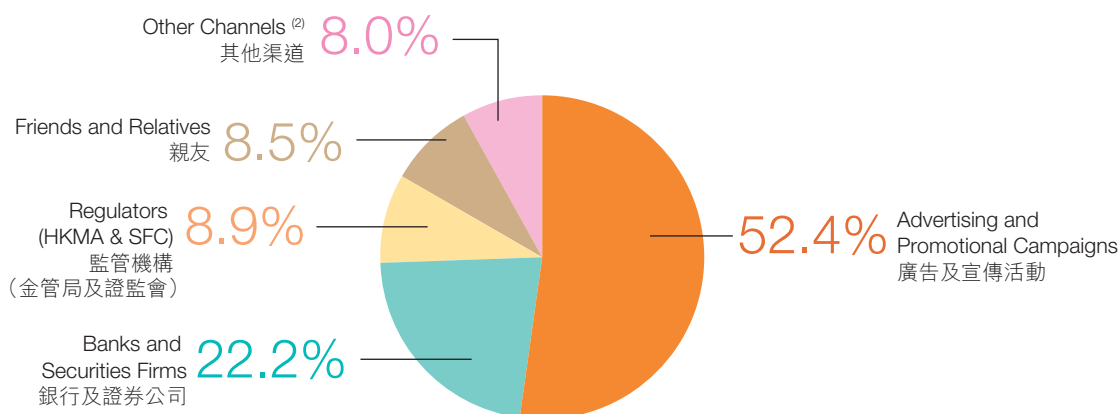
Out of the 955 enquiries received, 573 were related to complaints about financial products and services, 90 were about the FDRC's services, 139 were related to the FDRC's administrative issues, 17 were related to mediator and arbitrator issues, 4 were related to the FDRC's publicity activities and 132 were related to other issues <sup>(1)</sup>.

在接獲的955宗查詢中，573宗關於金融產品及服務的投訴，90宗關於調解中心的服務，139宗關於調解中心的行政事宜，17宗關於調解員及仲裁員事宜，4宗關於調解中心的推廣活動，132宗則關於其他事宜<sup>(1)</sup>。

(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。

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



Out of the enquiries received, 460 enquirers disclosed the channels of knowing the FDRC. 241 enquirers were aware of the FDRC through its advertising and promotional campaigns, 102 were referred by banks and securities firms, 41 by regulators (HKMA and SFC), 39 by friends and relatives and 37 via other channels <sup>(2)</sup>.

在接獲的查詢當中，有460名查詢人士透露知悉調解中心的途徑。241名查詢者表示透過其廣告及宣傳活動認識調解中心，102名經由銀行及證券公司轉介，41名則由監管機構（金管局及證監會）轉介，39名從親友中得知，37名則由其他渠道<sup>(2)</sup>得知。

(2) "Other Channels" include the Joint Mediation Helpline Office, the Consumer Council and the District Council members, etc.  
「其他渠道」包括聯合調解專線辦事處、消費者委員會及區議員等。

## COMPLAINTS 投訴

### Nature of Complaints about Financial Products and Services

#### 金融產品及服務之投訴

Among the 955 enquiries received, 573 were related to complaints about financial products and services. Among which, 206 were about Investments<sup>(3)</sup>, 90 were about Liabilities<sup>(4)</sup>, 184 were related to Insurance<sup>(5)</sup>, 28 were about Assets<sup>(6)</sup> and 54 were on others<sup>(7)</sup>, while 11 could not be classified.

在接獲的955個查詢當中，573宗與金融產品及服務的投訴有關。當中，206宗關於投資<sup>(3)</sup>，90宗涉及債務<sup>(4)</sup>，184宗為保險<sup>(5)</sup>，28宗與資產相關<sup>(6)</sup>，54宗則為其他產品<sup>(7)</sup>，其餘11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 573 complaints in relation to financial products and services, a total of 487 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:

- 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

在573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487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：

- 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

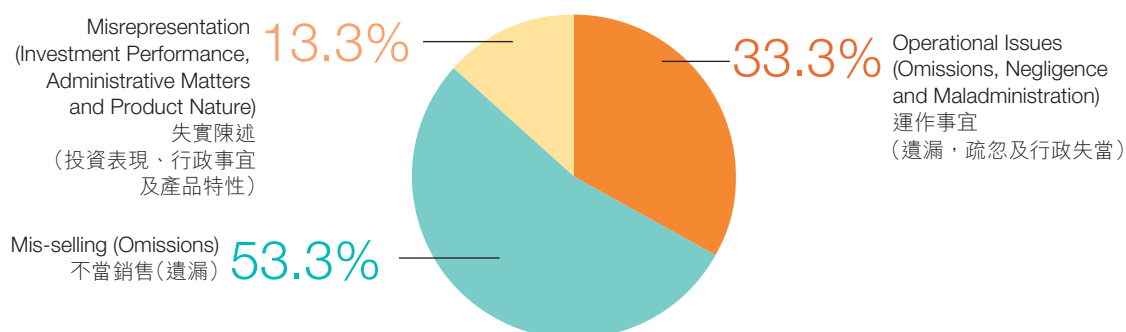
### CASES 個案

For the year ended 31 December 2018, the FDRC received 15 applications for services under the FDRS.

截至2018年12月31日止的年度內，調解中心共接獲15宗調解計劃服務申請。

#### Composition of Application<sup>(8)</sup>

申請個案類別



(8) Only cases received within 2018 were counted. The total percentage does not add up to 100% due to rounding.  
只計算在2018年內所收到的個案。由於四捨五入，總百分比不等於100%。

#### Case Status as at 31 December 2018

在2018年12月31日的個案情況

##### Cases received within 2018

- Among the 15 applications, 10 were accepted, 3 were rejected as not being within the Intake Criteria of the ToR in force at the time, none was under vetting and 2 were withdrawn during vetting.
- Among the 10 cases accepted, 5 were completed and closed after went through the mediation process, whilst that for the remaining 5 cases was still ongoing.
- Among the 5 completed and closed cases, 4 were settled at different stages of the mediation process and 1 was not settled in mediation (This 1 case was closed as the claimant did not proceed to arbitration).
- To conclude the mediation case status in 2018, 4 out of the 5 completed and closed cases reached settlement. The success rate was 80%.

##### Cases brought forward from previous years

In addition to the above mentioned 15 applications received, 11 applications received in previous years were carried forward to 2018, 3 of which were rejected as not being within the Intake Criteria of the ToR in force at the time. The remaining 8 applications entered into the dispute resolution process, 5 of which were completed and closed in mediation process and 3 proceeded to arbitration. Arbitral Awards were rendered in all of the 3 cases proceeded to arbitration.

##### 2018年收到的個案

- 在15宗申請中，10宗申請獲接納，3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，沒有申請在審核中及2宗在審核中撤回申請。
- 獲接納的10宗申請中，5宗已完成調解程序並且已結案，餘下5宗個案的程序正在進行中。
- 在5宗已結案的個案中，4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1宗個案因有關申索人沒有選擇仲裁而結案）。
- 總結2018年的調解個案情況，共5宗已完成並結案，其中4宗達成和解，成功率為80%。

##### 由往年轉入的個案

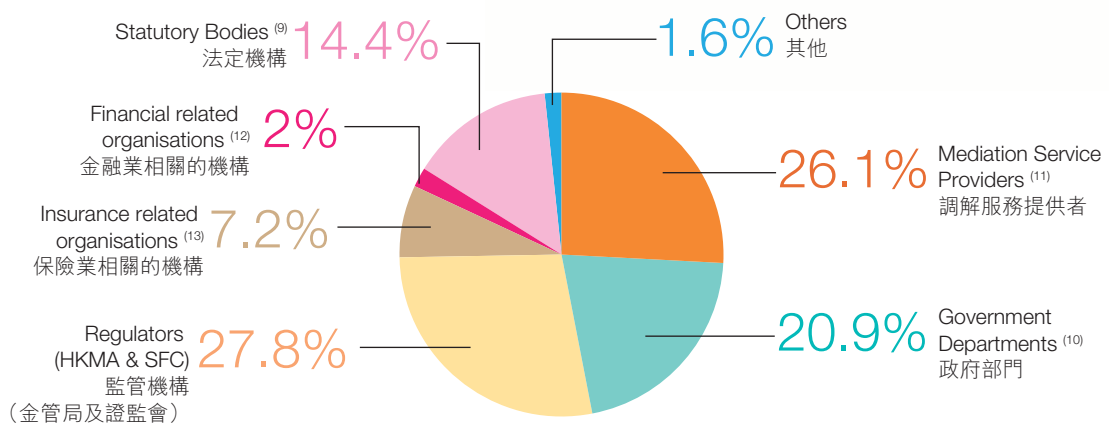
除上述15宗接獲的申請外，有11宗在往年接獲的申請轉入至2018年，其中3宗因不符合當時適用的《職權範圍》的《個案受理準則》而被拒絕，其餘8宗進入了排解爭議程序，其中5宗已於調解程序結案，3宗進入仲裁程序。進入仲裁程序的3宗個案全部已作出《仲裁裁決》。

Provide Information to Enquirers on Available Channels

向查詢者提供進一步處理查詢的途徑資訊

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 306 related assistance to enquirers in 2018.

