



(For official use only)

Date/Time of Receipt : _____

Application No. : _____

To : Director-General of Trade and Industry,
Government of the Hong Kong Special Administrative Region ^(Note 1)

Small and Medium Enterprises (SME) Loan Guarantee Scheme
Application for Working Capital Loan Guarantee

Part A : APPLICATION (to be completed by Applicant)

I. On behalf of _____
(Name of Applicant), I/we hereby apply for a guarantee from the Government of the Hong Kong Special Administrative Region (HKSARG) to cover the facility ("the Facility") (to the extent to be determined by HKSARG) now being sought by the Applicant ("the Borrower") from _____ (Name of Lender, as specified in Part B of this application).

I/We now provide the following information in support of this application :

Particulars of Applicant	
1. Name of the Applicant in English :	2. Name of the Applicant in Chinese :
3. (a) Business Registration No. ^(Note 2) :	4. Date of Establishment (dd/mm/yy) ^(Note 3) :
(b) Expiry Date (dd/mm/yy) :	
5. Business Address :	
6. Registered Office : (if different from above)	

7. Form of Business : ^(Note 4&5)			Name (Hong Kong Identity Card/Passport No.)
	Sole Proprietorship	Owner	
	Partnership	All Partners	
	Limited Company *	Individuals holding \geq 30% shares	

* If there is no individual holding \geq 30% shares, please provide the names and relevant information of the directors.

8. Type of Business ^(Note 4) :

Manufacturing –

- | | | |
|---|--|--|
| <input type="checkbox"/> Chemical and biotechnology | <input type="checkbox"/> Electronics | <input type="checkbox"/> Food and beverage |
| <input type="checkbox"/> Industrial machinery | <input type="checkbox"/> Jewellery | <input type="checkbox"/> Metal products |
| <input type="checkbox"/> Printing and publishing | <input type="checkbox"/> Textiles and clothing | <input type="checkbox"/> Plastics |
| <input type="checkbox"/> Toy | <input type="checkbox"/> Watches and clocks | |
| <input type="checkbox"/> Others: _____ (please specify) | | |

Non-manufacturing –

- | | | |
|--|---|---|
| <input type="checkbox"/> Banking, insurance and other financial services | | |
| <input type="checkbox"/> Tourism | <input type="checkbox"/> Construction | <input type="checkbox"/> Professional services |
| <input type="checkbox"/> Real estate | <input type="checkbox"/> Transportation | <input type="checkbox"/> Import & export trade |
| <input type="checkbox"/> Film entertainment | <input type="checkbox"/> Telecommunication | <input type="checkbox"/> Information technology |
| <input type="checkbox"/> Wholesale and retail | <input type="checkbox"/> Restaurants and hotels | |
| <input type="checkbox"/> Others: _____ (please specify) | | |

9. Number of Employees in Hong Kong ^(Note 6 & 7) :
(at the time of lodging the application for Facility to the Lender)

10. Does your business have any plan to employ additional staff in Hong Kong in the next six months for business development which this application is related ^{(Note 4 & 7)?}

Yes, the number of additional staff to be employed is _____.

No

(Note: The information provided will be used solely for statistical purposes and will not be taken as a factor to assess the merit of this application.)

11. Has your business ever obtained Government's guarantee(s) under other funding schemes ^{(Note 4)?}

Yes, my/our business has obtained Government's guarantee(s) under :

Special Finance Scheme for SMEs

Self-employment Assistance Scheme

Others : _____ (please specify)

No

(Note: If situations required, the Trade and Industry Department may seek your consent to disclose information pertaining to your participation in the scheme(s) concerned to the Lender for the purpose of processing this application and other related purposes.)

12. Your business has learned about the SME Loan Guarantee Scheme from which of the following channels ^{(Note 4)?} [You may choose more than one item.]

