

Shenzhen, ChinaRooms 1203-06, 12/F.
Di Wang Commercial Centre
5002 Shennan Road East
Luohu District, Shenzhen
T: +86 755 8268 4480**Shanghai, China**Room 603, 6/F., Tower B
Guangqi Culture Plaza
2899A Xietu Road
Xuhui District, Shanghai
T: +86 21 6439 4114**Beijing, China**Room 303, 3/F.
Interchina Commercial Bldg.
33 Dengshikou Street
Dongcheng District, Beijing
T: +86 10 6210 1890**Taipei, Taiwan**Room 303, 3/F.
142 Section 4
Chung Hsiao East Road
Daan District, Taipei
T: +886 2 2711 1324**Singapore**138 Cecil Street
#13-02 Cecil Court
Singapore 069538
T: +65 6438 0116**New York, USA**202 Canal Street
Suite 303, 3/F.
New York
NY 10013, USA
T: +1 646 850 5888

Hong Kong Company Maintenance and Compliance Guide (9) - Application and Renewal of Business Registration Certificate

General Information

Under the provisions of Business Registration Ordinance (Cap. 310), every person carrying on any business* must register his business within one month of commencement. Failure on registration may result in fine and imprisonment.

* "Business" means any form of trade, commerce, craftsmanship, profession, calling or other activity carried on for the purpose of gain and also means a club.

Application for Business Registration

Business carried on by an individual or a partnership

A new business carried on by an individual or a partnership must be registered with the Business Registration Office within 1 month of its commencement. If a business is carried on by an individual, Form 1(a) should be completed and filed. While for a partnership, Form 1(c) should be completed and filed. These forms should be submitted together with photocopies of Hong Kong Identity Card or passport of the proprietor or all the partners.

If the sole proprietor (or all the partners in the case of a partnership) is not a Hong Kong resident, he (they) must appoint an agent, an individual that resides in Hong Kong, to act on his (their) behalf for the purposes of business registration. An appointment letter for the agent and a copy of the agent's Hong Kong Identity Card must be submitted together with the business registration application form. In the appointment letter, which should be signed by both the principal and the agent, full particulars of the agent must be stated, including his name, Hong Kong Identity Card number and residential address must be stated.

Business carried on by a limited company

Unlike sole proprietorship and partnership, business registration will be conducted automatically once application of limited company registration is submitted to Companies Registry. There is no need to submit the application for registration of limited company and business registration separately under this one-stop company and business registration service.

For an overseas company that is going to commence business in Hong Kong, it is necessary to register with Companies Registry within 1 month of its Hong Kong business commencement. Application should be submitted to Companies Registry for registering a Non-Hong Kong Company. Similar with registration of Hong Kong Limited Company, business registration will be proceeded in the one-stop service provided by the Companies Registry and Business Registration Department.

For opening a branch

A branch business must be registered with the Business Registration Office within one month of its commencement. In this case, Form 1(d) should be completed.

For recommencement of a business

To recommence a sole proprietorship or partnership business which has ceased previously, a new application for business registration must be made within one month of the recommencement.

Validity and Renewal of Business Registration Certificate

Validity of a Business Registration Certificate

Business Registration Certificates are normally valid for 1 year, but business operators may select for certificates that are valid for 3 years instead. Once confirmed, the selection will remain valid until such time as it is revoked in writing. For businesses with one or more branches, the selection will also be applicable to both the main business and all the branches, including old and new.

For a new limited company, selection should be made in the Notice to Business Registration Office (i.e. Form IRBR1) during registration. For business that is registered with 1 year business registration and would like to change, election for 3 year Business Registration Certificate should be submitted to the Business Registration Office by completing Form IRBR184. The election must be made at least one month before the expiry of current business registration certificate.

Renewal of Business Registration

For registered business, a business registration renewal demand note will be sent by the Business Registration Office approximately 1 month before the current Business Registration Certificate expires. Upon payment, the demand note will become a valid Business Registration Certificate. If demand note is not received, the company should inform the Commissioner in writing within 1 month of the current Business Registration Certificate's expiry.

If you wish to renew business registration in person, the Business Registration Office should be approached directly. An issuance of duplicated demand note should be requested with the old Business Registration Certificate. If the business address has changed but the Business Registration Office is yet to be advised, you should also inform the Commissioner of the new address with submitting Form IRC3111A .

If you would like to renew the business registration by mail, a photocopy of the old Business Registration Certificate with a crossed cheque made payable to "The Government of the Hong Kong Special Administrative Region" should be sent to the Business Registration Office. A renewed Business Registration Certificate will be mailed to the business address soon afterwards. Same as renewing business registration in person, Form IRC3111A should be submitted for updating the address if there are changes.