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2018年，調解中心共提供了306次相關協助予查詢者。



(9) e.g. Consumer Council, The Hong Kong Mortgage Corporation Limited, Office of the Privacy Commissioner for Personal Data, etc., excluding HKMA, SFC  
例如消費者委員會、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

(10) e.g. Judiciary (e.g. Small Claims Tribunal and Mediation Information Office), Police, Home Affairs Department, etc.  
例如司法機構（例如小額錢債審裁處及調解資訊中心）、警務處、民政事務總署等

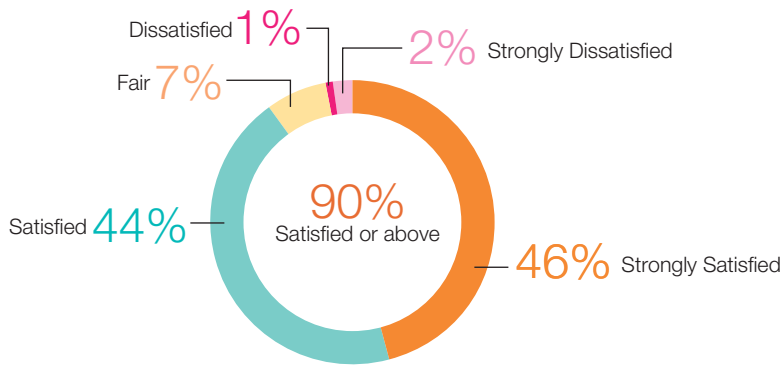
(11) e.g. Joint Mediation Helpline Office  
例如聯合調解專線辦事處

(12) e.g. The Chinese Gold & Silver Exchange Society  
例如金銀業貿易場

(13) e.g. The Hong Kong Federation of Insurers  
例如香港保險業聯會

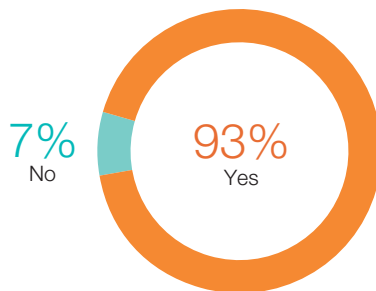
# SATISFACTION SURVEY 滿意度調查

Overall satisfaction with the FDRC's services  
調解中心服務的整體滿意度



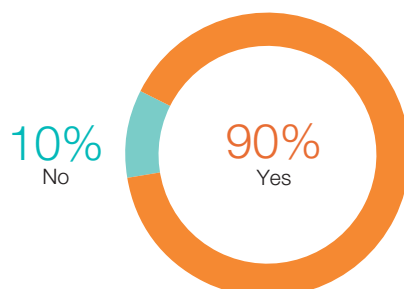
Would you recommend the FDRC mediation service to others if they have similar disputes?

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？





# Publicity 推廣

FDRC has made every endeavour to promote the FDRS and its services to different sectors of the society. In 2018, the FDRC organized various activities and stakeholders engagement events to promote the professional services of FDRC.

## STAKEHOLDERS ENGAGEMENT

### CPD Training and Seminars for Financial Industry

The FDRC has been working closely with the financial industry to resolve the monetary disputes with their customers. Hence, the FDRC provides CPD training and seminars to the industry practitioners every year to instil and reinforce their knowledge of dispute handling via the harmonious channel of mediation and arbitration.

In view of the service enhancements of the FDRS to cover monetary disputes of small enterprises with effect from 1 July 2018, FDRC, with the assistance of the Hong Kong Institute of Bankers, provided a mandatory CPD course "Monetary Disputes of Small Enterprises with Banks and Securities Firms" to members on the FDRC List of Mediators and the FDRC List of Arbitrators. Besides, 4 briefing sessions and 7 on-site seminars were held to introduce the role and services of FDRC to financial institutions. FDRC was also invited to conduct 2 CPD training seminars to members of the Hong Kong Securities & Futures Professionals Association.

調解中心努力不懈地向社會不同階層宣傳調解計劃及其服務。在2018年，調解中心舉辦了多項公眾活動和持份者聯繫項目以推廣調解中心的專業服務。

## 持份者聯繫

### 金融業界持續專業發展培訓及簡介會

調解中心一直與金融業界緊密合作，以解決他們與客戶之間的金錢爭議。因此，調解中心每年均會為業界從業員提供持續專業發展培訓及簡介會，以灌輸及加強他們處理糾紛的相關知識，善用調解和仲裁這些和諧方式來解決爭議。

因應服務優化後的調解計劃於2018年7月1日起涵蓋至小型企業的金錢爭議，調解中心與香港銀行學會合辦「小型企業與銀行及證券行的金錢糾紛」必修培訓課程，給予調解中心名單上的調解員和仲裁員。此外，調解中心舉辦了4場簡介會及7場現場研討會，為各金融機構介紹調解中心的角色及服務。調解中心亦應香港證券及期貨從業員工會的邀請，為其會員舉辦了2場持續專業發展培訓研討會。



## Publicity 推廣



### Exchange Visits and Talks for Professional Bodies

The FDRC welcomed exchange visit to enhance experience sharing and service improvement. During the year, FDRC received official visits of different governmental organizations from the Mainland, which included delegations from the Financial Affairs Office of the People's Government of Guangdong Province, China Securities Regulatory Commission, Shanghai Banking Industry Disputes Resolution Center, China Banking Association and China Banking and Insurance Regulatory Commission.

FDRC also participated in industry activities in Hong Kong. They included the Mediate First – Exploring New Horizons” Mediation Conference 2018 organized by the Department of Justice, the 4th Shanghai-Hong Kong Commercial Mediation Forum organized by the Joint Mediation Helpline Office, Shanghai Commercial Mediation Center and the Hong Kong Mediation Council, International Commercial Mediation Competition Hong Kong organized by International Chamber of Commerce (Hong Kong), HKIB Annual Banking Conference 2018 organized by the Hong Kong Institute of Bankers and various professional training sessions. The FDRC was a supporting organization in the above events.

### 國際交流及專業團體簡介

調解中心歡迎與來訪團體進行經驗交流及分享提升服務的心得。年內，調解中心接待了來自內地不同官方機構或團體的訪問團，包括廣東省人民政府金融工作辦公室、中國證券監督管理委員會、上海銀行業糾紛調解中心、中國銀行業協會及中國銀行保險監督管理委員會。

調解中心亦參與在香港的多項業界活動，包括律政司主辦的「調解為先 共創新天」調解週2018、聯合調解專線辦事處、上海經貿商事調解中心及香港調解會合辦的「第四屆滬港商事調解論壇」、國際商會（香港）主辦的International Commercial Mediation Competition Hong Kong、香港銀行學會舉辦的「香港銀行家峰會2018」及多項專業培訓課程。調解中心為以上活動的支持機構。





### COMMUNITY OUTREACH

FDRC participated as a supporting organization in the Hong Kong Money Month 2018 organized by the Investor and Financial Education Council (IFEC) and arranged online quiz games on social media platform, which attracted several hundreds public participants. Besides, as part of the World Investor Week 2018 under the International Organization of Securities Commissions (IOSCO), a seminar with the theme of financial consumer protection and a visit tour to FDRC office were arranged in collaboration with IFEC and Institute of Active Ageing of the Hong Kong Polytechnic University.

To increase FDRC's exposure and the awareness of financial consumer protection at community level, FDRC promoted the scheme and its services via various channels. They included roadside banners under the "Scheme for the Display of Roadside Non-commercial Publicity Materials" of the Lands Department, media interviews with newspapers and "Money Talk Xtra" on RTHK Radio 3, cover story posted on the newsletter of the Hong Kong Securities Association "Participants", article about the implementation of Small Enterprises service enhancements posted on "SME Pulse", the newsletter of the Support and Consultation Centre for SMEs of the Trade and Industry Department, etc.

In addition, FDRC delivered presentation to different sectors of the society to promote FDRS and the merits of mediation/arbitration. During the year, FDRC attended several district council meetings, paid a visit to the Public Complaints Office of the Legislative Council Secretariat and gave speeches about financial consumer protection in various occasions arranged by different bodies.

