



## **Technical FAQ on the New Companies Ordinance Section 408**

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### ***Question 1 - When is the effective date of the new Companies Ordinance passed on 12 July 2012?***

*Answer*

[The new Companies Ordinance \(CO\)](#) was passed by the Legislative Council on 12 July 2012. According to [Companies Registry External Circular No. 5/2012](#) issued by the Companies Registry on 12 July 2012, paragraph 5 states that "To facilitate implementation of the new CO, over ten regulations will have to be made in 2013-14. In parallel, the Companies Registry will enhance its information system and carry out an overall review of its procedures and forms for the implementation of the new legislation. The new CO is expected to commence operation in 2014." Please refer to the [Companies Registry](#) for updated information in due course.

### ***Question 2 - Where can I find information issued by the Institute on section 408 (previously clause 399) of the new Companies Ordinance regarding offences relating to contents of auditor's report?***

*Answer*

The Institute has issued [alerts](#) on section 408 (previously clause 399).

### ***Question 3 - Has the Institute issued any guidance on section 408 for auditors?***

*Answer*

On 24 February 2014, the Institute has issued [AATB 4](#) Guidance on section 408 of the Companies Ordinance.