Website of Trade and Industry Department

Participating lending institution's introduction

Trade Organisations

Trade and Industry Department's Seminar/ Staff's Introduction

TV Advertisement

Poster Advertisement

Radio Advertisement

Promotion Video at MTR Stations and Trains

II. Declaration

I/We confirm and undertake that –

- (i) the Applicant is not an authorised institution within the meaning of Section 2(1) of the Banking Ordinance or an associate ^(Note 8) of the Lender;
- (ii) the information given in this application is to the best of my /our knowledge and belief to be true, accurate and complete;
- (iii) the Applicant's consent is hereby given for your access to all information concerning the Applicant that is in the possession of the Lender specified in Part B, if any, for the purpose of processing this application and other related purposes ;
- (iv) the Applicant shall use the Facility specified in Part B(ii) of this application solely for meeting working capital needs of general business uses ;
- (v) the Applicant shall not use any Facility, whether in whole or in part, for paying, repaying, restructuring or repackaging any loans, credit facilities or payment obligations (including loans that are referred to as classified loans by the Hong Kong Monetary Authority), whether in whole or in part, and whether those liabilities have existed before the date on which the application for the Facility is received by the Lender, or exist at the time of each drawdown of the Facility or otherwise;
- (vi) the Applicant hereby undertakes to inform HKSARG and the Lender if any of the information provided by the Applicant in connection with this application is no longer valid or accurate. The Applicant undertakes to repay in full all the outstanding amounts with respect to the Facility under the Scheme, with interest, prior to the expiry of the guarantee, within such time specified upon notification by HKSARG or the Lender, if any information provided by the Applicant in connection with this application, is no longer valid or accurate, or found to be false/no longer valid or accurate. The Applicant acknowledges that HKSARG and the Lender reserve the right to take any actions, including legal actions, deemed appropriate against the Applicant for furnishing false information in support of this application; and
- (vii) without prejudice to any rights and remedies that the Lender or HKSARG may have, the Applicant acknowledges that HKSARG may forthwith request the Lender to suspend the Facility, and the Lender shall act accordingly, in the event that HKSARG is in the opinion that the Applicant is :
 - (a) in breach of any of the undertakings given herein;
 - (b) in breach of any of the terms and conditions mentioned in the "Acceptance of Conditions for the Issue of A Guarantee"; or
 - (c) no longer compliant, or has not complied, with this Declaration.

Signed for and on behalf of the Applicant,

(Signature)

(Name) (Print)

(Position)

(Company Chop)

(Email Address)

(Telephone Number)

(Date) (dd/mm/yy)

Part B : STATEMENT BY LENDER

- I. Pursuant to the Deed dated _____ (dd/mm/yy) signed between the Government of the Hong Kong Special Administrative Region (HKSARG) and us, we confirm our endorsement of the application by the Borrower as specified in Part A for a guarantee and provide the following information in relation to the application :

(i) Details of Lender	
1. Name of Lender in English :	2. Name of Lender in Chinese :
3. Licence Registration No. :	
(ii) Proposed Facility ("the Facility")	
4. Name of Borrower in English :	5. Name of Borrower in Chinese :
6. Date of Receipt of Application for the Facility from the Borrower (dd/mm/yy):	
7. Designated Bank Account or Sub-account No. for the Facility :	
8. Facility Type ^(Note 4) :	
<input type="checkbox"/> Term loan through one single drawdown <input type="checkbox"/> Term loan by multiple drawdown <input type="checkbox"/> Others: _____ (please specify)	
9. Principal/Maximum Indebtedness of the Facility (HK\$) :	
10. Interest Rate (% p.a.) and Effective Rate (%) :	
(a) Interest rate : _____	
(b) Effective rate (if applicable) : _____	
11. Proposed Starting Date (dd/mm/yy) ^(Note 9) :	
12. Proposed Maturity/Expiry Date (dd/mm/yy) :	
13. Terms of Repayment ^(Note 10) :	
(a) First repayment due on (dd/mm/yy): _____	
(b) Interval of subsequent repayments : _____	

14. Security or guarantee ^(Notes 4 & 11) :

Whether the Borrower has procured or shall procure, or both, any security or guarantee to be given in favour of, or held by, the Lender regarding the Facility?

Yes

Details :

No

(iii) Other Information

15. (a)(i) Whether the Borrower has been established for 18 months or more as at the date on which its application for the Facility was received by the Lender ^(Note 4) ?

Yes No

(ii) If yes, whether the Borrower has provided the audited account(s)/financial statements of its latest financial year ^(Note 4) ?

Yes. It has provided –

(i) audited account(s) ending _____ (dd/mm/yy)

(ii) financial statements ending _____ (dd/mm/yy)

No [Remark: The Borrower has undertaken to provide the audited account(s)/ financial statements of its latest financial year by _____ (dd/mm/yy).]

(b) Whether the Borrower has given any floating charge in favour of any person? ^(Note 4)

Yes

Details :

No

(c)(i) Whether the Lender has obtained or will obtain, or both, any all monies security from the Borrower ^(Note 4):

Yes No

(ii) If yes, whether the Facility is/will be included in the all monies security ^(Note 4 & 11) ?