### 社區活動

調解中心作為支持機構參與了由投資者及理財教育委員會舉辦的「香港理財月2018」，並於社交平台舉辦了網上問答遊戲，吸引了數百名公眾參與。此外，為配合國際證券管理機構組織 (IOSCO) 的「2018世界投資者週」，調解中心與錢家有道及香港理工大學活齡學院協辦了一場投資教育講座及「調解新旅程－導賞體驗活動」。

為加強於社區層面推廣調解中心及金融消費者保障的意識，調解中心利用多個渠道宣傳調解計劃及其服務，包括地政總署「路旁展示非商業宣傳品管理計劃」的宣傳橫額、傳統紙媒及香港電台第三台 Money Talk Xtra 的媒體訪問、香港證券業協會期刊《證券人》的封面訪問、工業貿易署中小企業支援與諮詢中心刊物《中小企脈搏》有關實施優化小型企業服務的文章等。

此外，調解中心積極向社會各階層宣傳調解計劃及調解／仲裁的好處。於2018年，調解中心出席數個區議會會議、探訪立法會秘書處公共申訴辦事處，並於不同機構的活動場合就推動金融消費者保障發表演說。





# Report of the Directors

## 董事局報告書

The directors submit herewith their annual report together with the audited financial statements for the year ended 31 December 2018.

### 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 Unit 3701-4, 37/F, Sunlight Tower, 248 Queen’s Road East, Wan Chai, 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 2018 are set out in statement of changes in equity on page 42.

董事局全人謹將截至二零一八年十二月三十一日止年度的經審核財務報表呈覽。

### 主要營業地點

金融糾紛調解中心（「本公司」）在香港註冊成立，並以香港為註冊地，註冊辦事處和主要營業地點設於香港灣仔皇后大道東248號陽光中心37樓3701-04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

本公司截至二零一八年十二月三十一日止年度的儲備變動詳載於第42頁的權益變動表內。

## THE BOARD OF DIRECTORS

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

Prof Teresa Cheng Yeuk Wah  
(retired with effect from 4 January 2018)  
Mr Dieter Yih  
(appointed with effect from 12 January 2018)  
Mr Joseph Chan Ho Lim  
Ms Carmen Chu  
Mr Paul Yeung  
Mr Brian Fung Wei Lung (retired with effect from 1 March 2018)  
Mr Gary Cheung (appointed with effect from 1 March 2018)  
Mr Frederick Kan Ka-chong  
Mr Philip Leung Kwong Hon  
Mr Tong Hon Shing  
Mr Anthony Ng Tze Wai (retired with effect from 1 January 2019)  
Mr Herman Cho  
(appointed with effect from 1 January 2019)

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,

17 May 2019

## 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：

鄭若驊教授  
(卸任於二零一八年一月四日生效)  
葉禮德先生  
(委任於二零一八年一月十二日生效)  
陳浩濂先生  
朱立翹女士  
楊國樑先生  
馮煒能先生 (卸任於二零一八年三月一日生效)  
張為國先生 (委任於二零一八年三月一日生效)  
簡家聰先生  
梁光漢先生  
唐漢城先生  
吳子威先生 (卸任於二零一九年一月一日生效)  
曹振華先生  
(委任於二零一九年一月一日生效)

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

二零一九年五月十七日

# 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 40 to 68, which comprise the statement of financial position as at 31 December 2018, 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 2018 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 ("HKSAs") 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.

### 意見

本核數師(以下簡稱「我們」)已審核刊於第40至第68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2018年12月31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2018年12月31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》妥為編製。

### 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是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。

## 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)

### INFORMATION OTHER THAN THE FINANCIAL STATEMENTS AND AUDITOR'S REPORT THEREON

(continued)

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.

### 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 HKSAs 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.

### 財務報表及核數師報告外的其他資訊 (續)

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。

### 董事就財務報表須承擔的責任

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

在編製財務報表時，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製基礎，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。

## 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)

#### AUDITOR'S RESPONSIBILITIES FOR THE AUDIT OF THE FINANCIAL STATEMENTS (continued)

As part of an audit in accordance with HKSAAs, 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.
- 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.

#### 核數師就審計財務報表承擔的責任 (續)

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。
- 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。如果我們確定重大不確定因素存在，我們須在核數師報告中強調財務報表的相關披露，並在披露不充分時修訂我們的審計意見。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。



## 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)

### AUDITOR'S RESPONSIBILITIES FOR THE AUDIT OF THE FINANCIAL STATEMENTS (continued)

- 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.

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.

#### KPMG

Certified Public Accountants

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

17 May 2019

### 核數師就審計財務報表承擔的責任 (續)

- 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。

我們會與董事溝通審計的計劃範圍、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。

#### 畢馬威會計師事務所

執業會計師

香港中環  
遮打道10號  
太子大廈8樓

二零一九年五月十七日

## Statement of Comprehensive Income

### 全面收益表

for the year ended 31 December 2018 (Expressed in Hong Kong dollars)

截至二零一八年十二月三十一日止年度(以港幣列示)

|  | Note 附註 | 2018                   | 2017                   |
|--|---------|------------------------|------------------------|
| <b>Income 收益</b>   |         |                        |                        |
| Revenue 收入   | 3       | \$ 3,000               | \$ 13,800              |
| Other revenue 其他收入   | 4       | 1,060,473              | 1,027,449              |
|  |         | <b>\$ 1,063,473</b>    | <b>\$ 1,041,249</b>    |
| <b>Expenditure 支出</b>  |         |                        |                        |
| Staff costs 員工成本   |         | \$ 5,609,479           | \$ 6,066,288           |
| Depreciation and amortisation 折舊及攤銷  |         | 242,237                | 1,012,252              |
| Other administrative and operating expenses<br>其他行政及經營費用                   |         | 6,081,694              | 5,722,939              |
|  |         | <b>\$ 11,933,410</b>   | <b>\$ 12,801,479</b>   |
| <b>Deficit and total comprehensive income for the year<br/>年度虧損及全面收益總額</b> | 5       | <b>\$ (10,869,937)</b> | <b>\$ (11,760,230)</b> |

The notes on pages 44 to 68 form part of these financial statements.

第44至68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 2018 (Expressed in Hong Kong dollars)  
二零一八年十二月三十一日 (以港幣列示)

|   | Note 附註 | 2018                 | 2017                 |
|---|---------|----------------------|----------------------|
| <b>Non-current assets 非流動資產</b>   |         |                      |                      |
| Property, plant and equipment 物業、廠房和設備                                      | 7       | \$ 91,500            | \$ 127,697           |
| Intangible asset 無形資產   | 8       | 293,455              | 409,246              |
| Deposits, prepayments and other receivables<br>按金、預付款和其他應收款                 | 9       | 6,692                | 2,100                |
|   |         | <b>\$ 391,647</b>    | <b>\$ 539,043</b>    |
| <b>Current assets 流動資產</b>  |         |                      |                      |
| Deposits, prepayments and other receivables<br>按金、預付款和其他應收款                 | 9       | \$ 1,574,995         | \$ 1,950,156         |
| Time deposits with original maturity of over three months<br>原定期限多於三個月之定期存款 |         | 19,000,000           | 25,500,000           |
| Cash and cash equivalents 現金和現金等價物  | 10      | 21,063,371           | 25,111,516           |
|   |         | <b>\$ 41,638,366</b> | <b>\$ 52,561,672</b> |
| <b>Current liability 流動負債</b>   |         |                      |                      |
| Accruals and other payables 應計款項和其他應付款                                      | 11      | \$ 1,157,244         | \$ 1,358,009         |
|   |         | <b>\$ 40,481,122</b> | <b>\$ 51,203,663</b> |
| <b>Net current assets 流動資產淨值</b>  |         |                      |                      |
|   |         | <b>\$ 40,872,769</b> | <b>\$ 51,742,706</b> |
| <b>Total assets less current liabilities 資產總值減流動負債</b>                      |         |                      |                      |
|   |         | <b>\$ 40,872,769</b> | <b>\$ 51,742,706</b> |
| <b>NET ASSETS 資產淨值</b>  |         |                      |                      |
|   |         | <b>\$ 40,872,769</b> | <b>\$ 51,742,706</b> |
| <b>RESERVES 財務狀況表</b>   |         |                      |                      |
| Reserves 儲備   | 12      | \$ 40,872,769        | \$ 51,742,706        |
| <b>TOTAL RESERVES 儲備總額</b>  |         |                      |                      |
|   |         | <b>\$ 40,872,769</b> | <b>\$ 51,742,706</b> |

Approved and authorised for issue by the board of directors on 17 May 2019. Signed on its behalf by:

Mr Dieter YIH  
Chairman

Mr Herman Cho Chun Wah  
Director and CEO

葉禮德先生  
主席

曹振華先生  
董事及行政總裁

董事局於二零一九年五月十七日核准並許可發出，並由下列人士代表簽署：

The notes on pages 44 to 68 form part of these financial statements.  
第44至68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 2018 (Expressed in Hong Kong dollars)

截至二零一八年十二月三十一日止年度(以港幣列示)

|   | Reserves 儲備          |
|---|----------------------|
| <b>At 1 January 2017</b><br>於2017年1月1日                                  | \$ 63,502,936        |
| <b>Change in equity for 2017:</b><br>2017年權益變動：                         |                      |
| Deficit and total comprehensive income for the year<br>年度虧損及全面收益總額      | <u>(11,760,230)</u>  |
| <b>At 31 December 2017 and 1 January 2018</b><br>於2017年12月31日及2018年1月1日 | \$ 51,742,706        |
| <b>Change in equity for 2018:</b><br>2018年權益變動：                         |                      |
| Deficit and total comprehensive income for the year<br>年度虧損及全面收益總額      | <u>(10,869,937)</u>  |
| <b>At 31 December 2018</b><br>於2018年12月31日                              | <u>\$ 40,872,769</u> |

The notes on pages 44 to 68 form part of these financial statements.

