



Introduction

This document is developed to provide more specific guidelines for the application of the ECF-Compliance Certification. It includes information related to (A) Eligibility Criteria, (B) Application Procedure, and (C) Recertification Arrangement for the application(s) of the following professional qualifications:

Core Level

Associate Compliance Professional (ACOP)

Professional Level

- Certified Compliance Professional General Compliance Stream (CCOP(GC))
- Certified Compliance Professional Investment and Insurance Compliance Stream (CCOP(IIC))

A. Eligibility Criteria

1. Relevant Practitioner

The Enhanced Competency Framework (ECF) on Compliance is targeted at "Relevant Practitioners (RPs)", engaged by an **Authorized Institution (AI)**¹. The ECF-Compliance is intended to apply to staff whose primary responsibilities involve performing the compliance function (other than AML/ CFT compliance).

Specifically, it is aimed at RPs located in the Hong Kong office of an AI who perform the compliance job roles as listed in the Table below.

¹ An institution authorized under the Banking Ordinance to carry on the business of taking deposits. Hong Kong maintains a Threetier Banking System, which comprises banks, restricted license banks and deposit-taking companies. Authorized institutions are supervised by the HKMA.





<u>Table – Job roles of the ECF-Compliance</u>

	Role 1 –	Role 2 –
	General Compliance	Investment and Insurance
		Compliance
Key Tasks	 Assist senior management in meeting their responsibility in terms of understanding, monitoring and managing compliance related matters Establish compliance review programmes to ensure compliance with applicable legal and regulatory requirements and codes of conduct Handle non-compliance issues and monitor the remedial actions taken Develop and implement transactions monitoring and surveillance infrastructure on general banking activities Maintain communication with internal stakeholders and liaise with regulators to understand potential risk areas and monitor regulatory developments Provide training and advice to the business units on compliance related matters 	 Report to and advise senior management on matters concerning compliance with relevant regulatory requirements including sales suitability, financial need analysis requirements and cross border selling restrictions Investigate suspicious activities and handle non-compliance incidents whilst monitoring the remedial actions taken Provide regulatory advice and analysis (and raise queries where appropriate) in relation to the life cycle of investment and insurance products Develop and implement transactions monitoring and surveillance infrastructure on investment and insurance business activities Liaise with local regulators on a regular basis to ensure open lines of communication, maintain reporting obligations and handle requests





The definition of RPs takes into account differences among Als in how compliance practitioners are assigned within their organisational structures. Functional roles, rather than the functional titles of staff members, are considered when assessing the qualification of RP. To facilitate the determination of whether a staff member falls under the scope of RPs, please refer to the key roles/ tasks outlined in Annex 1 as per the HKMA's circular on "Guide to Enhanced Competency Framework on Compliance".

It should be noted that the ECF-Compliance is **not** intended to cover staff members performing the following functions:

- (a) Staff performing solely AML/ CFT roles within an AI, as they are already subject to the ECF-AML/ CFT. Please refer to the HKMA's Guide to ECF on AML/ CFT for details on these roles. In some cases, the responsibilities of compliance and AML/ CFT roles may overlap. Als should consider the relative weight of roles and responsibilities relevant to compliance and AML/ CFT roles performed by staff members when assessing whether they should fall under the ECF-Compliance or ECF-AML/ CFT or both;
- (b) Staff performing compliance functions within an AI that are not related to regulatory compliance (e.g. financial/ accounting risk);
- (c) Staff performing specialised functions within an AI for ensuring compliance with prudential regulations (e.g. capital and liquidity requirements) and for risk areas that are covered under other ECF modules (e.g. liquidity risk, credit risk and operational risk that are covered under the ECF on Treasury Management, ECF on Credit Risk Management, and ECF on Operational Risk Management respectively);
- (d) Staff in the compliance function within an AI who are performing solely clerical and administrative duties or other incidental functions²;
- (e) Staff in the legal or internal audit function of an AI;
- (f) Senior management or relevant compliance committee members³ other than the manager or person-in-charge of the compliance department; and

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² Examples of other incidental functions include arranging meetings to discuss compliance related issues and preparing minutes of meetings that involve the discussion of compliance related issues.

