



## Frequently Asked Questions

### **Application to Withhold Residential Address or Identification Number from Public Inspection**

**1. Who can apply for withholding the usual residential address or full identification number from public inspection?**

The applicant must be the data subject. An application for withholding the usual residential address contained in a registered document from public inspection may be made only by a director, reserve director or company secretary, or a former director, reserve director or company secretary of a company. An application for withholding the full identification number (i.e. the number of Hong Kong Identity Card or passport “the) contained in a registered document from public inspection can be made by the data subject.

**2. What documents can be covered under an application to withhold the usual residential address or full identification number from public inspection?**

Applicant may apply to withhold from public inspection his/her usual residential address and full identification number contained in a document delivered to the Companies Registry for registration under any of the following Ordinances before, on or after the commencement of Phase 3 of the New Inspection Regime –

- (a) the Companies Ordinance (Cap. 622) (“CO”);
- (b) the Companies (Winding Up and Miscellaneous Provisions) Ordinance (Cap. 32);
- (c) the Companies Ordinance (Cap. 32) as in force from time to time before the commencement of the CO.

**3. Is it mandatory for data subjects to apply to withhold their usual residential addresses or full identification numbers from public inspection?**

No. This is NOT a mandatory requirement.

**4. Can a resigned director or company secretary of a company apply to withhold from public inspection his/her usual residential address and / or full identification number contained in registered documents of the company?**

Yes.

**5. Can a shareholder or member of a company apply to withhold from public inspection his/her address reported in the Annual Returns or Returns of Allotment of the company?**

No. The application for withholding the usual residential address contained in a registered document from public inspection may be made only by a director, reserve director or company secretary, or a former director, reserve director or company secretary of a company only.

**6. Can I apply to withhold from public inspection my usual residential address and full identification number contained in registered documents of a dissolved company?**

Yes. Applicant may apply to withhold from public inspection his/her usual residential address and full identification number contained in documents mentioned in the answer to Q2 above, regardless of the status of the company.

**7. Can I apply to withhold my former residential address and full identification number contained in registered documents of the company?**

Yes. You can apply to withhold your former residential address or full identification number from public inspection if necessary.

**8. How can a data subject apply to withhold his/her residential address or full identification number from public inspection?**

A data subject can apply to withhold from public inspection his/her residential address or full identification number through either of the following means:

(a) Electronic Submission

A data subject who is a registered user of the e-Filing Services of the Companies Registry's e-Services Portal can select "Filing" from the menu bar of the e-Services Portal and then "Document Submission" > "Online Submission" to complete the Form MPI "Application to Withhold Residential Address or Identification Number from Public Inspection" and submit the application electronically through the e-Services Portal.

(b) Paper Submission

A data subject can also make the application in paper by delivering the specified Form MPI "Application to Withhold Residential Address or Identification Number from Public Inspection" together with the supporting documents **by post** to "Public Search Section, Companies Registry, 13th Floor, Queensway Government Offices, 66 Queensway, Hong Kong", or **in person** to the e-Services Centre of the Companies Registry on 13th Floor.

**9. What supporting document(s) should be submitted with an application to withhold residential address or full identification number?**

Certified true copy of the identification document (i.e. Hong Kong Identity Card or passport) of the applicant should be submitted together with the application to withhold residential address or full identification number. Alternatively, applicant may choose to present the original identification document in person to the Companies Registry. Applicant may bring the original document to the e-Services Centre of the Companies Registry on the 13th floor, Queensway Government Offices, 66 Queensway, Hong Kong for checking.

For electronic submission of application, since the identification document of the account user of the e-Services Portal of the Companies Registry has already been verified upon the opening of the account, he/she is not required to provide his/her identification document again.

**10. How should the copy of identification document for an application to withhold residential address or full identification number from public inspection be certified?**

If the identification document is submitted in photocopy, it should be certified as true copy by:

- (a) a notary public practising in Hong Kong;
- (b) a solicitor practising in Hong Kong;
- (c) a certified public accountant (practising) within the meaning of section 2 of the Accounting and Financial Reporting Council Ordinance (Cap. 588);
- (d) an officer of the court in Hong Kong who is authorised by law to certify documents for any judicial or other legal purpose;
- (e) a professional company secretary practising in Hong Kong; or
- (f) a consular officer of applicant's home country, in case of the applicant is a non-Hong Kong resident.