Business Registration Fee and Levy

Certificate with Date of Commencement from 1 April 2020

1-year Certificates	Fee	Levy	Total
Main Business	\$0	\$250	\$250
Branch Business	\$0	\$250	\$250

3-year Certificates	Fee	Levy	Total
Main Business	\$3,200	\$750	\$3,950
Branch Business	\$116	\$750	\$866

Certificate with Date of Commencement between 1 April 2017 and 31 March 2019

1-year Certificates	Fee	Levy	Total
Main Business	\$2,000	\$250	\$2,250
Branch Business	\$73	\$250	\$323

3-year Certificates	Fee	Levy	Total
Main Business	\$5,200	\$750	\$5,950
Branch Business	\$189	\$750	\$939

Certificate with Date of Commencement between 1 April 2016 and 31 March 2017

1-year Certificates	Fee	Levy	Total
Main Business	\$0	\$250	\$250
Branch Business	\$0	\$250	\$250

3-year Certificates	Fee	Levy	Total
Main Business	\$3,200	\$750	\$3,950
Branch Business	\$116	\$750	\$866

Certificate with Date of Commencement between 1 April 2014 and 31 March 2016

1-year Certificates	Fee	Levy	Total
Main Business	\$2,000	\$250	\$2,250
Branch Business	\$73	\$250	\$323

3-year Certificates	Fee	Levy	Total
Main Business	\$5,200	\$750	\$5,950
Branch Business	\$189	\$750	\$939

If you wish to obtain more information or assistance, please visit the official website of Kaizen CPA Limited at www.kaizencpa.com or contact us through the following and talk to our professionals:

Email: info@kaizencpa.com, enquiries@kaizencpa.com

Tel: +852 2341 1444

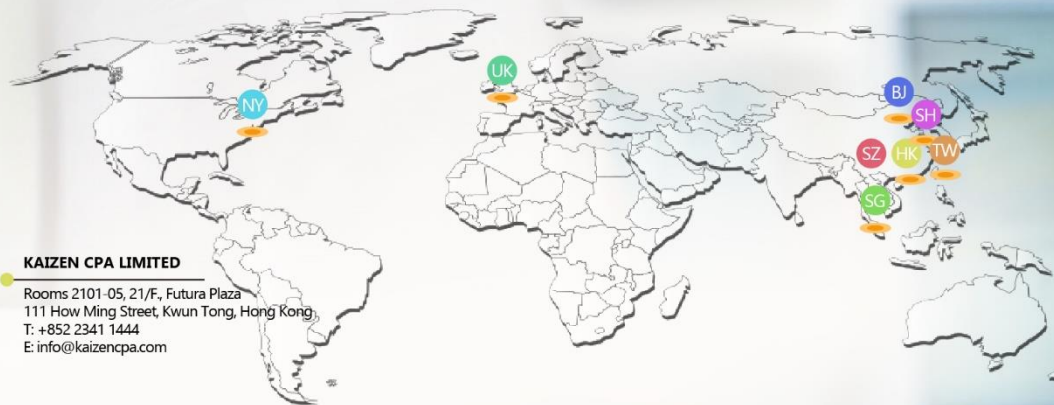
Mobile : +852 5616 4140, +86 152 1943 4614

WhatsApp/ Line/ Wechat: +852 5616 4140 **Skype:** kaizencpa

SERVICES SCOPE



CONTACT US



KAIZEN CPA LIMITED

Rooms 2101-05, 21/F, Futura Plaza
111 How Ming Street, Kwun Tong, Hong Kong
T: +852 2341 1444
E: info@kaizencpa.com

SHENZHEN, CHINA

Rooms 1203-06, 12/F
Di Wang Commercial Centre
5002 Shennan Road East
Luohu District, Shenzhen
T: +86 755 8268 4480

SHANGHAI, CHINA

Room 603, 6/F., Tower B
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BEIJING, CHINA

Room 303, 3/F, Interchina
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TAIPEI, TAIWAN

Room 303, 3/F
142 Section 4, Chung Hsiao
East Road, Daan District
Taipei, Taiwan 10688
T: +886 2 2711 1324

SINGAPORE

138 Cecil Street, #13-02 Cecil
Court, Singapore 069538
T: +65 6438 0116

NEW YORK, USA

202 Canal Street Suite 303, 3/F
New York
NY 10013, USA
T: +1 646 850 5888

LONDON, UK

Unit 2, 2/F, 39-41 High Street,
New Malden, Surrey
KT3 4BY, UK
T: +44 20 8144 6466