Given that the main responsibilities of senior management or relevant compliance committee members (other than the manager or person-in-charge of the compliance department) may not be limited to managing the compliance risk of an AI, they are not captured within the scope of the ECF-Compliance. However, such persons may choose to acquire the ECF certification(s) which is(are) of interest and relevance to them.





(g) Staff employed by an AI in Hong Kong whose primary function does not involve serving the AI in Hong Kong (e.g. regional office staff who are based in Hong Kong serving the compliance function for an overseas office) and staff based in the subsidiaries of AIs or overseas branches of AIs who are serving the compliance function for Hong Kong and/ or overseas offices. That said, it should be noted that AIs have a responsibility to ensure that the relevant staff based in the subsidiaries and overseas branches receive adequate compliance training, including those applicable in overseas jurisdictions.

For the avoidance of doubt, a staff member is not required to work full time in the compliance function or perform all of the roles specified in the job description in order to be classified as a RP. Als are expected to adopt a principles-based approach when determining whether a staff member with multiple job roles falls within the definition of RPs. If a staff member's job responsibility covers a majority of the key tasks detailed in ECF-Compliance's role description, the staff member will be considered in scope. Als should refer to the key tasks listed in Annex 1 to assess the significance of the compliance role performed by the staff member. Als are expected to justify their decisions made in this regard. The following is a non-exhaustive list of criteria that can be taken into consideration when assessing whether a staff member should be classified as an RP:

- Proportion of time spent on compliance related matters;
- Extent to which the staff member reports to senior management and/ or governance committees on compliance related matters;
- Level of authority/ seniority of the staff member in making decisions on compliance related matters; and
- Organisational structure of the Al. For example, a staff member with roles and tasks dedicated to compliance may be working in other functions such as Legal or Risk Management.

Please refer to the HKMA's circular on "<u>Guide to Enhanced Competency Framework on Compliance</u>" dated 27 September 2022 for more details.





2. Other Certification Requirements

Upon attaining the below qualifications and fulfilling the minimum relevant work experience requirement, RPs may apply to the HKIB, for certification as an **Associate Compliance Professional** (ACOP) or a **Certified Compliance Professional – General Compliance Stream (CCOP(GC))** or a **Certified Compliance Professional – Investment and Insurance Compliance Stream (CCOP(IIC))**.

(a) Core Level

Associate Compliance Professional (ACOP)

- Successful completion of Module 1 to Module 3 of the Core Level training programmes and passing the examination; or
- Grandfathered for ECF-Compliance (Core Level)

(b) Professional Level

<u>Certified Compliance Professional – General Compliance Stream (CCOP(GC))</u>

- On top of the Core Level qualification, successful completion of Module 4 of the Professional Level training programme and passing the examination plus <u>5 years of relevant work</u> <u>experience</u>* in the general compliance function as specified in Annex 1; or
- Grandfathered for ECF-Compliance (Professional Level) in CCOP(GC)

Certified Compliance Professional – Investment and Insurance Compliance Stream (CCOP(IIC))

- On top of the Core Level qualification, successful completion of Module 4 and Module 5 of the Professional Level training programmes and passing the examinations plus <u>5 years of</u> relevant work experience* in the investment and/or insurance compliance function as specified in Annex 1; or
- Grandfathered for ECF-Compliance (Professional Level) in CCOP(IIC)

The <u>5 years of relevant work experience</u>* required for CCOP(GC) and CCOP(IIC) certification should be accumulated within the 10 years immediately prior to the date of application for certification, but it does not need to be continuous.

*In general, HKIB will consider whether the nature of work experience is substantially the same as that described in the Compliance Role 1 and Role 2 in Annex 1 of the "Guide to Enhanced Competency Framework on Compliance". Relevant work experience may be obtained from Als and/or non-bank financial institutions. As for work experiences related to Compliance gained from other non-banking industries, they will be considered on a case-by-case basis.





B. Application Procedure

1. Please follow the application procedure below:

- (a) Complete all the necessary fields in the relevant Certification Application Form for ECF-Compliance including applicant's signature and HR endorsement in relevant sections.
 - For Core Level: COM-G-023
 - For Professional Level: COM-G-025
- (b) Obtain endorsement from the Human Resources Department (HR) of the concerned Authorized Institution(s) with signature of Head of HR or equivalent and company chop on the HR Verification Annex of the above Application Form. **Applications can only be accepted with HR endorsement included.**
- (c) Applicants are required to fill in **ONE** completed HR Verification Annex form for **EACH** relevant position/functional title in the application.

