23 February 2018

# Co-operation Agreement

Swiss Financial Market
Supervisory Authority
FINMA

HONG KONG

Securities and Futures Commission

Eidgenössische Finanzmarktaufsicht FINMA
Autorité fédérale de surveillance des marchés financiers FINMA

SECURITIES AND
FUTURES COMMISSION
證券及期貨事務監察委員會

證監會

# Contents

Co-operation Agreement between

Swiss Financial Market Supervisory Authority FINMA

("FINMA")
Laupenstrasse 27
3003 Bern
Switzerland

and

Hong Kong Securities and Futures Commission
("SFC")
35/F, Cheung Kong Center
2 Queen's Road Central
Hong Kong

## 1. Definitions

For the purposes of this Co-operation Agreement, unless the context requires otherwise

"Authority" means FINMA or SFC, together referred to as "the Authorities";

"Authorisation" means the process of licensing, registering, approving, authorising or otherwise bringing an entity under either Authority's supervisory remit so that it is authorised to carry on business in providing a financial service or issuing a financial product

## 2. Introduction

2.1. The Authorities share a mutual desire to co-operate with the aim of facilitating innovation in financial services in their respective markets and of supporting Innovator Business in understanding the Regulations in each other's jurisdictions as may be required. Both Authorities have established Innovation Functions in order to do so. The Authorities believe that through co-operation with each other, they will be able to further the support of innovation in their respective markets.

[redacted]

## 3. Purpose

[redacted]

## 4. Principles

[redacted]

enhance communication with businesses involved in the development and application of Fintech in Hong Kong. The purpose of the Fintech Contact Point is to facilitate the Fintech community's understanding of the current regulatory

[redacted]

## 5. Scope of Assistance

Referral mechanism

[redacted]

6.3 [redacted]

6.4 [redacted]

6.5. [redacted]

6.6 [redacted]

## 7. Contact points

7.1. To facilitate co-operation under this Co-operation Agreement, each Authority [redacted]

## 8. Term

8.1. This Co-operation Agreement takes effect from the date of execution and will continue to have effect until terminated by either of the Authorities by the giving of at least 30 days' written notice of termination to the other Authority.

8.2. Termination of this Co-operation Agreement does not affect obligations under any existing Memorandum of Understanding between the two Authorities.

8.3. In the event of the termination of this Co-operation Agreement, information obtained under this Co-operation Agreement will continue to be treated in the manner set out under paragraph 6.

## 9. Amendment

9.1. The Authorities will review the operation of this Co-operation Agreement and update its terms as required.

9.2. This Co-operation Agreement may be amended if both Authorities agree in writing to do so.

Ashley Alder

Date: 23/02/18

Date: 23/02/2018

**Executed by the Authorities:**

**For SFC**

Leung

ive Director, Inte

Date 2 0

**For FINMA**

Rupert Schaefer

Head of Strategic Services

Date 19/2/18

## Appendix 1: Authority-wide Contact Details

FINMA

FinTech Desk
Swiss Financial Market Supervisory Authority
Laupenstrasse 27
3003 Bern
Switzerland

E-Mail: fintech@finma.ch
Tel: +41 31 327 16 16

SFC

Fintech Contact Point Licensing

Intermediaries Division
Securities and Futures Commission
35/F, Cheung Kong Center
2 Queen's Road Central
Hong Kong
E-Mail: fintech@sfc.hk