Yes No

16. Does the Applicant have substantive business operation in Hong Kong ^{(Note 4)?} <input type="checkbox"/> Yes (if yes, please give details : _____) <input type="checkbox"/> No (if no, please give reasons : _____)
17. Have you conducted background search with the Companies Registry/Inland Revenue Department/Lands Registry on the Applicant ^{(Note 4)?} <input type="checkbox"/> Yes <input type="checkbox"/> No (if no, please give reasons: _____)
18. Have you ascertained that no petition for winding up or bankruptcy has been filed against the Applicant (or where applicable, its partners, major shareholders and directors) ^{(Note 4)?} <input type="checkbox"/> Yes <input type="checkbox"/> No (if no, please give reasons: _____)
19. Have you conducted company visit on the Applicant ^{(Note 4)?} <input type="checkbox"/> Yes <input type="checkbox"/> No (if no, please give reasons: _____)
20. Have you obtained credit references from appropriate credit reference agencies regarding the Applicant (or, where applicable, its partners, major shareholders and directors) ^{(Note 4)?} <input type="checkbox"/> Yes <input type="checkbox"/> No (if no, please give reasons: _____)
21. Have you taken into account the Applicant's track record, business prospects and financial position in assessing the Applicant's credit worthiness and repayment ability ^{(Note 4)?} <input type="checkbox"/> Yes <input type="checkbox"/> No (if no, please give reasons: _____)
22. Is the Applicant one of your existing customers ^{(Note 4)?} <input type="checkbox"/> Yes <input type="checkbox"/> No (if so, since _____) (dd/mm/yy)

II. Declaration

We confirm and undertake that –

- (i) the Borrower is not an authorised institution within the meaning of Section 2(1) of the Banking Ordinance or an associate (as defined in the Deed) of us;
- (ii) the information given in both Part A and Part B of this application is to the best of our knowledge and belief to be true, accurate and complete;
- (iii) we have examined and considered the audited account(s)/financial statements/credit and financial information provided by the Borrower ^(Note 12);
- (iv) we are satisfied that the Facility will be used by the Borrower to meet working capital needs of general business uses; and
- (v) without prejudice to any rights and remedies that HKSARG may have, we acknowledge that HKSARG may forthwith request us to suspend the Facility, and we shall act accordingly, in the event that HKSARG is in the opinion that the Applicant is :
 - (a) in breach of any of the undertakings given herein;
 - (b) in breach of any of the terms and conditions mentioned in the "Acceptance of Conditions for the Issue of A Guarantee"; or
 - (c) no longer compliant, or has not complied, with this Declaration.

Lender's Branch : _____
(if applicable)

Address : _____

Contact Person : _____

Telephone No. : _____ Fax No. : _____

Signed for and on behalf of the Lender by its authorised officer,

(Signature)

(Name) (Print)

(Position)

(Company Chop)

(Date) (dd/mm/yy)

Notes

- Note 1 : Completed form should be sent to the Director-General of Trade and Industry –
- By post/in person : SME Loan Guarantee Scheme Unit
6/F, Trade and Industry Department Tower,
700 Nathan Road, Kowloon, Hong Kong
- Mondays – Fridays : 8:45 a.m. – 12:30 p.m.
1:30 p.m. – 6:00 p.m.
- By Fax : (852) 2396 5067
- Note 2 : Please provide a copy of the valid Business Registration Certificate of the Applicant. The Applicant will be required to provide the renewed Business Registration Certificate if the original one is expired as at the Starting Date of the Facility.
- Note 3 : This refers to the date on which the business was first registered with the Business Registration Office of the Inland Revenue Department or the date on which the business was incorporated with the Companies Registry. Please provide documentary proof if the Borrower is established for less than 18 months.
- Note 4 : Please tick as appropriate.
- Note 5 : Please provide documentary evidence showing the information provided (e.g. Form 1(a) of the Business Registration Office, Annual Return of the Companies Registry (Form AR1), etc.)
- Note 6 : Only small and medium enterprises (SMEs) are eligible to apply. HKSARG defines “SMEs” as any manufacturing businesses which employ fewer than 100 persons in Hong Kong; or any non-manufacturing businesses which employ fewer than 50 persons in Hong Kong. In this connection, "business" refers to any form of trade, commerce, craftsmanship, professional, calling or other activity carried on for the purpose of gain, but shall not include any club, except a club within the meaning of the Business Registration Ordinance (Cap. 310) which provides services for the purpose of gain.
- Note 7 : The number of employees/staff shall include individual proprietors, partners and shareholders actively engaged in the work of the business; and salaried employees of the business, including full-time or part-time salaried personnel directly paid by the business, both permanent and temporary.
- Note 8 : An “associate” shall, in relation to a Lender or a Borrower, mean :
- (a) where the Lender or the Borrower, as the case may be, is an individual -
 - (i) a relative of such individual;
 - (ii) a partner of such individual and any relative of such partner;
 - (iii) a partnership in which such individual is a partner;
 - (iv) any company controlled by such individual, by a partner of such individual or by a partnership in which such individual is a partner;
 - (v) any director of any such company as is referred to in (iv);
 - (b) where the Lender or the Borrower, as the case may be, is a company -
 - (i) any associated company;
 - (ii) any person who controls the company and any partner of such person, and, where either such person is an individual, any relative of such individual;
 - (iii) any director of such company or of any associated company and any relative of any such director;
 - (iv) any partner of the company and, where such partner is an individual, any relative of such individual;
 - (c) where the Lender or the Borrower, as the case may be, is a partnership -

