

Prosecution Statistics - Calendar Year

No. of summonses Issued

(S.156 is usually treated as a bankruptcy offence as it is an offence for an undischarged bankrupt acting as director)

(Companies Ordinance)

(Bankruptcy Ordinance)

Year	S.121	S.122	S.156	S.190	S. 241	S. 274	S.168M	S.300B	S.43A	S.129	S.131	S.132	S.133	S.134	S. 136	Total
1997	46	0	4	36	2	31	0	0	0	2	13	0	1	2	0	137
1998	50	4	9	21	0	31	0	0	0	0	7	0	0	2	1	125
1999	104	4	5	13	0	94	0	0	0	0	5	0	1	4	0	230
2000	83	32	14	3	0	79	0	0	0	0	3	0	1	6	0	221
2001	98	46	12	10	0	93	0	0	15	2	16	0	2	11	0	305
2002	140	28	8	1	0	122	0	0	40	14	10	2	5	7	0	377
2003	132	14	18	5	0	127	0	0	41	7	11	0	1	12	0	368
2004	116	44	22	0	0	104	0	0	66	11	12	3	0	5	0	383
2005	130	2	7	2	0	153	0	0	111	23	9	6	0	0	0	443
2006	311	0	3	0	0	324	0	0	67	14	10	0	0	1	0	730
2007	270	0	1	0	0	316	0	0	65	23	12	1	2	10	0	700
2008	186	10	0	2	0	249	16	0	80	32	2	1	4	33	0	615
2009	179	22	0	2	0	200	0	0	118	47	5	0	2	53	0	628
(1-7) 2010	63	6	1	0	0	82	0	1	130	44	1	0	2	96	0	426

No. of Convictions

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(Companies Ordinance)

(Bankruptcy Ordinance)

Year	S.121	S.122	S.156	S.190	S. 241	S. 274	S.168M	S.300B	S.43A	S.129	S.131	S.132	S.133	S.134	S. 136	Total
1997	16	0	3	30	2	9	0	0	0	0	4	0	0	2	0	66
1998	38	0	3	22	0	18	0	0	0	0	8	0	0	1	1	91
1999	83	8	11	10	0	73	0	0	0	0	9	0	0	3	0	197
2000	42	6	5	4	0	36	0	0	0	0	6	0	2	3	0	104
2001	97	58	14	3	0	93	0	0	9	0	8	0	2	11	0	295
2002	107	26	10	3	0	94	0	0	35	13	10	0	2	6	0	306
2003	97	12	18	5	0	93	0	0	22	8	8	2	3	12	0	280
2004	79	40	16	0	0	68	0	0	34	7	7	3	0	5	0	259
2005	80	8	7	1	0	79	0	0	66	12	3	0	0	0	0	256
2006	131	0	6	0	0	130	0	0	73	12	0	0	0	0	0	352
2007	274	0	2	0	0	289	0	0	54	16	17	0	2	9	0	663
2008	110	2	0	1	0	160	2	0	60	29	4	0	1	24	0	393
2009	135	16	0	0	0	150	5	0	83	33	2	0	4	44	0	472
(1-7) 2010	53	2	1	0	0	65	0	0	85	33	2	0	3	87	0	331

Amount of Fines (HK\$)

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(Companies Ordinance)

(Bankruptcy Ordinance)

Year	S.121	S.122	S.156	S.190	S.241	S.274	S.168M	S.300B	S.43A	S.129	S.131	S.132	S.133	S.134	S. 136	Total
1997	48,500	0	5,000	88,562	4,500	18,800	0	0	0	0	0	0	0	10,000	0	175,362
1998	50,910	0	32,500	29,906	0	18,110	0	0	0	0	0	0	0	0	0	131,426
1999	75,250	2,600	15,000	11,600	0	42,500	0	0	0	0	10,000	0	0	5,000	0	161,950
2000	26,200	1,500	9,000	4,800	0	20,100	0	0	0	0	9,000	0	7,000	6,000	0	83,600
2001	83,400	43,000	20,900	2,300	0	51,200	0	0	42,000	0	16,700	0	0	25,200	0	284,700
2002	130,400	23,300	12,500	2,500	0	107,105	0	0	57,600	26,000	10,500	0	2,500	15,000	0	387,405
2003	177,500	17,000	23,750	13,000	0	162,300	0	0	40,500	11,000	21,500	0	15,000	18,700	0	500,250
2004	140,200	60,000	19,000	0	0	119,200	0	0	53,300	9,000	12,000	0	0	8,500	0	421,200
2005	145,650	15,000	28,000	2,500	0	126,650	0	0	128,000	20,000	9,000	0	0	0	0	474,800
2006	208,800	0	10,000	0	0	212,500	0	0	134,400	28,000	0	0	0	0	0	593,700
2007	474,000	0	11,500	0	0	483,100	0	0	89,400	20,500	8,000	0	2,000	17,000	0	1,105,500
2008	193,200	2,000	0	2,000	0	291,300	3,500	0	113,500	12,000	0	0	2,000	48,000	0	667,500
2009	234,900	25,000	0	0	0	250,900	7,500	0	159,500	9,000	0	0	4,000	87,500	0	778,300
(1-7) 2010	106,400	4,000	10,000	0	0	121,600	0	0	163,300	20,500	1,800	0	0	163,500	0	591,100

Remarks: Penalties other than fines including imprisonment, suspended sentence and community service order etc. are not shown in this table

Offences under Companies Ordinance (Cap. 32)

- S.121 - director failing to preserve proper books of accounts for 7 years
- S.122 - director failing to make out a profit and loss account and balance sheet
- S.156 - undischarged bankrupt acted as the director of a company without the leave of the court
- S.190 - officer failing to make out and submit to the Official Receiver a statement as to the affairs of the company
- S.241 - director in creditors' voluntary winding-up failing to comply with requirements as to creditors' meeting
- S.274 - officer failing to keep proper books of accounts for 2 years prior to commencement of winding-up
- S.168M - person contravening a disqualification order
- S.300B - officer failing to submit statement of affairs of company to receiver

Offences under Bankruptcy Ordinance (Cap. 6)

- S.43A - bankrupt failing to submit annual statement of earnings and acquisition
- S.129 - bankruptcy offences which include failure to deliver property; failure to deliver books of accounts; making omission or misstatement in the statement of affairs etc.
- S.131 - undischarged bankrupt obtaining credit
- S.132 - bankrupt transferring his property with intent to defraud his creditors
- S.133 - bankrupt, having been engaged in a trade and having outstanding at the date of the bankruptcy order, guilty of gambling or rash and hazardous speculations
- S.134 - bankrupt failing to keep/preserve proper accounts
- S.136 - debtor concealing himself to avoid service