第44至68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 2018 (Expressed in Hong Kong dollars)  
截至二零一八年十二月三十一日止年度 (以港幣列示)

|   | Note 附註 | 2018                   | 2017                   |
|---|---------|------------------------|------------------------|
| <b>Operating activities 經營活動</b>  |         |                        |                        |
| Deficit for the year 年度虧損   |         | \$ (10,869,937)        | \$ (11,760,230)        |
| Adjustments for 調整項目：   |         |                        |                        |
| Depreciation and amortisation 折舊及攤銷   |         | 242,237                | 1,012,252              |
| Interest income 利息收入  |         | (730,282)              | (704,564)              |
| <b>Operating deficit before changes in working capital<br/>營運資金變動前的經營虧損</b>               |         | <b>\$ (11,357,982)</b> | <b>\$ (11,452,542)</b> |
| Decrease/(increase) in deposits, prepayments and other<br>receivables 按金、預付款和其他應收款減少/(增加) |         | 84,032                 | (10,141)               |
| Decrease in accruals and other payables<br>應計款項和其他應付款減少                                   |         | (200,765)              | (445,532)              |
| <b>Net cash used in operating activities<br/>經營活動所用的現金淨額</b>                              |         | <b>\$ (11,474,715)</b> | <b>\$ (11,908,215)</b> |
| <b>Investing activities 投資活動</b>  |         |                        |                        |
| Decrease in time deposits with original maturity of over three<br>months 原定期限多於三個月之定期存款減少 |         | \$ 6,500,000           | \$ 33,400,000          |
| Payment for purchase of property, plant and equipment<br>購置固定資產款項                         |         | (35,798)               | (96,151)               |
| Payment for purchase of intangible assets<br>購置無形資產款項                                     |         | (54,451)               | (373,325)              |
| Interest income received 已收利息收入   |         | 1,016,819              | 317,142                |
| <b>Net cash generated from investing activities<br/>投資活動產生的現金淨額</b>                       |         | <b>\$ 7,426,570</b>    | <b>\$ 33,247,666</b>   |
| <b>Net (decrease)/increase in cash and cash equivalents<br/>現金和現金等價物 (減少)/增加淨額</b>        |         | <b>\$ (4,048,145)</b>  | <b>\$ 21,339,451</b>   |
| <b>Cash and cash equivalents as at 1 January<br/>於1月1日的現金和現金等價物</b>                       |         | <b>25,111,516</b>      | <b>3,772,065</b>       |
| <b>Cash and cash equivalents as at 31 December<br/>於12月31日的現金和現金等價物</b>                   | 10      | <b>\$ 21,063,371</b>   | <b>\$ 25,111,516</b>   |

The notes on pages 44 to 68 form part of these financial statements.  
第44至68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。

**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 several amendments to HKFRSs that are first effective for the current accounting period of the Company. Of these, the following developments are relevant to the Company's financial statements:

- (i) HKFRS 9, *Financial instruments*
- (ii) HKFRS 15, *Revenue from contracts with customers*

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

*(i) HKFRS 9, Financial instruments*

HKFRS 9 replaces HKAS 39, *Financial instruments: recognition and measurement*. It sets out the requirements for recognising and measuring financial assets, financial liabilities and some contracts to buy or sell non-financial items.

The Company has applied HKFRS 9 retrospectively to items that existed at 1 January 2018 in accordance with the transition requirements. The Company has recognised the cumulative effect of initial application as an adjustment to the opening equity at 1 January 2018. Therefore, comparative information continues to be reported under HKAS 39.

The Company has assessed that the impact of transition to HKFRS 9 have not had a material effect on retained earnings and reserves and the related tax impact at 1 January 2018.

**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) 會計政策的修訂**

香港會計師公會頒布了若干經修訂的《香港財務報告準則》，這些修訂於本公司的本會計期間首次生效。這些準則變化包括下列與本公司財務報表編製相關的項目：

- (i) 《香港財務報告準則》第9號—「*金融工具*」
- (ii) 《香港財務報告準則》第15號—「*與客戶訂約收入*」

除同時採用對《香港財務報告準則》第9號的修訂「含有反向補償的提前償付特徵」與《香港財務報告準則》第9號外，本公司並無採用任何在本會計期間尚未生效的其他新準則或詮釋。

*(i) 《香港財務報告準則》第9號—「金融工具」*

《香港財務報告準則》第9號取代《香港會計準則》第39號「*金融工具：確認和計量*」。該準則闡明金融資產、金融負債及某些非金融項目買賣合約的確認與計量要求。

本公司已根據過渡要求對二零一八年一月一日前存在的項目追溯應用《香港財務報告準則》第9號。本公司將首次採用的累積影響確認為對二零一八年一月一日期初餘額的調整。因此，比較信息仍將按照《香港會計準則》第39號進行報告。

經本公司評估，過渡至《香港財務報告準則》第9號對於二零一八年一月一日的留存溢利和儲備以及相關稅項並無構成重大影響。

## 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)

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

#### (i) HKFRS 9, Financial instruments (continued)

Further details of the nature and effect of the changes to previous accounting policies and the transition approach are set out below:

#### A. Classification of financial assets and financial liabilities

HKFRS 9 categories financial assets into three principal classification categories: measured at amortised cost, at fair value through other comprehensive income (“FVOCI”) and at fair value through profit or loss (“FVPL”). These supersede HKAS 39’s categories of held-to-maturity investments, loans and receivables, available-for-sale financial assets and financial assets measured at FVPL. The classification of financial assets under HKFRS 9 is based on the business model under which the financial asset is managed and its contractual cash flow characteristics.

The measurement categories for all financial assets and liabilities remain the same. The carrying amounts for all financial liabilities at 1 January 2018 have not been impacted by the initial application of HKFRS 9.

The Company did not designate or de-designate any financial asset or financial liability at FVPL at 1 January 2018.

#### B. Credit losses

HKFRS 9 replaces the “incurred loss” model in HKAS 39 with the “expected credit loss” (“ECL”) model. The ECL model requires an ongoing measurement of credit risk associated with a financial asset and therefore recognises ECLs earlier than under the “incurred loss” accounting model in HKAS 39.

The Company applies the new ECL model to financial assets measured at amortised cost (including cash and cash equivalents, time deposits and deposits, prepayments and other receivables).

No loss allowance was recognised at 31 December 2017 under HKAS 39. The Company has assessed that no additional credit loss to be recognised at 1 January 2018 on financial assets measured at amortised cost. Accordingly, no loss allowance was recognised at 1 January 2018 under HKFRS 9.

