

Anonymous Individual 2
Date of submission: 20 Dec 2016



1.1 Do you agree with the proposed amendment to raise the upper claimable limit to HK\$3,000,000?

Yes / No / Partially; Reasons: Yes

1.2 If not, what would be your suggestion of a suitable upper claimable limit?

HK\$1,000,000; HK\$2,000,000; Others (please specify) Nil

Reasons: _____

2.1 Do you agree that a single maximum claimable amount continues to be applicable for the banking and the securities industries?

Yes / No / Partially; Reasons: Yes

2.2 If there are two different maximum claimable amounts, what would be your suggestion of suitable upper claimable limits for the banking and securities industries respectively?

Banking: 3 Million Securities: 3 Million

Reason: _____

3.1 Do you agree to extend the limitation period for lodging Claims to 36 months?

Yes / No / Partially; Reasons: Yes

3.2 Do you have other suggestions?

12 months; 24 months; 48 months; 60 months; 72 months;
 Others (please specify) Nil

Reasons: _____

4.1 Do you agree with the proposal to extend the service scope to cover Claims from SEs (as defined in paragraph 2.33 of this Consultation Paper)?

Yes / No / Partially; Reasons: Yes

4.2 Besides the proposed definition of SEs in paragraph 2.33 of this Consultation Paper, do you have any other suggestions to define the size of a small business?

Your suggestions and reasons: Nil

4.3 Do you agree that an FI qualifying as an SE could file a Claim as an EC against another FI?

Yes / No / Partially; Reasons: Yes

5.1 Do you agree that the FDRC should deal with cases under current court proceedings without the claimant withdrawing the case from the Court?

Yes / No / Partially; Reasons: Yes

5.2 For PD31 cases, do you agree that the maximum claimable amount be set at an amount in tandem with the future monetary jurisdiction of the District Court?

Yes / No / Partially; Reasons: Yes

5.3 Do you agree that parties to the mediation in PD31 cases at the FDRC can be legally represented as elaborated in paragraph 2.43 of this Consultation Paper?

Yes / No / Partially; Reasons: Yes

6. Do you agree that, subject to a prior mutual agreement between an FI and a claimant, the FDRC could consider handling disputes which exceed its certain amended Intake Criteria as specified in paragraph 3.1(a) and (b) of this Consultation Paper?

Yes / No / Partially; Reasons: Yes

7.1 Do you agree that when there is a financial dispute between an EC and an FI, the FI may refer the financial dispute to the FDRC, subject to the consent of the EC?

Yes / No / Partially; Reasons: Yes

7.2 Do you agree that when there is a Claim by an EC against an FI, the FI with a counterclaim may lodge the counterclaim to the FDRC, subject to the consent of the EC?

Yes / No / Partially; Reasons: Yes

7.3 Do you agree with the arrangement that the FI can pay for the mediation and/or arbitration fees for their customers if the FI so wishes?

Yes / No / Partially; Reasons: Yes

8.1 Do you agree that options of “mediation only” and “arbitration only” in addition to the original “mediation first, arbitration next” be offered to the parties with mutual agreement?

Yes / No / Partially; Reasons: Yes

8.2 Do you agree that such “mediation only” or “arbitration only” option should not be available for “normal” cases under the FDRS?

Yes / No / Partially; Reasons: Yes

9. Do you agree with the proposed revised fee scale for dispute resolution services of the FDRC?

Yes / No / Partially; Reasons: Yes

10. Do you agree that the FDRC could re-consider the rejected applications if they now fall within the amended Intake Criteria?

Yes / No / Partially; Reasons: Yes