

## STATEMENT OF DISCIPLINARY ACTION

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Exchange's Disciplinary Action against Mr Ha Chuen Yeung, a former executive director of Inno-Tech Holdings Limited (stock code: 8202)

### SANCTIONS

The GEM Listing Committee of the Exchange (**GEM Listing Committee**):

**CENSURES Mr Ha Chuen Yeung (Mr Ha)**, a former executive director (**ED**) of Inno-Tech Holdings Limited (stock code: 8202) (**Company**)

**AND STATES THAT** in the Exchange's opinion, by reason of Mr Ha's failure to discharge his responsibilities under the Rules Governing the Listing of Securities on GEM of The Stock Exchange of Hong Kong Limited (**GEM Listing Rules**), had Mr Ha remained on the board of directors of the Company, his retention of office would have been prejudicial to the interests of investors.

### SUMMARY OF FACTS

Mr Ha was an executive director of the Company from 1 December 2014 to 16 August 2018.

He has provided to the Exchange the Declaration and Undertaking with regard to Directors (**Undertaking**) in the form set out in Appendix 6A of the GEM Listing Rules. The Undertaking provides, amongst other things, that he shall: (i) co-operate in any investigation conducted by the Listing Division (**Division**) and/or the GEM Listing Committee; (ii) promptly and openly answer any questions addressed to him; and (iii) provide his up-to-date contact details to the Exchange for a period of three years from the date on which he ceases to be a director of the Company, failing which any documents/notices sent by the Exchange shall be deemed to have been served on him.

The Division sought to conduct an investigation into whether Mr Ha had breached the GEM Listing Rules (**Investigation**). For the purpose of the Investigation, an investigation letter and reminder letters were sent by the Division to Mr Ha's correspondence and email addresses. Mr Ha confirmed that he had received the Division's correspondence during a telephone call with the Division, and subsequently emailed the Division to say that he would reply as soon as possible.

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Despite being aware of the Investigation, Mr Ha did not respond to the Division's enquiries.

### **GEM LISTING COMMITTEE'S FINDINGS OF BREACH**

The GEM Listing Committee found as follows:

- (1) Mr Ha breached his Undertaking by failing to cooperate with the Division in the Investigation, which constituted a breach of the GEM Listing Rules. Mr Ha's obligation to provide information reasonably requested by the Exchange does not lapse after he ceases to be a director of the Company.
- (2) Mr Ha's breach of his Undertaking is serious, and his conduct shows his wilful and/or persistent failure to discharge his responsibilities under the GEM Listing Rules. The ability to conduct an efficient and thorough investigation is essential to enable the Exchange to discharge its function to maintain and regulate an orderly market. Mr Ha's failure to respond to the Division's enquiries hindered the Division's investigation and assessment of the relevant issues involving Mr Ha's conduct and his compliance with the GEM Listing Rules.

### **CONCLUSION**

The GEM Listing Committee decided to impose the sanctions set out in this Statement of Disciplinary Action.

For the avoidance of doubt, the Exchange confirms that this action against Mr Ha, for his failure to cooperate in the Investigation, is a standalone disciplinary action, separate and distinct from the Investigation, and that the above sanctions apply only to Mr Ha, and not to any other past or present members of the board of directors of the Company.

Hong Kong, 8 February 2021