**11. I am a person who can certify copy of identification document. Can I certify the copy of my own identification document for submission with my application to withhold my residential address or full identification number from public inspection?**

No. The certification of identification documents cannot be self-serving. Please arrange to have the copy of your identification document certified by another person specified in Q10 above.

**12. Do I need to pay for an application to withhold residential address or full identification number from public inspection?**

No fee is required for an application to withhold residential address or full identification number from public inspection.

**13. How can I apply to withhold from public inspection my residential address or full identification number contained in all registered documents of my company?**

You are required to indicate the name and document reference number of each document containing the information to be withheld from public inspection and specify the location in the concerned document where the information appears. You can apply for withholding information contained in 21 documents at most for each application. If more than 21 documents are involved, please submit another application.

The name and document reference number of registered documents can be obtained by conducting a Document Index Search of the company via the e-Search Services under the Companies Registry's e-Services Portal free of charge.

**14. I am the director of two companies. Can I submit a single application to withhold from public inspection my residential address and full identification number contained in the documents of these two companies?**

No. Each application is for withholding residential address and/or full identification number of one data subject reported in registered documents (21 documents at most) of one company only. You are required to submit separate applications for registered documents for each of your companies.

**15. Can a company submit a single application to withhold from public inspection the residential addresses and full identification numbers for all its directors?**

No. Each application is for withholding residential address and/or full identification number of one data subject reported in registered documents (21 documents at most) of one company only. Separate applications should be submitted by each director.

**16. Why am I required to provide my correspondence address for an application to withhold my usual residential address from public inspection?**

Pursuant to section 49(3) of the Companies Ordinance (Cap. 622) ("CO"), the correspondence address contained in the application will be made available for public inspection instead of the usual residential address being withheld. Besides, the correspondence address provided must not be a post office box number.

- 17. If I have provided my newly changed correspondence address in my application for withholding my usual residential address contained in a registered document of my company, am I still required to report the newly changed correspondence address again by a specified form (i.e. Form ND2B for use by local companies or Form NN7 for use by registered non-Hong Kong companies)”**

The provision of correspondence address in an application to withhold residential address from public inspection does NOT serve the purpose of reporting changes of particulars of director or company secretary under section 645, 652 or 791 of CO. Company is still required to deliver Form ND2B / Form NN7 for registration if there is a change of correspondence address of the director or company secretary of the company.

- 18. How can I know whether my application to withhold residential address or full identification number from public inspection has been approved by the Companies Registry?**

If an application has been approved, an email will be issued to the presenter or applicant (as the case may be) informing him/her of the result after the concerned information has been withheld.

If you want to view the updated image of the document(s) under your application, you can conduct an Image Record Search via the e-Search Services under the Companies Registry’s e-Services Portal and place an order for online viewing or downloading of the updated image record(s) or obtaining a certified copy of the document(s).

- 19. How will the usual residential address and full identification number contained in a document be withheld?**

If an application to withhold usual residential address and full identification number from public inspection is approved, the image record of the document(s) under the application will be updated such that

- (a) the usual residential address is withheld from public inspection while the correspondence addresses contained in the application will be made available instead for public inspection
- (b) the full identification number is withheld from public inspection while only the partial identification number is made available.

- 20. After the usual residential address and full identification number of a director in a registered document of a company have been withheld from public inspection (“Withheld Information”), can the Withheld Information be viewed by any person again?**

The Registrar of Companies may disclose the Withheld Information to the persons specified in section 8(1) of the Companies (Residential Addresses and Identification Numbers) Regulation (Cap. 622N) upon their application made pursuant to section 51(3) of the Companies Ordinance (Cap. 622).

The “specified persons” include –

- (a) a data subject;
- (b) a person who is authorized in writing by a data subject to obtain the information;
- (c) a member of the data subject’s company;
- (d) a liquidator;
- (e) a trustee in bankruptcy;
- (f) a public officer or public body;
- (g) a person specified in the Schedule to the Regulation;
- (h) a solicitor or foreign lawyer;
- (i) a certified public accountant (practising);
- (j) a financial institution or designated non-financial businesses and professions (DNFBP).

For details of the application for disclosure of Withheld Information, please refer to the frequently asked questions on “Application for Disclosure of Withheld Information / Protected Information”.