Als are expected to support their staff's application for certification. Regarding information related to a Relevant Practitioner's previous employment(s), current employer should provide necessary assistance to Relevant Practitioners in the latter's applications for ECF certification (e.g. by confirming whether such information is consistent with curriculum vitae provided by the Relevant Practitioner at the time of job application).

If required, the HKIB may request applicants to provide employment records or additional information to substantiate their applications.

- (d) Read the <u>Privacy Policy Statement</u> set out on the HKIB's website before submitting the application.
- (e) Send the completed Application Form with HR department's endorsement, relevant supporting documents (e.g. copy of your HKID/Passport and copies of your examination result) and payment evidence to the HKIB.





2. Fee Payable

- A Non-refundable fee is required for ACOP/CCOP(GC)/CCOP(IIC) certification application.
- For details, please refer to the Fee Table of the Grandfathering and/or Certification
 Application of respective ECF which is available on the HKIB's website.

3. Payment Method

- (a) Paid by Employer
- (b) A crossed cheque or e-cheque made payable to "The Hong Kong Institute of Bankers".
 Post dated cheques will not be accepted.
- (c) Credit card (Visa or Mastercard)

4. Submission of Application

Please complete and submit the <u>SIGNED</u> Application Form together with the required documents via email to <u>cert.gf@hkib.org</u> or by post/in-person to The Hong Kong Institute of Bankers (HKIB) at the following address:

"Certification Application for ECF-Compliance"

Department of Professional Assessment and Certification

The Hong Kong Institute of Bankers

3/F Guangdong Investment Tower

148 Connaught Road Central, Hong Kong

Note: Please ensure sufficient postage is provided when sending out the required documents.





5. Approval and Election

- (a) The certification processing time, including the election process done by the HKIB committee members, will require **approximately 2 months**. If grandfathering is also applied together with certification by using the combined application form, the processing time will be **approximately 3 months**.
- (b) Upon successful completion of the certification process, ACOP/CCOP(GC)/CCOP(IIC) holders will be registered as Certified Individuals (CI) and be included in a public register on the HKIB's website. The HKIB will also grant the holder a professional membership. ACOP/CCOP(GC)/CCOP(IIC) professional qualification holders are then entitled to print the professional qualification on their business cards and curriculum vitae to signify their professional excellence.
- (c) Besides, the professional qualification holders' names will also be presented on the HKIB website and published in the Institute's journal "Banking Today" and Annual Report.





C. Recertification Arrangement

- Subject to the HKIB membership governance, if the applicant wants to maintain his/her ACOP/CCOP(GC)/CCOP(IIC) professional qualification, he/she is required to renew his/her certification annually and maintain valid membership status with the HKIB. The applicant must also be a Relevant Practitioner who has met the annual Continuing Professional Development (CPD) requirements and pay the annual renewal of certification fee.
- 2. ACOP/CCOP(GC)/CCOP(IIC) holders are bound by the prevailing rules and regulations of the HKIB. They must abide by the HKIB's rules and regulations as per the HKIB Members' Handbook. ACOP/CCOP(GC)/CCOP(IIC) holders are required to notify the HKIB of any material changes in their applications for certification, including their contact details. The HKIB may investigate the statements ACOP/CCOP(GC)/CCOP(IIC) holders have made with respect to their applications, and that they may be subject to disciplinary actions for any misrepresentation (whether fraudulent and otherwise) in their applications.
- **3.** (a) For the Core Level qualification, a minimum of **10 CPD hours** is required for each calendar year (ending 31 December), of which at least 5 hours should be on topics related to compliance, legal and regulatory requirements, risk management and ethics.
 - (b) For the Professional Level qualifications, a minimum of **12 CPD hours** is required for each calendar year (ending 31 December), of which at least 6 hours should be on topics related to compliance, legal and regulatory requirements, risk management and ethics.
- **4.** Any excess CPD hours accumulated within a particular year cannot be carried forward to the following year.
- **5.** Activities that qualify for CPD include:
 - (a) Attending seminars or courses (both online and in-person) provided by AIs, financial services regulators, professional bodies, academic and training institutions, and the HKIB;
 - (b) Taking professional examinations; and
 - (c) Delivering training and speeches.