## 2. 主要會計政策 (續)

### (c) 會計政策的修訂 (續)

#### (i) 《香港財務報告準則》第9號—「金融工具」(續)

會計政策修訂的性質和影響詳情及過渡方案載列如下：

#### A. 金融資產和金融負債的分類

《香港財務報告準則》第9號將金融資產主要分為以下三類：(1)按攤銷成本計量；(2)以公平價值於其他全面收益計量；及(3)以公平價值於損益計量。該等分類將取代《香港會計準則》第39號的持有至到期投資、貸款及應收款、可供出售金融資產及以公平價值於損益計量的金融資產的分類。該分類是基於金融資產的合約現金流量特點以及公司用以管理金融資產的業務模式。

金融資產和負債的計量類別保持不變。於二零一八年一月一日的金融負債的賬面金額尚未受到初始應用《香港財務報告準則》第9號影響。

本公司於二零一八年一月一日未指定或終止指定金融資產或金融負債為以公平價值於損益計量。

#### B. 信用損失

《香港財務報告準則》第9號以「預期信用損失」模式取代《香港會計準則》第39號項下的「已產生虧損」模式。預期信用損失模式要求持續計量與金融資產有關的信用風險，因此，較《香港會計準則》第39號的「已產生虧損」模式提早確認預期信用損失。

本公司將新的「預期信用損失」模型運用於按攤銷成本計量的金融資產（包括現金和現金等價物、定期存款和存款、預付款及其他應收款）。

根據《香港會計準則》第39號，本公司於二零一七年十二月三十一日確認損失準備為零。經評估，本公司無須於二零一八年一月一日就按攤銷成本計量的金融資產確認額外的信用損失。因此，根據《香港財務報告準則》第9號，本公司於二零一八年一月一日並無確認損失準備。



**2. SIGNIFICANT ACCOUNTING POLICIES** (continued)**(c) Changes in accounting policies** (continued)*(i) HKFRS 9, Financial instruments* (continued)

## C. Transition

Changes in accounting policies resulting from the adoption of HKFRS 9 have been applied retrospectively, except as described below:

- Information relating to comparative periods has not been restated. Differences in the carrying amounts of financial assets resulting from the adoption of HKFRS 9 are recognised in retained earnings and reserves as at 1 January 2018. The Company has assessed that the impact of transition to HKFRS 9 have not had a material effect on retained earnings and reserves and the related tax impact at 1 January 2018. Accordingly, the information presented for 2017 continues to be reported under HKAS 39 and thus may not be comparable with the current period.
- The determination of the business model within which a financial asset is held has been made on the basis of the facts and circumstances that existed at 1 January 2018 (the date of initial application of HKFRS 9 by the Company).
- If, at the date of initial application, the assessment of whether there has been a significant increase in credit risk since initial recognition would have involved undue cost or effort, a lifetime ECL has been recognised for that financial instrument.

**2. 主要會計政策** (續)**(c) 會計政策的修訂** (續)*(i) 《香港財務報告準則》第9號—「金融工具」* (續)

## C. 過渡

本公司已追溯應用由採用《香港財務報告準則》第9號產生的會計政策變動，惟下文所述除外：

- 本公司未對比較相關的信息進行重述。由於採用《香港財務報告準則》第9號產生的金融資產賬面值的差額於二零一八年一月一日的留存溢利及儲備中確認。經本公司評估，過渡至《香港財務報告準則》第9號對於二零一八年一月一日的留存溢利和儲備及相關稅項並無構成重大影響。因此，二零一七年呈列的信息繼續按照《香港會計準則》第39號進行匯報，因而與當期數字不具有可比性。
- 持有金融資產的業務模型以於二零一八年一月一日（即本公司初始應用《香港財務報告準則》第9號之日）存在的事實及情況為基礎進行確定。
- 若在初始應用日，對某項金融工具的信用風險自初始確認後是否已發生顯著增加的評估涉及不當成本或努力，則以相當於整個存續期預期信用損失的金額確認該金融工具的損失準備。

## 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)

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

###### (ii) HKFRS 15, Revenue from contracts with customers

HKFRS 15 establishes a comprehensive framework for recognising revenue and some costs from contracts with customers. HKFRS 15 replaces HKAS 18, *Revenue*, which covered revenue arising from sale of goods and rendering of services, and HKAS 11, *Construction contracts*, which specified the accounting for construction contracts.

HKFRS 15 also introduces additional qualitative and quantitative disclosure requirements which aim to enable users of the financial statements to understand the nature, amount, timing and uncertainty of revenue and cash flows arising from contracts with customers.

The Company has elected to use the cumulative effect transition method and has recognised the cumulative effect of initial application as an adjustment to the opening balance of equity at 1 January 2018. Therefore, comparative information has not been restated and continues to be reported under HKAS 18. As allowed by HKFRS 15, the Company has applied the new requirements only to contracts that were not completed before 1 January 2018.

The Company initially applied HKFRS 15 on 1 January 2018 retrospectively in accordance with HKAS 8 without any practical expedients. The timing or amount of the Company's revenue and other income from contracts with customers was not impacted by the adoption of HKFRS 15.

#### 2. 主要會計政策 (續)

##### (c) 會計政策的修訂 (續)

###### (ii) 《香港財務報告準則》第15號—「與客戶訂約收入」

《香港財務報告準則》第15號建立了確認客戶合約收入和相關成本的全面框架。《香港財務報告準則》第15號取代了《香港會計準則》第18號—「收入」(其涵蓋銷售商品及提供勞務所得收入)及《香港會計準則》第11號—「建造合約」(其規定了建造合約的會計處理)。

《香港財務報告準則》第15號亦增加了定性和定量披露要求，旨在使財務報表使用者能夠瞭解客戶合約收入及現金流量的性質、金額、時間和不確定性。

本公司已選擇採用累積影響過渡法，並將首次應用《香港財務報告準則》第15號的累積影響確認為對於二零一八年一月一日的期初權益餘額的調整。因此，比較信息未作重述，而仍按照《香港會計準則》第18號進行報告。根據《香港財務報告準則》第15號的規定，本公司僅對於二零一八年一月一日前尚未完成的合約應用新要求。

根據《香港會計準則》第8號，本公司於二零一八年一月一日首次追溯應用《香港財務報告準則》第15號，並無使用任何簡便實務操作方法。應用《香港財務報告準則》第15號對源自客戶合約的收入及其他所得的時間或金額並無構成影響。

**2. SIGNIFICANT ACCOUNTING POLICIES** (continued)

**(c) Changes in accounting policies** (continued)

(ii) HKFRS 15, Revenue from contracts with customers (continued)

Further details of the nature and effect of the changes on previous accounting policies are set out below:

(A) Timing of revenue recognition

Previously, revenue arising from provision of services was recognised over time, whereas revenue from sale of goods was generally recognised at a point in time when the risks and rewards of ownership of the goods had passed to the customers.

Under HKFRS 15, revenue is recognised when the customer obtains control of the service in the contract. This may be at a single point in time or over time. HKFRS 15 identifies the following three situations in which control of the promised good or service is regarded as being transferred over time:

- A. When the customer simultaneously receives and consumes the benefits provided by the entity's performance, as the entity performs;
- B. When the entity's performance creates or enhances an asset (for example work in progress) that the customer controls as the asset is created or enhanced;
- C. When the entity's performance does not create an asset with an alternative use to the entity and the entity has an enforceable right to payment for performance completed to date.

If the contract terms and the entity's activities do not fall into any of these 3 situations, then under HKFRS 15 the entity recognises revenue for the sale of that good or service at a single point in time, being when control has passed. Transfer of risks and rewards of ownership is only one of the indicators that is considered in determining when the transfer of control occurs. The adoption of HKFRS 15 does not have a significant impact on the Company's financial statements.

**2. 主要會計政策 (續)**

**(c) 會計政策的修訂 (續)**

(ii) 《香港財務報告準則》第15號—「與客戶訂約收入」(續)

會計政策修訂的性質和影響詳情載列如下：

(A) 收入確認時間

此前，提供服務產生的收入在提供服務期間內確認，而銷售貨物產生的收入則一般在貨物所有權上的風險和回報轉移至客戶的時點確認。

根據《香港財務報告準則》第15號，收入於客戶獲得合約服務的控制權時確認。收入確認可能在某一個時間點或者是一段時間內確認。《香港財務報告準則》第15號確定了以下對承諾貨物或服務的控制被視為在一段時間內轉移的三種情況：

- A. 當實體履約時，客戶同時接收及使用由實體履約所提供的利益時；
- B. 當實體的履約行為創造或改良了一項於資產被創造或改良時由客戶控制的資產（如在建工程）時；及
- C. 當實體的履約並無創造對實體而言具替代用途的資產，且該實體有就迄今完成的履約部份獲得客戶付款的可執行權利時。

倘合約條款及實體活動並不屬於該三項情況中任何一項，則根據《香港財務報告準則》第15號，實體於某一指定時間點（即控制權轉移時）就銷售貨物或服務確認收益。所有權風險及回報的轉移僅為釐定控制權轉移發生時將考慮的其中一項指標。採用《香港財務報告準則》第15號不會對本公司財務報表造成重大影響。

## 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)

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

(ii) HKFRS 15, Revenue from contracts with customers (continued)

(B) Disclosure of the estimated impact on the amounts reported in respect of the year ended 31 December 2018 as a result of the adoption of HKFRS 15 on 1 January 2018.

The Company has assessed that the impact of transition to HKFRS 15 did not had a material impact on retained earnings and the related tax impact at 1 January 2018.

### (d) Property, plant and equipment

Property, plant and equipment are stated at cost less accumulated depreciation and impairment losses.

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

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

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

The carrying amounts of property, plant and equipment are reviewed for indications of impairment at the end of each reporting period. An impairment loss is recognised in 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 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.

