



9 February 2010

Mr. Benjamin Hung,
Chairman,
The Hong Kong Associations of Banks,
Room 525 Prince's Building, Central, Hong Kong

Dear Mr. Hung,

Re: Hong Kong ethnic-Pakistani residents being refused to establish bank accounts

I am writing to express our concern on the issue that many of ethnic minority residents being refused to open accounts in local banks.

Up until now, our agency has been handling at least 50 complaints, please refer to the attached 'Profile of the Complainants'. At least five banks, including Hang Seng Bank, Bank of China, Bank of East Asia, DBS Bank and Standard Chartered Bank were involved. According to our complainants, these banks were using nationality as an excuse to reject their applications. In some cases, they were even suggested by bank staff to make a false claim on their nationality, so as to facilitate their applications. We found such practice utterly unacceptable as it amounts to a gross disrespect to the complainants and their nationality. In addition, they might risk committing criminal offence by making false representations on their nationality.

In fact, our cases were not only concentrated on individual branches, but spread to a number of branches of the aforesaid banks located in different districts. Most of the victims are ethnic Pakistani Hong Kong ID-card holders who have been either born, brought up or resided in Hong Kong. Like other Hong Kong residents, they should have the right to use bank services, and obtain fair and equal treatment.

Many of our complainants reported that when the bank staff explained why they were not allowed to establish a bank account, he or she usually read aloud regulations stated in a written document. In some cases, applications were rejected after consultation with managers. This shows that the decisions were not made by the frontline staff. Instead the latter were just acting according to general instructions or policies made by the banks.

To sum, the fact that ethnic Pakistani residents being refused to open bank account is not confined to individual cases. Instead it is a common practice which might jeopardize the reputation

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of Hong Kong as a global financial centre. More importantly, as an international city treasuring the values of racial equality and diversity, we should not adopt such a restrictive and unfair practice towards ethnic minority people.

We noticed that your Association has yet to make a response, since the issue was widely reported by the media. To avoid the recurrence of such discriminatory practices, we hereby urge your Association to take prompt action to rectify the current situation.

On the one hand, your Association should discuss with memberships banks to see how to strike a balance between the control of terrorist activities; and the implementation of anti-discriminatory laws and policies. On the other, a guideline should be issued to the banks to ensure their compliance to the Racial Discrimination Ordinance, and the absence of any discriminatory treatment towards particular racial groups. It would also be helpful if racial sensitivity training could be widely conducted in the banking sector, so as to raise the awareness of the management and the frontline staff.

Since ethnic minority communities are highly concerned about the issue, we sincerely wish you could respond to our request as soon as possible. A written reply would be much appreciated. Should you have any enquiries, please feel free to call me at 2789 3246 or 9237 6464.

Yours Sincerely,

Fermi Wong
Executive Director

c.c. Legislative Panels on Constitutional Affairs, Economic Development and Financial Affairs
Secretary for Financial Services and the Treasury
Secretary for Commerce and Economic Development
Secretary for Constitutional and Mainland Affairs
Equal Opportunity Commission



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Profile of the Complainants

1	Number of complaints received under the Period of Jan 2008 to Oct 2009	10 <u>Remarks:</u> 1. We have received same complaints since Jan 2008 from time to time, about 10 complaints from Pakistani community. 2. Two cases were reported by SCMP on 30 Nov 2008 and a related question was asked by Emily Lau, LegCo member on 17 Mar 2009.
2	Number of complaints received under the Period of Nov 2009 to Jan 2010	50 <u>Remarks:</u> Many of complainants claimed that their families, relatives and friends also faced same problem.
3	Ethnic Origin & Nationality	Pakistani: 49 Indian: 1
4	No. of cases rejected by different bank	i. Hang Seng Bank: 31 ii. Bank of China: 9 iii. Bank of East Asia: 4 iv. DBS Bank: 3 v. Standard Chartered Bank: 3 <u>Remarks:</u> 1. Some cases eventually able to establish accounts by left the 'Nationality' column blank/or were asked to false fill their Nationality as Chinese.



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	<p>2. Ethnic Minority residents were requested to provide more documents, apart from Address Approve and HK Identity Card, they also have to provide Passport, Birth Certificate, Marriage Certificate, Employment Letter, Other Bank Account Information, Student Handbook, School report, Tenancy Contract etc.</p> <p>3. most of the ethnic minority applicants were not able to establish an account within one day, they were simply rejected or had to wait from a week to a month.</p> <p>4. Staff of Standard Chartered Bank usually ask ethnic minority applicants to go to other banks.</p>
5	<p>Social Status</p> <p>Student: 15 Housewife: 10 Youth general Worker: 9 Adult general worker: 16</p>
6	<p>Gender</p> <p>Male: 27 Female: 23</p>
7	<p>Place of Birth / Length of Residency in Hong Kong</p> <p>Hong Kong : 15 Home Country: 35 (5 immigrated to HK less than 7 years while others are permanent residents, some have resided in HK for more than 20 years)</p>
8	<p>Hong Kong Residents</p> <p>All</p>