- **6.** CPD training topics should be related to banking and finance or the job function. Examples of appropriate training topics include:
 - (a) Compliance, code of conduct, professional ethics or risk management (including AML/ CFT and other regulatory related topics);
 - (b) Banking and financial knowledge;
 - (c) Economics;
 - (d) Accounting;
 - (e) Legal principles;
 - (f) Business and people management;
 - (g) Language and information technology; and
 - (h) Subject areas covered in the HKIB's professional examinations.
- 7. RPs are required to self-declare their CPD compliance to the HKIB at the time of certification renewal. Documentary evidence should be kept for random audit by the HKIB. The minimum 10 (Core Level) /12 (Professional Level) CPD hours requirements will be subject to periodic review in light of the latest developments in the banking sector. For details, please refer to the HKIB's website (https://www.hkib.org).
- **8.** The renewal of **ACOP/CCOP(GC)/CCOP(IIC)** certification is subject to fulfillment of the annual CPD requirements starting from the calendar year (**from 1 January to 31 December**) following the year of certification.
- **9.** The annual CPD requirements are applicable to Relevant Practitioners who gained the designation by trainings and examinations or grandfathering.
- **10.** The CPD requirements are waived in the first calendar year (**ending 31 December**) of certification.

For the avoidance of doubt, RPs who are captured under multiple ECFs are only required to fulfil the CPD hours for one of his/her certifications per year (i.e. whichever is greater).

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Annex 1: ECF-Compliance: Key Roles and Tasks for Relevant Practitioners

(Quoted from the Annex 1 "Guide to Enhanced Competency Framework on Compliance")

Job Roles	Role 1 - (General Compliance)	Role 2 - (Investment and Insurance Compliance)
	Core	Level
Examples of	(For entry to junior level staff with less than 5 years of work experience) Compliance Officer, Compliance specialist,	
functional title	Associate/Assistant Compliance Manager	
(for reference only)	Associate/Assistant	Compilative Manager
Key Tasks	 Assist in drafting, revising and updating the 	Al's compliance policies procedures
,	guidelines and compliance related docume	
	regulatory obligations and the Al's internal	
	 Assist in performing compliance testing and 	•
	monitoring programmes to ensure the Al's	
	regulatory requirements, and codes of conduct	
	Assist in performing compliance assessments and reviews on business activities as	
	mandated by the compliance function to identify, assess and monitor compliance risk	
	and mitigate any conduct and reputational risk issues	
	Assist in compiling reports on compliance related matters and/or transactions	
	monitoring to senior management	
	Conduct initial analysis and facilitate the investigation of suspicious activities and report	
	any possible breaches of laws and regulations in business activities	
	Conduct initial investigation of non-compliance issues and monitor the status of	
	remedial actions taken	
		rules and standards to the business units and
	senior management	
	 Assist in drafting, revising and updating wh 	
	identifying and reporting potential and acti	·
	Maintain regular communication and interaction with operational risk, market risk and	
	credit risk colleagues to understand current areas of heightened operational risk, market	
	risk and credit risk. Assist line managers in	
	coordinated approach to managing risk in t	-
	Assist in liaising with local regulators on a r	
	communication, maintain reporting obligat	·
	Handle information requests from local regulators and coordinate with respective	
	business units in responding to regulatory	•
	Perform research and gap analysis on key leading and relevant everseas jurisdictions.	egai and regulatory changes both in Hong
	Kong and relevant overseas jurisdictions	





(Continued)

• Prepare training materials on compliance related matters and assist in providing training to business departments/operation units in Hong Kong

