



## Investing in Asia Pacific: Hong Kong

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# HONG KONG

## Establishing the business entity

### 1. Formation

#### Company

##### A. Formation

###### 1. Tailor-made company

- a. Company name of your choice, subject to the name is not identical or very similar to any existing company.
- b. Incorporation process takes about six (6) working days to complete; or for e-incorporation, it takes about two (2) days to complete (i.e. Certificate of Incorporation and Business Registration Certificate are ready) after submission of formation documents.

###### 2. Shelf company

- a. A ready-made company with Certificate of Incorporation and Business Registration Certificate.
- b. Subsequent change to the name of the shelf company, if you so wish.
- c. After submission of papers, change of name process takes about six (6) working days for issuing the Certificate of Change of Name and updating the Business Registration Certificate.

##### B. Annual Requirements

- a. Every company must hold an annual general meeting each year. Audited accounts should be presented at the meeting.
- b. An annual return made up to the anniversary day of the company must be filed at the Companies Registry within 42 days thereof. Higher filing fee will be imposed on late filing.
- c. Notification to Companies Registry and/or Business Registration Office for any changes in the particulars within specific deadlines.
- d. Business Registration Certificate shall be renewed each year.

#### Branch

##### A. Registration

###### 1. Branch of a Hong Kong private limited company

- a. Application for a Branch Business Registration Certificate, which takes about one (1) to two (2) working days.

###### 2. Branch of overseas company (Non-Hong Kong company)

- a. Name search is required. If name of foreign company is identical with an existing company in Hong Kong, it is required to adopt a trade name to differentiate.
- b. Submission of relevant forms together with the certified copies of certain corporate documents of the foreign company to the Companies Registry and Notice to Business Registration Office for registration of a branch.
- c. Registration process takes about 16 working days to complete after submission of registration documents.

##### B. Annual Requirements

- a. An annual return made up to the date of registration of the company and its group accounts (unless exempted) must be filed at the Companies Registry within 42 days thereof. Higher filing fee will be imposed on late filing.
- b. Notification to Companies Registry and/or Business Registration Office for any changes in the particulars within specific deadlines.
- c. Business Registration Certificate shall be renewed each year.

#### Representative Office

##### A. Registration

Application for a Business Registration Certificate (for liaison purpose only and the regional office is not allowed to carry on any business) takes about one (1) to two (2) working days.

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