

Petition by Financial Secretary to wind up Next Digital Limited under Section 879(1) of Companies Ordinance

The Government announced today (September 29) that, pursuant to the power conferred on him by section 879(1) of the Companies Ordinance (Cap. 622) (the Ordinance), the Financial Secretary, Mr Paul Chan, has presented a petition to the Court of First Instance to wind up Next Digital Limited (NDL).

Under section 879(1) of the Ordinance, the Financial Secretary may present a petition for a body corporate to be wound up if it appears to him from any specified materials that it is expedient in the public interest that a body corporate which may be wound up under the Companies (Winding Up and Miscellaneous Provisions) Ordinance (Cap. 32) should be wound up.

On July 28, 2021, the Financial Secretary appointed Mr Clement Chan as the Inspector to investigate into the affairs of NDL under sections 841(2) and (3) of the Ordinance having been satisfied that it was in the public interest to do so.

On September 14, the Inspector submitted an Interim Report on the investigation to the Financial Secretary. After considering the Interim Report, the Financial Secretary took the view that it would be expedient in the public interest that NDL be wound up, and therefore decided to present a winding up petition to the Court.

The Securities and Futures Commission (SFC) has separately been conducting extensive enquiries into NDL under the Securities and Futures Ordinance (Cap. 571), and has provided the Financial Secretary with important information and evidence obtained through these enquiries which is of relevance to the petition. The SFC also believes that it is desirable in the public interest for NDL to be wound up based on the information and evidence it has obtained. The Financial Secretary thanked the SFC for its assistance.