Job Roles	Role 1 -	Role 2 -
	(General Compliance)	(Investment and Insurance Compliance)
	Professional Level (For staff taking up middle to senior level positions in the compliance function	
	with 5+ years of work experience)	
Examples of	General Compliance Manager,	Investment and Insurance Compliance
functional title	Regulatory Compliance Manager	Manager
(for reference only)		
Key Tasks	Develop, review, evaluate and update the	Develop, review, evaluate and update
	Al's compliance policies, procedures,	the Al's compliance policies, procedures,
	guidelines and compliance related	guidelines and compliance related
	documents to ensure congruence with its	documents to ensure congruence with its
	legal and regulatory obligations and the Al's	legal and regulatory obligations and the
	internal requirements	Al's internal requirements
	Establish and review compliance monitoring	Establish and review compliance
	programmes to ensure the Al's compliance	monitoring programmes to ensure the
	with applicable legal and regulatory	Al's compliance with applicable legal and
	requirements, and codes of conduct	regulatory requirements, and codes of
	Conduct independent compliance	conduct covering the selling process
	assessments and reviews as mandated by	Report to and advise senior management
	the compliance function to identify, assess	on compliance related matters including
	and monitor compliance risk and mitigate	sales suitability, financial need analysis
	any conduct and reputational risk issues	and cross border selling restrictions
	Report to and advise senior management	Investigate suspicious activities and
	on compliance related matters	report any possible non-compliance
	Investigate suspicious activities and report	incidents related to Al's investment and
	any possible breaches of laws and	insurance business activities
	regulations in business activities	Identify and handle non-compliance
	Analyse areas of non-compliance and	issues and monitor the effectiveness of
	identify actions for improvement	any remedial actions taken
	Monitor the effectiveness of any remedial	Provide advice on business initiatives,
	actions taken	product development, and review and
	Provide advice and recommendations on	approve marketing materials for
	laws, rules and standards to the business	dissemination
	units	





Job Roles	Role 1 - (General Compliance)	Role 2 - (Investment and Insurance Compliance)
	Professional Level (For staff taking up middle to senior level positions in the compliance function with 5+ years of work experience)	
(Continued)	Maintain a strong understanding of new	Provide advice and guidance on
Key Tasks	and emerging products and services and	compliance related matters to
	the compliance implications on the AI of	relationship managers and investment
	such products and services	and insurance product managers
	Develop, review, evaluate and update	Liaise with local regulators on a regular
	escalation and whistleblowing policies and	basis to ensure open lines of
	procedures for identifying and reporting	communication, maintain reporting
	potential and actual noncompliance issues	obligations and handle requests
	Maintain regular communication and	Develop and implement transactions
	interaction with operational risk, market	monitoring and surveillance
	risk and credit risk colleagues to	infrastructure on investment and
	understand current areas of heightened	insurance business activities
	operational risk, market risk and credit risk	Track and capture key local and
	Liaise with local regulators on a regular	regulatory changes both in Hong Kong
	basis to ensure open lines of	and relevant overseas jurisdictions and
	communication, maintain reporting	notify relevant stakeholders to ensure
	obligations and handle requests	the business operations of the AI could
	Develop and implement transactions	meet the relevant requirements
	monitoring and surveillance infrastructure	Provide advice and training on
	on general banking activities	investment and insurance compliance to
	Track and capture key legal and regulatory	business units in Hong Kong
	changes both in Hong Kong and relevant	
	overseas jurisdictions and notify relevant	
	stakeholders to ensure the business	
	operations of the AI could meet the	
	relevant requirements	
	Provide advice and compliance related	
	training to business units in Hong Kong	





Annex 2: ECF-Compliance: Competency Framework

(Quoted from the Annex 2 "Guide to Enhanced Competency Framework on Compliance")

	Role 1 – Role 2 – General Compliance Investment and Insurance Compliance	
	Core Level	
Qualification and	Completion of Module 1 to Module 3 of the ECF-Compliance Core Level	
Experience	training programme ⁴	
Certification title	Associate Compliance Professional (ACOP)	
Exemption	RP who has passed the following training programme(s) is eligible to apply for	
	exemption on Module 1 of the ECF-Compliance Core Level training programme:	
	Certified Professional Risk Manager of the Asia Risk Management Institute	
	(ARIMI); or	
	Certification in Risk Management Assurance of the Institute of Internal Auditors	
	(IIA); or	
	International Diploma in Governance, Risk and Compliance of the International	
	Compliance Association (ICA); or	
	Professional Ethics and Compliance module under the Advanced Diploma for	
	Certified Banker (Stage I) of the HKIB; or	
	Bachelor's or higher degree in law; or	
	Certified Public Accountant of the Hong Kong Institute of Certified Public	
	Accountants (HKICPA); or	
	Full member of Association of Chartered Certified Accountants (ACCA); or	
	Members of overseas accountancy bodies which are eligible for full exemption	
	from the qualification programme for membership admission at the HKICPA	
	under the HKICPA's reciprocal membership and mutual recognition agreements	
	(as listed on its website).	
	Remarks: Other equivalent academic/professional qualifications in compliance	
	may be considered for exemption on Module 1 on a case-by-case basis. RPs will	
	need to provide detailed information on such qualifications (e.g. training course	
	syllabus, examination syllabus) to the HKIB to facilitate their assessment. The	
	assessment to determine if the RPs are qualified for exemption will be focused on:	