## 2. 主要會計政策 (續)

### (c) 會計政策的修訂 (續)

(ii) 《香港財務報告準則》第15號—「與客戶訂約收入」(續)

(B) 披露由於二零一八年一月一日採用《香港財務報告準則》第15號對截至二零一八年十二月三十一日止年度列報金額所造成的估計影響。

經評估，本公司認為過渡至《香港財務報告準則》第15號造成的影響不會對於二零一八年一月一日的留存溢利及相關稅務影響造成重大影響。

### (d) 物業、廠房和設備

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

本公司會每年審閱資產的可用期限和殘值（如有）。

本公司會於每個報告期末審閱物業、廠房及設備的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（已扣除處置費用）與使用價值兩者中的較高額。在評估使用價值時，預計未來現金流量會按照能反映當時市場對貨幣時間值和資產特定風險的評估的稅前折現率，折現至其現值。如果用以釐定可收回數額的估計數額出現了正面的變化，有關的減值虧損便會轉回。

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

**2. SIGNIFICANT ACCOUNTING POLICIES** (continued)**(e) 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

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.

**2. 主要會計政策 (續)****(e) 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

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(已扣除銷售成本)與使用價值兩者中的較高額。在評估使用價值時，預計未來現金流量會按照能反映當時市場對貨幣時間值和資產特定風險的評估的稅前折現率，折現至其現值。如果用以釐定可收回數額的估計數額出現了正面的變化，有關的減值虧損便會轉回。

## 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) Deposits, prepayments and other receivables

Deposits, prepayments and other receivables are initially recognized at fair value and 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.

Deposits, prepayment and other receivables are stated at amortised cost using the effective interest method less allowance for credit losses as determined below:

###### (A) Policy applicable from 1 January 2018

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 other receivables through a loss allowance account.

The gross carrying amount of deposits, prepayments and other 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.

#### 2. 主要會計政策 (續)

##### (f) 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，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。

按金、預付款和其他應收款以實際利率法按攤銷成本減去按以下方式確認的信用損失的損失準備後所得數額入賬。

###### (A) 自二零一八年一月一日起適用的政策

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，相關歷史經驗根據資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。

**2. SIGNIFICANT ACCOUNTING POLICIES** (continued)**(f) Deposits, prepayments and other receivables** (continued)*(B) Policy applicable prior to 1 January 2018*

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

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

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

**(g) 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.

**(h) 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.

**2. 主要會計政策 (續)****(f) 按金、預付款和其他應收款 (續)***(B) 二零一八年一月一日前適用的政策*

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

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

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

**(g) 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。

**(h) 現金和現金等價物**

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

## 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)

##### (i) Income tax

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

##### (j) 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.

##### (k) 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.

Revenue is recognised when control over a product or service is transferred to the customer, at the amount of promised consideration to which the Company is expected to be entitled, excluding those amounts collected on behalf of third parties.

#### 2. 主要會計政策 (續)

##### (i) 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。

##### (j) 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。

##### (k) 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。

本公司在相關商品或服務的製以本公司預計有權獲得的對價金額（不包括代第三方收取的金額）轉移給客戶的時點確認收入。



**2. SIGNIFICANT ACCOUNTING POLICIES (continued)****(k) Revenue recognition (continued)**

Where the contract contains a financing component which provides a significant financing benefit to the customer for more than 12 months, revenue is measured at the present value of the amount receivable, discounted using the discount rate that would be reflected in a separate financing transaction with the customer, and interest income is accrued separately under the effective interest method. Where the contract contains a financing component which provides a significant financing benefit to the Company, revenue recognised under that contract includes the interest expense accreted on the contract liability under the effective interest method. The Company takes advantage of the practical expedient in paragraph 63 of HKFRS 15 and does not adjust the consideration for any effects of a significant financing component if the period of financing is 12 months or less.

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.

**(l) 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.

**(m) 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.

**2. 主要會計政策 (續)****(k) 收入確認 (續)**

如果合約包含的融資成分為客戶提供逾12個月的重大融資利益，則收入按應收金額的現值計量，並使用與客戶的單獨融資交易中反映的折現率折現，而利息收入另外按實際利率法計提。如果合約包含為本公司提供重大融資利益的融資成分，則根據合約確認的收入包括合約負債按照實際利率法計算的利息費用。本公司採用《香港財務報告準則》第15號第63段中的簡便實務操作方法，因此如果融資期間為12個月或以下，則本公司無需就重大融資成分的影響調整對價。

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。

**(l) 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。

**(m) 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。

## 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) Operating lease charges

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.

### (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.

## 2. 主要會計政策 (續)

### (n) 經營租賃費用

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

### (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集團（即各母公司、附屬公司和同系附屬公司彼此間有關聯）。
- (ii) 一家實體是另一實體的聯營公司或合營企業（或另一實體所屬集團旗下成員公司的聯營公司或合營企業）。
- (iii) 兩家實體是同一第三方的合營企業。
- (iv) 一家實體是第三方實體的合營企業，而另一實體是第三方實體的聯營公司。
- (v) 該實體是為本公司或作為本公司關聯方的任何實體的僱員福利而設的離職後福利計劃。

## 2. SIGNIFICANT ACCOUNTING POLICIES (continued)

### (o) Related parties (continued)

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

- (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.

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.

The amount of each significant category of revenue recognised during the year are as follows:

|   |  |
|---|--|
| Application fee for mediation service 調解服務申請費 |  |
| In-house mediation service 本公司提供的調解服務         |  |
| Total 總額                                      |  |

Note: The Company has initially applied HKFRS 15 using the cumulative effect method. Under this method, the comparative information is not restated and was prepared in accordance with HKAS 18 (see note 2(c)(ii)).

## 2. 主要會計政策 (續)

### (o) 關聯方 (續)

(B) 如符合下列任何條件，即企業實體是本公司的關聯方：(續)

- (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) 該實體或屬集團一部分的任何成員向本公司或本公司母公司提供關鍵管理人員服務。

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。

年度內已確認的各項重要收入類別的數額如下：

|  | 2018     |    | 2017   |
|--|----------|----|--------|
|  | \$ 3,000 | \$ | 4,800  |
|  | -        |    | 9,000  |
|  | \$ 3,000 | \$ | 13,800 |

註：本公司在首次採用《香港財務報告準則》第15號時應用累積影響法。按照該方法，本公司未對比較信息進行重述，比較信息根據《香港會計準則》第18號進行擬備(參閱附註2(c)(ii))。

## Notes to the Financial Statements

### 財務報表附註

(Expressed in Hong Kong dollars)

(以港幣列示)

#### 4. OTHER REVENUE

|   |
|---|
| Renewal fee for FDRC List of Mediators/Arbitrators<br>調解計劃轄下調解員／仲裁員名單的續期費 |
| Room rental income 房間租賃收入   |
| Interest income 利息收入  |
| Sundry income 雜項收入  |

#### 4. 其他收入

|  | 2018                | 2017                |
|--|---------------------|---------------------|
|  | \$ 2,800            | \$ 10,000           |
|  | 318,140             | 312,885             |
|  | 730,283             | 704,564             |
|  | 9,250               | –                   |
|  | <u>\$ 1,060,473</u> | <u>\$ 1,027,449</u> |

#### 5. DEFICIT

Deficit is arrived at after charging:

##### (a) Staff costs 員工成本

|   |
|---|
| Salaries, wages and other benefits 薪金、工資和其他福利                       |
| Contributions to defined contribution retirement plan<br>界定供款退休計劃供款 |

#### 5. 虧損

有關虧損是計及以下各項後得出：

|  | 2018                | 2017                |
|--|---------------------|---------------------|
|  | \$ 5,470,530        | \$ 5,904,569        |
|  | 138,949             | 161,719             |
|  | <u>\$ 5,609,479</u> | <u>\$ 6,066,288</u> |
|  | \$ 3,423,168        | \$ 3,008,101        |
|  | 129,868             | 126,700             |
|  | 242,237             | 1,012,252           |
|  | 2,528,658           | 2,588,138           |
|  | <u>\$ 6,323,931</u> | <u>\$ 6,735,191</u> |

##### (b) Other items 其他項目

|   |
|---|
| Operating lease charges in respect of office premises<br>辦公室物業的經營租賃費用 |
| Auditors' remuneration 核數師酬金  |
| Depreciation and amortisation 折舊及攤銷                                   |
| Other administrative and operating expense 其他行政及經營費用                  |

## Notes to the Financial Statements

### 財務報表附註

(Expressed in Hong Kong dollars)

(以港幣列示)

#### 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:

Salaries and allowances 薪金和津貼  
Performance-based bonus 績效獎金  
Retirement scheme contribution 退休計劃供款

