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**2024 April**

## HONG KONG COMPANY LAW & PRACTICE

### SHARE CAPITAL

- Background to share capital – Case study on Re Yieldful Securities Ltd [2023] 4 HKLRD 611 [¶5-000]
- Modern Concerns – Recent matters of concern on crypto assets, as well as case study on BTI 2014 LLC v Sequana SA & Ors [2023] 2 All ER 303, SC. [¶5-090]
- Duty of care – Case study on fraudulent misrepresentation. [¶6-160]

### EMPLOYMENT & HR SOLUTIONS

- [Essential HR Solutions Hong Kong: Letters, Forms & Policies](#) updated.

### COMPANY LAW CASES

- [2024 March Company Law cases](#) head-noted by a team of barristers led by William Wong SC and Look Ho Chan from Hong Kong Des Voeux Chambers.

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More details see [Hong Kong Company Law & Practice](#) and [Hong Kong Directors' Manual](#).

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## HONG KONG LEGISLATION AMENDMENT

1. Banking (Capital) Rules ([Cap. 155L](#)), revised
  - Part 1 Preliminary
  - Part 1A Capital Adequacy Ratio
  - Part 1B Additional CET1 Capital Required to be Maintained before Distribution Payment Allowed
  - Part 3 Determination of Capital Base
  - Part 4 Calculation of Credit Risk for Non-securitization Exposures: STC Approach
  - Part 5 Calculation of Credit Risk for Non-securitization Exposures: BSC Approach
  - Part 6 Calculation of Credit Risk for Non-securitization Exposures: IRB Approach
  - Part 6A Calculation of Counterparty Credit Risk
  - Part 7 Calculation of Credit Risk for Securitization Exposures
  - Schedule 1 Specifications for Purposes of Certain Definitions in these Rules
  - Schedule 4D Requirements to be Met for Minority Interests and Capital Instruments Issued by Consolidated Bank Subsidiaries and Held by Third Parties to be Included in Authorized Institution's Capital Base
2. Banking (Exposure Limits) Rules ([Cap. 155S](#)), revised
  - Part 7 Single Counterparty and Group of Linked Counterparties
  - Part 8 Connected Party
3. Criminal Procedure Ordinance ([Cap. 221](#)), revised
  - Part VI Miscellaneous
4. Firearms and Ammunition Regulations ([Cap. 238A](#)), revised
  - Schedule 2 Fees
5. Firearms and Ammunition (Storage Fees) Order ([Cap. 238B](#)), revised
  - Schedule
6. Business Registration Ordinance ([Cap. 310](#)), revised
  - Schedule 1
  - Schedule 2
7. Mandatory Provident Fund Schemes (Appointment of Dates for Purposes of Section 19U(4)) Notice ([Cap. 485J](#)), new legislation
8. Mandatory Provident Fund Schemes (Appointment of Dates for Purposes of Section 19Y(3)) Notice ([Cap. 485K](#)), new legislation
9. Mandatory Provident Fund Schemes (Appointment of Dates for Purposes of Section 19Z(4)) Notice ([Cap. 485L](#)), new legislation
10. Mandatory Provident Fund Schemes (Designation of Electronic MPF System) Notice ([Cap. 485M](#)), new legislation

11. Mandatory Provident Fund Schemes (Specification of Dates for Purposes of Section 19M(2)(a)) Notice (Cap. 485N), new legislation
12. United Nations Sanctions (Libya) Regulation 2019 ([Cap. 537CF](#)), revised
  - Part 1 Preliminary
  - Part 3 Licences
13. United Nations Sanctions (Yemen) Regulation 2019 ([Cap. 537CI](#)), revised
  - Part 1 Preliminary
14. Product Eco-responsibility Ordinance ([Cap. 603](#)), revised
  - Part 1 Preliminary
  - Part 2 Prescribed Products: General Provisions
  - Part 6 Regulated Plastic Products
  - Schedule 1 Plastic Shopping Bags to which this Ordinance Applies
  - Schedule 10 Regulated Plastic Products to which this Ordinance Applies
  - Schedule 11 Products to which Sections 68(1), 69(1), 70(1) and 72(1) do not Apply

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More details see [Updated Legislation: April 2024](#).

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## FOREIGN INVESTMENT IN CHINA

- Zhejiang High Court releases typical commercial and maritime cases involving foreign countries, Hong Kong, Macao and Taiwan in 2023 [[¶100-307](#)]
- Shanghai supports foreign-invested enterprises in participating in standardisation work [[¶100-308](#)]
- 16 measures to support foreign institutions' investment in domestic technology enterprises [[¶100-309](#)]

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More details see [China Business Law Guide](#).

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## CHINA INTELLECTUAL PROPERTY LAW

- Supreme Court releases the 2023 annual report on legal application issues in IP cases [[¶15-171](#)]
- Supreme People's Procuratorate releases the White Paper on Intellectual Property Prosecution Work (2021-2023) [[¶15-172](#)]
- WIPO releases Standard Essential Patent Strategy (2024-2026) [[¶15-173](#)]

More details see [China Intellectual Property Law Reference Service](#).

## CHINA TAX

- China ends anti-dumping and countervailing duties on imported wine from Australia [[¶8-240](#)]
- IMF provides recommendations for low-tax countries to address Pillar 2 [[¶8-241](#)]
- Shenzhen issues rewards and subsidy policy [[¶8-242](#)]
- STA will formulate the Administrative Measures for the Final Settlement and Settlement of Comprehensive Income of Individual Income Tax in 2024 [[¶8-243](#)]
- Three departments issued a list of goods that are not exempt from tax exemption in the mutual trade between border residents [[¶8-244](#)]
- China implements free trade agreement tariff concessions with Ecuador starting in 2024 May [[¶8-245](#)]

More details see [China Tax and Customs Law Guide](#).

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