⁴ Module 1 and Module 2 are identical for both ECF-Operational Risk Management and ECF-Compliance. Hence, an RP who has completed Module 1 and/or Module 2 under either of these ECF streams will not be required to complete the same module(s) when he/she undertakes the training programme under the other ECF stream.





		Role 2 – Investment and Insurance Compliance
	Core Level	
	The content of the syllabus to ensure there is adequate coverage of the ECF	
	Compliance syllabus; and	
	The level of the examination (e.g. QF Level or academic level) of the	
	compliance related training programmes/qualifications.	
Grandfathering (on	Possessing at least 3 years of releval	int work experience ⁵ in a general
a one-off basis)	compliance function (for Role 1) or in an investment and/or insurance	
	compliance function (for Role 2), which is related to the key tasks in Annex 1;	
	and	
	Employed by an AI at the time of application.	
CPD requirements	A minimum of 10 CPD hours is requ	ired for each calendar year, of which at
	least 5 hours should be on topics related to compliance, legal and regulatory	
	requirements, risk management and ethics	
	Qualified CPD activities include:	
	(a) attending seminars or courses (b	ooth on-line and in-person) provided by Als,
	financial services regulators, professional bodies and academic and training	
	institutions and the HKIB;	
	(b) taking professional examinations; and	
	(c) delivering training and speeches	

In general, HKIB will consider whether the nature of work experience is substantially the same as that described in the compliance roles 1 and 2 in Annex 1. Relevant work experience is expected to be obtained from Als. As for work experience related to compliance gained from non-bank financial institutions and/or regulators, they will be considered on a case-by-case basis taking into account the level of involvement in performing compliance related key tasks. The work experience acquired from frontline business processes and operations, internal audit and risk management functions will also be considered on a case-by-case basis.





	Role 1 –	Role 2 –	
	General Compliance Profession	Investment and Insurance Compliance onal Level	
Qualification	Completion of Module 4 of the ECF	Completion of Module 4 and Module 5	
and Experience	Compliance Professional Level training	of the ECF-Compliance Professional	
	programme on top of the Core Level	Level training programme on top of the	
	certification; and	Core Level certification; and	
	Having at least 5 years of relevant work	Having at least 5 years of relevant work	
	experience which in the general	experience which is accumulated within	
	compliance function.	the 10 years immediately prior to the	
	·	date of certication application in the	
		investment and/or insurance	
		compliance function.	
Certification	Certified Compliance Professional –	Certified Compliance Professional –	
title	General Compliance Stream	Investment and Insurance Compliance	
	(CCOP(GC))	Stream (CCOP(IIC))	
Grandfathering	Possessing at least 8 years of relevant	Possessing at least 8 years of relevant	
(on a one-off	work experience ⁶ in the general	work experience ⁷ in the compliance	
basis)	compliance function which is related to	function for investment and/or	
	the key tasks in Annex 1, of which at	insurance business activities which is	
	least 3 years are gained from	related to the key tasks in Annex 1, of	
	respective Professional Level job roles;	which at least 3 years are gained from	
	and	respective Professional Level job roles;	
	Employed by an AI at the time of	and	
	application	Employed by an AI at the time of	
		application	
CPD	A minimum of 12 CPD hours is required f	or each calendar year, of which at least 6	
requirements	hours should be on topics related to com	pliance, legal and regulatory requirements,	
	risk management and ethics		
	Qualified CPD activities include:	Qualified CPD activities include:	
	(a) attending seminars or courses (bot	h on-line and in-person) provided by Als,	
	financial services regulators, professional bodies and academic and training		
	institutions and the HKIB;		
	(b) taking professional examinations; and		
	(c) delivering training and speeches		

⁶ Please see footnote 5.

⁷ Please see footnote 5.