#### 6. 董事酬金

根據香港《公司條例》第383(1)條以及《公司（披露董事利益資料）規則》第2部列報的董事酬金如下：

|  | 2018         | 2017         |
|--|--------------|--------------|
|  | \$ 2,119,707 | \$ 1,946,832 |
|  | 83,390       | 81,118       |
|  | 19,500       | 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。

#### 7. PROPERTY, PLANT AND EQUIPMENT

#### 7. 物業、廠房和設備

|  | Leasehold improvements<br>租賃改善 | Furniture and fixtures<br>傢俱及固定裝置 | Office equipment<br>辦公室設備 | Computer equipment and software<br>電腦設備及軟件 | Total<br>總額    |
|--|--------------------------------|-----------------------------------|---------------------------|--|----------------|
| <b>Cost 成本：</b>                            |                                |                                   |                           |  |                |
| At 1 January 2018<br>於2018年1月1日            | \$ 3,032,964                   | \$ 261,225                        | \$ 411,889                | \$ 1,611,781                               | \$ 5,317,859   |
| Additions 增置                               | -                              | -                                 | 2,898                     | 32,900                                     | 35,798         |
| Write-off 沖銷                               | -                              | -                                 | -                         | -  | -              |
| At 31 December 2018<br>於2018年12月31日        | \$ 3,032,964                   | \$ 261,225                        | \$ 414,787                | \$ 1,644,681                               | \$ 5,353,657   |
| <b>Accumulated depreciation:<br/>累計折舊：</b> |                                |                                   |                           |  |                |
| At 1 January 2018<br>於2018年1月1日            | \$ (3,029,075)                 | \$ (260,560)                      | \$ (378,084)              | \$ (1,522,443)                             | \$ (5,190,162) |
| Charge for the year 本年度的折舊                 | (3,889)                        | (210)                             | (13,981)                  | (53,915)                                   | (71,995)       |
| At 31 December 2018<br>於2018年12月31日        | \$ (3,032,964)                 | \$ (260,770)                      | \$ (392,065)              | \$ (1,576,358)                             | \$ (5,262,157) |
| <b>Net book value<br/>賬面淨值：</b>            |                                |                                   |                           |  |                |
| At 31 December 2018<br>於2018年12月31日        | \$ -                           | \$ 455                            | \$ 22,722                 | \$ 68,323                                  | \$ 91,500      |

## 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)

#### 7. 物業、廠房和設備 (續)

|  | Leasehold improvements<br>租賃改善 | Furniture and fixtures<br>傢俱及固定裝置 | Office equipment<br>辦公室設備 | Computer equipment and software<br>電腦設備及軟件 | Total<br>總額    |
|--|--------------------------------|-----------------------------------|---------------------------|--|----------------|
| <b>Cost 成本：</b>                            |                                |                                   |                           |  |                |
| At 1 January 2017<br>於2017年1月1日            | \$ 3,179,344                   | \$ 261,225                        | \$ 375,290                | \$ 1,552,229                               | \$ 5,368,088   |
| Additions 增置                               | –                              | –                                 | 36,599                    | 59,552                                     | 96,151         |
| Write-off 沖銷                               | (146,380)                      | –                                 | –                         | –  | (146,380)      |
| At 31 December 2017<br>於2017年12月31日        | \$ 3,032,964                   | \$ 261,225                        | \$ 411,889                | \$ 1,611,781                               | \$ 5,317,859   |
| <b>Accumulated depreciation:<br/>累計折舊：</b> |                                |                                   |                           |  |                |
| At 1 January 2017<br>於2017年1月1日            | \$ (2,115,674)                 | \$ (251,658)                      | \$ (368,255)              | \$ (1,484,744)                             | \$ (4,220,331) |
| Charge for the year<br>本年度的折舊              | (913,401)                      | (8,902)                           | (9,829)                   | (37,699)                                   | (969,831)      |
| At 31 December 2017<br>於2017年12月31日        | \$ (3,029,075)                 | \$ (260,560)                      | \$ (378,084)              | \$ (1,522,443)                             | \$ (5,190,162) |
| <b>Net book value:<br/>賬面淨值：</b>           |                                |                                   |                           |  |                |
| At 31 December 2017<br>於2017年12月31日        | \$ 3,889                       | \$ 665                            | \$ 33,805                 | \$ 89,338                                  | \$ 127,697     |

## 8. INTANGIBLE ASSET

## 8. 無形資產

Computer  
software  
電腦軟件

## Cost 成本：

|                                  |              |
|----------------------------------|--------------|
| At 1 January 2018 於2018年1月1日     | \$ 1,047,195 |
| Additions 增置                     | 54,451       |
| At 31 December 2018 於2018年12月31日 | \$ 1,101,646 |
| At 1 January 2017 於2017年1月1日     | \$ 673,870   |
| Additions 增置                     | 373,325      |
| At 31 December 2017 於2017年12月31日 | \$ 1,047,195 |

## Accumulated amortisation 累計攤銷：

|                                  |            |
|----------------------------------|------------|
| At 1 January 2018 於2018年1月1日     | \$ 637,949 |
| Charge for the year 本年度攤銷        | 170,242    |
| At 31 December 2018 於2018年12月31日 | \$ 808,191 |
| At 1 January 2017 於2017年1月1日     | \$ 595,528 |
| Charge for the year 本年度攤銷        | 42,421     |
| At 31 December 2017 於2017年12月31日 | \$ 637,949 |

## Net book value 賬面淨值：

|                                  |            |
|----------------------------------|------------|
| At 31 December 2018 於2018年12月31日 | \$ 293,455 |
| At 31 December 2017 於2017年12月31日 | \$ 409,246 |

## Notes to Financial Statements

### 財務報表附註

(Expressed in Hong Kong dollars)

(以港幣列示)

#### 9. DEPOSITS, PREPAYMENTS AND OTHER RECEIVABLES

Deposits 按金  
Prepayments 預付款  
Other receivables 其他應收款

##### Disclosed as 披露為：

Non-current assets 非流動資產  
Current assets 流動資產

The amount of the Company's deposits and prepayments expected to be recovered or recognised as expense after more than one year is \$ 6,692 (2017: \$2,100) and is disclosed under non-current assets. All of the other prepayments and other receivables are expected to be recovered or recognised as expense within one year.

#### 10. CASH AND CASH EQUIVALENTS

##### Cash and cash equivalents comprise:

Cash at bank and on hand 銀行存款和現金  
Time deposits with original maturity of less than three months  
原定期限少於三個月之定期存款

Cash and cash equivalents 現金和現金等價物

#### 9. 按金、預付款和其他應收款

|  | 2018                | 2017                |
|--|---------------------|---------------------|
|  | \$ 1,102,299        | \$ 1,062,204        |
|  | 225,712             | 337,789             |
|  | 253,676             | 552,263             |
|  | <b>\$ 1,581,687</b> | <b>\$ 1,952,256</b> |
|  |                     |                     |
|  | \$ 6,692            | \$ 2,100            |
|  | 1,574,995           | 1,950,156           |
|  | <b>\$ 1,581,687</b> | <b>\$ 1,952,256</b> |

本公司預計於逾一年後收回或確認為開支的按金及預付款數額為6,692元（二零一七年：2,100元），並披露為非流動資產。所有其他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. 現金和現金等價物

##### 現金和現金等價物包括：

|  | 2018                 | 2017                 |
|--|----------------------|----------------------|
|  | \$ 1,563,371         | \$ 1,071,016         |
|  | 19,500,000           | 24,040,500           |
|  | <b>\$ 21,063,371</b> | <b>\$ 25,111,516</b> |



**11. ACCRUALS AND OTHER PAYABLES**

Accruals 應計款項  
Other payables 其他應付款

**Disclosed as 披露為：**

Current liability 流動負債

All of the 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").

**11. 應計款項和其他應付款**

|  | 2018                |           | 2017             |
|--|---------------------|-----------|------------------|
|  | \$ 1,157,244        | \$        | 1,357,886        |
|  | -                   |           | 123              |
|  | <b>\$ 1,157,244</b> | <b>\$</b> | <b>1,358,009</b> |
|  | <b>\$ 1,157,244</b> | <b>\$</b> | <b>1,358,009</b> |

所有應計款項和其他應付款預期可於一年內結算或按要求償還。

**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副局長、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」）。

## Notes to 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

The Company defines “capital” as the reserves maintained by the Company. On this basis the amount of capital employed at 31 December 2018 was \$ 40,872,769 (2017: \$51,742,706). The Company’s primary objectives when managing capital are to safeguard the Company’s ability to continue as a going concern.

The Company regularly reviews and manages its capital structure to ensure effective use of reserves and the sound financial status of the Company. Under the Terms of Reference for the Company in relation to the FDRS, the 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 2021/2022. 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 Company was not subject to externally imposed capital requirements.

