



REQUEST FOR PROPOSAL
FOR
Development of Study Manuals and Examination Questions for
Licensing Examination for Securities and Futures Intermediaries
(“LE”) on
Proposed Depositaries Regime

2 December 2022

1. Background

Hong Kong Securities and Investment Institute (“HKSI Institute”) will administrate a new licensing examination in response to the new eligibility criteria, as set out in the Consultation Conclusions¹ on the Proposed Regulatory Regime for Depositories of SFC-authorized Collective Investment Schemes published by the Securities and Futures Commission (“SFC”) in February 2022, for persons licensed or registered for Type 13 regulated activity - providing depository services for a relevant SFC-authorized collective investment schemes (“RA13”).

2. Purpose

The purpose of this Request for Proposal (“RFP”) is to invite individual or corporation (“Consultant”) to submit proposal(s) for the development of the study materials and examination questions of the regulatory paper (“LE Paper 18”) and practical paper (“LE Paper 19”) for the RA13 regime (“Project”) which is expected to be effective by end of third quarter of 2023.

3. Scope of Services

- To define and propose the syllabus and learning outcomes for LE Paper 18 and/or LE Paper 19 (wherever applicable) with reference to the Consultation Conclusions on the Proposed Regulatory Regime for Depositories of SFC-authorized Collective Investment Schemes published by the SFC;
- To develop the study manual(s) and examination questions based on the approved syllabus and learning outcomes according to HKSI institute’s instructions and guidelines
- To develop a total of approximately 60 examination questions for each LE Paper;
- To participate planning and review meetings where required.

4. Requirements

The Consultant should have

- A University degree or above in finance and/or legal, or other related fields;
- Proven solid experience in the trust industry, especially in custodial/depositaries services (academia who specialise in this area are also welcome);
- Proven authoring experience in finance related publications (in which study materials and/or corporate and securities law and practice writing engagements would be a plus) or have experience in similar study manual and/or examination questions development;

¹ <https://apps.sfc.hk/edistributionWeb/gateway/EN/consultation/doc?refNo=22CP1>

- For LE Paper 18, relevant knowledge in related rules and regulations with substantial working experience in securities regulation and compliance in industry practice.

5. Proposal

The Proposal should include, but not limited to, the following areas:

- Proposed learning outcomes and syllabus for LE Paper 18 and/or 19 (wherever applicable). The proposal should make reference to the existing LE papers where applicable;
- Key deliverables;
- Approach and methodologies to be adopted;
- Project plan of the Project including detailed timeline for each deliverable, provision of time for revision, etc
- A detailed CV
- Fee Quotation with detailed breakdown

6. Confidentiality

6.1 The Consultant shall keep this RFP and all correspondences and documentation related to this RFP strictly confidential and shall not disclose any of its content to any other party without the prior written permission of HKSI Institute.

6.2 This RFP remains the property of HKSI Institute. HKSI Institute reserves the right to demand the return or destruction of the original and all copies of this RFP and all correspondences and documentation relating to this RFP by all recipients at any time

6.3 Without limiting other rights HKSI Institute may have at law, HKSI Institute may cease further consideration of the Proposal should the Consultant be in breach of 6.2

7. Conflict of Interest

If the Consultant has any interest which conflicts, or has the potential to conflict, with its duties to the HKSI Institute under the proposal, the Consultant should clearly state this in its proposal. This requirement extends to the Consultant's associates, associated persons, group companies and each member of the Consultant's professional staff (and their associates and associated persons).

The Consultant is required to submit the signed Declaration of Potential Conflict of Interest together with the Proposal.

8. Prevention of Bribery

Without limiting the Consultant's obligations herein, the Consultant and its directors, employees, agents involved in responding to this RFP shall not offer any financial or other advantage or benefit to any director or employee of HKSI Institute, or engage in any activity, practice or conduct which would violate any applicable anti-bribery laws or regulations in connection with this RFP.

9. Anti-Collusion

- 9.1 Without limiting the Consultant's obligations herein, the Consultant shall comply with the Competition Ordinance (Cap. 619 of the Laws of Hong Kong). All anti-competitive practices are strictly prohibited.
- 9.2 The Consultant shall ensure that its proposal is prepared without any agreement, arrangement, communication, understanding, promise or undertaking with any person other than HKSI Institute, including regarding price, any adjustment in price, submission procedure of the proposal or any terms of the proposal.
- 9.3 In the event of any breach of this section by the Consultant, HKSI Institute may, without limiting HKSI Institute's rights or remedies herein or at law, reject its proposal(s).

10. Intellectual Property Rights

By submitting the proposal, the Consultant should ensure that none of the information or ideas in the proposal infringes the copyright, trade secrets or intellectual property rights of any third party.

11. Data Privacy

Please refer to HKSI Institute's Privacy Policy Statement on the HKSI Institute website, <https://www.hksi.org/en/privacy-policy/> with regard to HKSI Institute's collection, holding, processing, use and transfer of personal data.

12. How To Submit Proposal

If you are interested in providing such service, please submit your proposal(s) by email to cedproposals@hksi.org, marked "Request for Proposal for Development of Study Manuals and Examination Questions for LE on Proposed Depositories Regime" **before 6 pm, 16 December 2022 Hong Kong time**. HKSI Institute will acknowledge receipt of the proposal by email upon receipt.

LATE proposal (s) will NOT be considered.

13. Queries Regarding the Proposal

Please email: cedproposals@hksi.org

About HKSI Institute

HKSI Institute is a professional membership organisation established in 1997 by leaders in the securities and investment industry with the support of the SFC. The HKSI Institute champions professional standards of excellence in Hong Kong's financial services industry and contributes to Hong Kong's role as a leading international financial centre. HKSI Institute offers a comprehensive programme of high-quality professional training, events and internationally recognised examinations, and a vibrant membership community to empower individuals to achieve their professional goals.

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