- (i) any partner of the partnership and where such partner is a partnership any partner of such partnership, any partner with the partnership in any other partnership and where such partner is a partnership any partner of such partnership and where any partner of, or with, or in any of the partnerships mentioned in (i) is an individual, any relative of such partner;
- (ii) any company controlled by the partnership or by any partner thereof or, where such a partner is an individual, any relative of such partner;
- (iii) any company of which any partner is a director;
- (iv) any director of a company referred to in (ii); and

“relative” in relation to an individual, means the spouse, parent, child, brother, sister, brother-in-law, father-in-law, mother-in-law, sister-in-law, daughter-in-law, son-in-law, aunt, cousin, uncle, niece, nephew, grandfather or grandmother of the individual, and for the purposes of this definition, an adopted child shall be regarded as a child both of the natural parents and the adoptive parents and a stepchild as the child both of the natural parents and any step parents.

Where “associated company” of a person means :

- (a) a company over which such person has control;
- (b) a company which has control over such person, being a company;
- (c) a company which is under the control of the same person as such person, being a company.

And “control”, in relation to a company, means the power of a person to secure, directly or indirectly, :

- (a) by means of the holding of shares or the possession of voting power in or in relation to such or any other company; or
- (b) by virtue of any powers conferred by the articles of association or other document regulating such or any other company,

that the affairs of such company are conducted in accordance with the wishes of such person.

Note 9 : This date means the date on which any funds are first withdrawn against the approved loan. This date must be within 60 calendar days of the date on which HKSARG confirms its approval-in-principle of this application. HKSARG will normally confirm its approval-in-principle within three clear working days of the receipt of a properly completed application.

Note 10 : The due date of the first repayment must be within the first 6 months after the starting date, and the period between each subsequent repayment must not exceed 3 months.

Note 11 : In the event of default by the Borrower, the proceeds realised from the security for the Facility as well as any other sums recovered by the Lender or HKSARG for the repayment of the Facility shall be shared between the Lender and HKSARG in accordance with the Deed.

Note 12 : For Borrowers which have been established for 18 months or more at the date on which their application for the Facility is received by the Lender, the Lender shall examine their audited account(s) (if the Borrower is a company within the meaning of the Companies Ordinance (Cap. 32)) or financial statements of the latest year. For Borrowers which have been established for less than 18 months as at the date on which their application for the Facility is received by the Lender, the Lender shall assess the current credit and financial information of the Borrower.

Small and Medium Enterprises (SME) Loan Guarantee Scheme -
Important Note on Personal Data Collection

The Trade and Industry Department is committed to ensuring that all personal data collected under various applications and notifications are handled in accordance with the relevant provisions of the Personal Data (Privacy) Ordinance (Cap. 486).

Purpose of Collection of Personal Data

Personal data provided in applications/notifications under the SME Loan Guarantee Scheme (the Scheme) will be used by Trade and Industry Department for considering and processing applications for government guarantee/requests for government payment under the Scheme, and for other related purposes. Incomplete or inaccurate information provided in the applications/notifications may affect the consideration and processing of the applications/requests, and may result in their being deferred or rejected, and/or other administrative/legal action being taken against the parties concerned.

Transfer of Personal Data

The data collected in the applications/notifications will be kept in confidence. They may however be disclosed to other government departments, or to third parties in Hong Kong or elsewhere, if such disclosure is necessary to facilitate consideration or processing of the applications/requests, is authorised or required by the law, or if explicit consent to such disclosure is given by the applicant/data subject.

Rights of Access to and Correction of Personal Data

Applicants/data subjects whose personal data are collected by the Department may request access to them under the Personal Data (Privacy) Ordinance. A charge will be made to cover the cost of photocopying the data supplied. In addition, if the data subject considers that the data supplied to Trade and Industry Department is inaccurate, a request for correction of the personal data may be made in writing after a data access request has been complied with.

Contact Person

Requests for access to personal data collected under various applications/notifications should be made in writing on the Data Access Request Form (No. OPS003 issued by the Privacy Commissioner), which is available at the Information Counter on G/F of the Trade and Industry Department and at the Trade and Industry Department Homepage (<http://www.tid.gov.hk/english/aboutus/form/publicform/others/index.html#ops003>), to the Office Manager of the SME Loan Guarantee Scheme Unit (6/F, Trade and Industry Department Tower, 700 Nathan Road, Kowloon).