#### 12. 資本和儲備 (續)

##### (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，於二零一八年十二月三十一日的資本額為40,872,769元（2017年：51,742,706元）。本公司管理資本的主要目的是保障本公司可持續經營。

本公司會定期檢討及管理其資本架構，以確保能有效運用儲備及本公司的財政狀況穩健。根據本公司就調解計劃訂立的職權範圍，財經事務及庫務局、金管局及證監會撥付本公司首三年（即自二零一二年一月一日至二零一四年十二月三十一日止）的創立成本及營運開支。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二零二一／二零二二年期間的運作。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。

本公司毋須遵守外間訂立的資本規定。

**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:

|   | 2018            |                            |  | 2017            |                            |  |
|---|-----------------|----------------------------|--|-----------------|----------------------------|--|
|   | Carrying amount | Within 1 year or on demand | More than 1 year but less than 5 years | Carrying amount | Within 1 year or on demand | More than 1 year but less than 5 years |
|   | 賬面金額            | 1年內或<br>按要求償還              | 1年後<br>但5年內                            | 賬面金額            | 1年內或<br>按要求償還              | 1年後<br>但5年內                            |
| Accruals and other payables<br>應計款項和其他應付款 | \$ 1,157,244    | \$ 1,157,244               | \$ -                                   | \$ 1,358,009    | \$ 1,358,009               | \$ -                                   |

**(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 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 2018, the Company was not exposed to significant interest rate risk arising from cash deposited in savings and fixed deposits accounts.

##### (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. COMMITMENTS

At 31 December 2018, the total future minimum lease payments to properties under non-cancellable operating leases are as follows:

|   |
|---|
| Within 1 year 1年內                       |
| After 1 year but within 5 years 1年後但5年內 |

The above lease has a contract term of 3 years. The Company entered into a lease of 3 years from 1 November 2017 to 31 October 2020 for the Wan Chai office, with the rights to terminate the tenancy by serving a not less than 6 month's prior written notice any time after 31 October 2018 (subject to minimum lease term of 18 months) or renew the lease when all terms are renegotiated. The lease does not include contingent rentals.

#### 15. 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.

#### 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。於二零一八年十二月三十一日，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。

##### (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. 承擔

於二零一八年十二月三十一日，根據不可解除的經營租賃在日後應付的最低物業租賃付款總額如下：

|  | 2018                | 2017                |
|--|---------------------|---------------------|
|  | \$ 3,423,168        | \$ 3,423,168        |
|  | 2,852,640           | 6,275,808           |
|  | <b>\$ 6,275,808</b> | <b>\$ 9,698,976</b> |

上述租賃的合約期限為3年。本公司的辦事處位於灣仔，已簽訂了租期為3年，即從二零一七年十一月一日至二零二零年十月三十一日的租約，屆時可續租，但所有條款須重新商定。本公司有權在2018年10月31日之後的任何時間提前發出不少於6個月的書面通知以終止租賃（但受制於為期18個月的最短租期）。各項租賃均不包含或有租金。

#### 15. 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）。

**15. MATERIAL RELATED PARTY TRANSACTIONS***(continued)***(b) Transactions with other related parties**

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

|  | Note 附註 | 2018 | 2017 |
|--|---------|------|------|
| Contributions from founder members 創辦成員的出資 | 3       | \$ - | \$ - |

**16. POSSIBLE IMPACT OF AMENDMENTS, NEW STANDARDS AND INTERPRETATIONS ISSUED BUT NOT YET EFFECTIVE FOR THE YEAR ENDED 31 DECEMBER 2018**

Up to the date of issue of these financial statements, the HKICPA has issued a number of amendments, new standards and interpretations which are not yet effective for the year ended 31 December 2018 and which have not been adopted in these financial statements. These include the following which may be relevant to the Company.

|   | Effective for accounting periods beginning on or after<br>在以下日期或之後開始的會計期間生效 |
|---|---|
| HKFRS 16, Leases<br>《香港財務報告準則》第16號「租賃」  | 1 January 2019<br>2019年1月1日   |
| Annual Improvements to HKFRSs 2015-2017 Cycle<br>《香港財務報告準則》的年度改進（2015至2017年度周期） | 1 January 2019<br>2019年1月1日   |

The Company is in the process of making an assessment of what the impact of these amendments, new standards and interpretations is expected to be in the period of initial application. So far the Company has identified some aspects of HKFRS 16 which may have a significant impact on the financial statements. Further details of the expected impacts are discussed below. While the assessment has been substantially completed for HKFRS 16, the actual impact upon the initial adoption of this standard may differ as the assessment completed to date is based on the information currently available to the Company, and further impacts may be identified before the standard is initially applied in the Company's financial report for the year ended 31 December 2019. The Company may also change its accounting policy elections, including the transition options, until the standard is initially applied in that financial statements.

**15. 重大關聯方交易（續）****(b) 與其他關聯方的交易**

本公司於年度內進行的主要關聯方交易如下：

**16. 已頒佈但尚未在截至二零一八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佈多項截至二零一八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、新準則和詮釋。這些準則變化包括下列可能與本公司有關的項目。

本公司正在評估這些修訂、新標準和詮釋對初始採用期間的影響。截至目前為止，本公司已識別《香港財務報告準則》第16號中會對財務報表產生重大影響的若干方面。有關預計影響的更多詳情載列於下文。儘管針對《香港財務報告準則》第16號的評估已大致完成，但初始採用該等準則的實際影響可能有所不同，因為截至目前已完成的評估是基於本公司現時可取得的資料。在截至本公司二零一九年十二月三十日止年度財務報告中首次採用該等準則前，本公司可能會識別更多其他影響。在相關準則初始應用於該財務報告前，本公司可能會改變其對會計政策的選擇，包括過渡方案。

## Notes to Financial Statements

### 財務報表附註

(Expressed in Hong Kong dollars)

(以港幣列示)

#### 16. POSSIBLE IMPACT OF AMENDMENTS, NEW STANDARDS AND INTERPRETATIONS ISSUED BUT NOT YET EFFECTIVE FOR THE YEAR ENDED 31 DECEMBER

2018 (continued)

As disclosed in note 2(n), currently the Company classifies leases as operating leases. The Company enters into the leases as the lessee.

HKFRS 16 is not expected to impact significantly on the way that the Company accounts for its rights and obligations under a lease when it is the lessor under the lease. However, once HKFRS 16 is adopted, the Company will no longer distinguish between finance leases and operating leases when it is the lessee under the lease. Instead, subject to practical expedients, the Company will be required to account for all leases of more than 12 months in a similar way to current finance lease accounting.

The application of the new accounting model is expected to lead to an increase in both assets and liabilities and to impact on the timing of the expense recognition in the statement of profit or loss and other comprehensive income over the period of the lease.

HKFRS 16 is effective for annual periods beginning on or after 1 January 2019. The Company plans to elect to use the modified retrospective approach for the adoption of HKFRS 16 and will recognise the cumulative effect of initial application as an adjustment to the opening balance of equity at 1 January 2019 and will not restate the comparative information. As disclosed in note 14, at 31 December 2018 the Company's future minimum lease payments under non-cancellable operating leases amount to \$6,275,808 for properties. Upon the initial adoption of HKFRS 16, the opening balances of lease liabilities and the corresponding right-of-use assets will be adjusted, after taking account the effects of discounting, as at 1 January 2019.

#### 16. 已頒佈但尚未在截至二零一八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 (續)

如附註2(n)中所披露，目前本公司將租賃分類為經營租賃。本公司作為承租人簽訂租賃安排。

預期《香港財務報告準則》第16號不會對本公司作為出租人時的租賃權利及義務的會計處理產生重大影響。但是，在應用《香港財務報告準則》第16號後，本公司在作為承租人的租賃中，將毋須再區分融資租賃及經營租賃。相反，按照簡便實務操作方法，本公司需按照與當前融資租賃會計處理相類似的方式對所有租賃期限超過12個月的租賃進行會計處理。

預期應用新會計模式會導致資產及負債均有所增加，並影響租賃期內於損益及其他全面收益表內確認開支的時點。

《香港財務報告準則》第16號於二零一九年一月一日或之後開始的會計年度生效。本公司計劃選擇使用經調整的追溯法來應用《香港財務報告準則》第16號，並將初始應用的累積影響確認為於二零一九年一月一日的權益期初結餘的調整，且不重述比較信息。如附註14所披露，於二零一八年十二月三十一日，本公司根據不可解除的物業經營租賃合約在日後應付的最低租賃付款總額為6,275,808港元。初始應用《香港財務報告準則》第16號後，租賃負債及相應的使用權資產於二零一九年一月一日的期初結餘根據貼現影響進行相應調整。



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