

Government welcomes passage of Companies (Amendment) (No.2) Bill 2024

The Government welcomed the passage of the Companies (Amendment) (No.2) Bill 2024 by the Legislative Council today (May 14) to introduce a company re-domiciliation regime in Hong Kong.

The Secretary for Financial Services and the Treasury, Mr Christopher Hui, said, "The Amendment Ordinance puts in place a simple and accessible mechanism for company re-domiciliation. It addresses the demand of companies incorporated elsewhere with major business in Hong Kong for re-domiciliation to Hong Kong, and is conducive to our efforts in proactively attracting enterprises and investment, thereby generating business for various local professional services sectors as well as increasing investment and job opportunities."

Under the company re-domiciliation regime, non-Hong Kong-incorporated companies which fulfil the requirements concerning company background, integrity, member and creditor protection, and solvency, etc, may apply to re-domicile to Hong Kong while maintaining their legal identity as a body corporate and ensuring business continuity. The property, rights, obligations and liabilities, as well as the relevant contractual and legal processes of the companies would not be affected during the process. If, after re-domiciliation, the company's actual similar profits are also taxed in Hong Kong, the Government will provide the company with unilateral tax credits for elimination of double taxation. In general, re-domiciled companies will be regarded as companies incorporated in Hong Kong. They have the same rights as any Hong Kong-incorporated companies of their kind in Hong Kong, and will be required to comply with the relevant requirements under the Companies Ordinance (Cap. 622).

The Amendment Ordinance will take effect on May 23. The company re-domiciliation regime will be open for application starting from the same day. The Companies Registry will, on the same day, set up a new thematic section on its website to provide the application details and relevant information for reference. The Integrated Companies Registry Information System will also be enhanced to process applications.