



CUSTOMS AND EXCISE DEPARTMENT

*Anti-Money Laundering and Counter-Terrorist Financing
Ordinance Chapter 615, Laws of Hong Kong*

Guidance Notes

of

**Notification of Cessation of Precious Metals and Stones
Business/ Temporary Suspension of Hawker Licence**

Form 7

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Part A - General Information

1. Introduction

- 1.1 Under Section 53ZVB of the Anti-Money Laundering and Counter-Terrorist Financing Ordinance, Chapter 615, Laws of Hong Kong (AMLO), a Category A or Category B registrant must notify the Commissioner of Customs and Excise (CCE) of ceasing to carry on precious metals and stones business or carry out specified transaction (for Category A registrant) or specified transaction and specified cash transaction (for Category B registrant) before the date on which the cessation is to take effect (intended date of cessation). The breach of this requirement is subject to prosecution and is liable on conviction to a fine of \$50,000.
- 1.2 Under Section 53ZVP of AMLO, the registrant's Hawker licence being suspended under section 125(1)(b) of the Public Health and Municipal Services Ordinance (Cap. 132) will be regarded as ceasing to hold a valid business registration certificate. During the suspension period of the Hawker licence, the registrant shall not carry out any specified transaction (for Category A registrant) or any specified transaction and specified cash transaction (for Category B registrant).

2. Notification

2.1 Notification form

Notification form can be obtained from the Dealers in Precious Metals and Stones Supervision Bureau (DPSB) of the Customs and Excise Department (C&ED) or downloaded from the Dealers in Precious Metals and Stones Registration System (DRS) at <https://www.drs.customs.gov.hk>.

2.2 Notification means

Registrant can submit an electronic notification through the DRS (<https://www.drs.customs.gov.hk>), or submit the completed notification form in person or by post.

2.3 Important notes

If there is any change on the information contained in the notification after its submission, the registrant should submit a written request to C&ED promptly. Likewise, if a registrant wishes to withdraw the notification, the registrant shall

submit a written request to C&ED. Registrants are reminded that any amendments shall form an integral part of their registrations. The supplementary information must be submitted together with copies of relevant supporting documents to C&ED.

3. Processing of Notification

- 3.1 After receiving the notification form, C&ED will remove the relevant particulars from the Register after the intended date of cessation.

- 3.2 Any fee paid for the grant or renewal of the registration of a person is not refundable on the cancellation of the registration.

Part B - Notes on How to Complete the Form 7

Please fill in the form in block letters and black ink according to the instructions stated in the notification form and this Guidance Notes. An illegible handwritten form may be rejected.

Part I

1. Change of Particulars Provided in Connection to the Registration

For Category A or Category B registrant ceases to carry on precious metals and stones business or specific transactions mentioned in Part A in para 1.1.

1.1 To notify CCE, the registrant has to fill in the following information in Part I including:

- i. Name of Registrant
- ii. DPMS Registration number
- iii. Intended Date of Cessation
- iv. Reason

1.2 Declaration by the Person who submits this Notification Form

The person who submits this notification form should read the declaration in this part and fill in his / her particulars and sign on it. If the registrant is a partnership or a corporation, the notification form shall be submitted by an authorized person together with respective authorization letter.

Part II

2. Notification of Temporary Suspension of Hawker Licence

For registrant holding a hawker licence which is being suspended

2.1 To notify CCE, the registrant has to fill in the following information in Part II including:

- i. Name of Registrant
- ii. DPMS Registration number
- iii. Period of Suspension of the Hawker Licence

2.2 Declaration by the Person who submits this Notification Form

The person who submits this notification form should read the declaration in this part and fill in his / her particulars and sign on it.

Part C - Personal Information Collection Statement

1. Purpose of Collection

- 1.1 Personal data provided to CCE pursuant to the requirements of the AMLO will be used by CCE for one or more of the following purposes:
- i. to administer the AMLO;
 - ii. to enforce relevant provisions of the AMLO (including relevant conditions of DPMS registrant);
 - iii. to maintain a register of registrants (the Register) containing the name of every registrant, their category of registration and the address(es) of the principal place of business and branch(es) for public inspection;
 - iv. to provide a certified copy of an entry in an extract from the Register or a certificate issued by CCE under the AMLO to any person subject to payment of a fee; and
 - v. to disclose to the public the material facts of cases in which CCE exercised disciplinary powers under the AMLO.
- 1.2 Provision of the required personal data to CCE is obligatory for compliance with the AMLO. The Dealers in Precious Metals and Stones Supervision Bureau will not be able to process the relevant notifications if the required personal data are not provided.

2. Classes of Transferees

The personal data you provide in the notification form as well as any updates of them may be disclosed to other Government departments / bureaux or organizations for the purposes mentioned above; or any third parties under section 76D of the AMLO; or where such disclosure is authorized or required by law.

3. Access to Personal Data

You have the right of access to and correction of your personal data as provided for in the Personal Data (Privacy) Ordinance (PDPO). Your right of access includes the right to obtain a copy of your personal data provided in this form. In accordance with the provisions of the PDPO, we have the right to charge a reasonable fee for the processing of any data access request.

4. Enquiries to Personal Data

Enquiries concerning the personal data collected by this form, including the request for access to and correction of personal data, should be addressed to Departmental Secretary, Office of Departmental Administration, Customs and Excise Department, 31/F, Customs Headquarters Building, 222 Java Road, North Point, Hong Kong.

Part D - General Enquiry & Reminder

1. Registrants may visit the website at <https://www.drs.customs.gov.hk> for more information relating to the notification. For enquiries, the registrant may write to dpms_enquiry@customs.gov.hk or call the following enquiry hotlines during normal office hours:

Enquiry Hotlines: 3580 1483 (Chinese) / 3580 1484 (English)

2. This set of Guidance Notes is not a legal document. It only serves as a guide in completing the *Form 7 Notification of Cessation of Precious Metals and Stones Business / Temporary Suspension of Hawker Licence*. In case of doubt on any legal issues, please refer to the AMLO or seek assistance from your legal advisor as necessary.

Appendix - Sample Letter of Authorization (Corporation)

(Company Name / Logo / Letterhead)

To : Commissioner of Customs and Excise

Letter of Authorization

The Board of Directors of [the name of corporation] authorizes [name of the person], holder of Hong Kong Identity Card No. [ID no. of the person], in the capacity as one of our directors, to act for and on behalf of the Company, in signing and submitting documents to or attending interview(s) with the Customs & Excise Department in relation to its Dealer in Precious Metals and Stones Registration.

Name : _____
(*Name of the authorized signatory*)

Position : _____

Signature : _____

Company Chop : _____

Date : _____