

## Appendix A – Declaration Form of Mr. Er Kwong Wah

1. **Was there at any time during the last 10 years, an application or a petition under any law of any jurisdiction filed against an entity (not being a partnership) of which you were a director or an equivalent person or a key executive, at the time when you were a director or an equivalent person or a key executive of that entity or at any time within two (2) years from the date you ceased to be a director or an equivalent person or a key executive of that entity, for the winding up or dissolution of that entity or, where that entity is the trustee of a business trust, that business trust, on the ground of insolvency?**

Yes

**If Yes, please provide full details**

### **China Sky Chemical Fibre Co., Ltd.**

Mr. Er was an Independent Non-Executive Director of China Sky Chemical Fibre Co., Ltd. of which has been placed under the judicial management of a judicial manager pursuant to an order to be made by the Court on 14 September 2018 under Section 227B and the provisions of Part VIIIA of the Companies Act 1967.

### **USP Group Holdings Ltd.**

Mr. Er was an Independent Director of USP Group Holdings Ltd. (“USP Group”) from 1 August 2019 to 30 September 2019. After he had stepped down from USP Group, it is noted that a winding up application was made against USP Group on 8 April 2020 by Mr. Oon Koon Cheng (“Mr. Oon”). As Mr. Er was no longer a director of USP Group, he is not privy to the details relating to the winding up application, save for the announcements made by USP Group. Mr. Er notes that on 9 March 2021, USP Group announced that it had paid the last final instalment of S\$300,000 plus interest to Mr. Oon on 16 February 2021, and the High Court of Singapore had granted leave for Mr. Oon to withdraw his winding up application against the company on 4 March 2021.

For more details, please refer to USP Group’s announcements dated 15 September 2020, 17 September 2020, 4 October 2020, 10 October 2020, and 1 November 2020 on SGXNET.

### **Hosted Patio Pte. Ltd. and Portico (Prime) Pte. Ltd.**

As an independent director of Firstlink Investments Corporation Ltd., Mr. Er also sat as an independent director on its subsidiaries, Hosted Patio Pte. Ltd. and Portico (Prime) Pte. Ltd. from 2016 to 2018, which were subject to creditors’ voluntary winding up in 2018.

2. **Have you ever, to your knowledge, been concerned with the management or conduct, in Singapore or elsewhere, of the affairs of, among others, any corporation which has been investigated for a breach of law or regulatory requirement governing corporations in Singapore or elsewhere, in connection with any matter occurring or arising during that period when you were so concerned with the entity or business trust?**

### **Firstlink Investments Corporation Ltd.**

Yes, in 2005, Firstlink Investments Corporation Ltd., where Mr. Er was an Independent Non-Executive Director. The company had received a public reprimand from SGX for failing to immediately disclose the acquisitions of Golden Concept Enterprise Limited and La Petite Bodyline UK Limited by its subsidiary. The acquisitions were completed on 30 December 2004.

### **China Sky Chemical Fibre Co., Ltd.**

In February 2012, it was announced that the Monetary Authority of Singapore (“MAS”) received a report from the Singapore Exchange on potential breaches of the Securities and Futures Act by China Sky Chemical Fibre Co., Ltd. and its directors. The matter was referred to the

## **Appendix A – Declaration Form of Mr. Er Kwong Wah**

Commercial Affairs Department (“CAD”) investigations. On 12 February 2015, the MAS announced that the CAD, in consultation with MAS and the Attorney General’s Chambers, subsequently agreed to discontinue criminal investigations so that a civil penalty settlement could take place with the former chief executive officer.

Mr. Er was not the subject of the CAD investigations.

### **Success Dragon International Holdings Limited**

In 2018, Success Dragon International Holdings Limited, was fined for HKD\$17,000.00 for the failure in or late filing of Return of Changes in Company Secretary, Directors or Authorised Representative of Registered Non-Hong Kong Company under sections 791(2)(b) or 791(2)(c) of the Companies Ordinance.

Mr. Er was an Independent Non-Executive Director from 2 July 2014 to 14 September 2017. The failure in or late filing of the said return occurred after he ceased as Independent Non-Executive Director.

- 3. Have you been the subject of any current or past investigation or disciplinary proceedings, or have been reprimanded or issued any warning, by the Authority or any other regulatory authority, SGX-ST, professional body or government agency, whether in Singapore or elsewhere?**

### **China Sky Chemical Fibre Co., Ltd.**

In 2011, China Sky Chemical Fibre Co., Ltd., where Mr. Er was an Independent Non-Executive Director, was directed by SGX to engage a Special Audit to investigate the company on issues related to interested party transactions, high cost of equipment maintenance and the purchase of a piece of land. The whole board of directors, including Mr. Er, was publicly reprimanded by SGX on 16 December 2011 and was subsequently placed on the Directors’ and Executive Officers’ Watchlist due to non-compliance of SGX’s directives to appoint a Special Auditor by China Sky Chemical Fibre Co., Ltd.. Mr. Er was subsequently removed from the Directors’ and Executive Officers’ Watchlist on 24 July 2018.

### **China Environment Ltd.**

In 2020, ACRA investigated China Environment Ltd. and its directors, including Mr. Er, after the company failed to comply with the requirements of Section 175(1) – Annual General Meeting, Section 197(1) – Annual Return by Companies and Section 201(1) – Financial Statements and consolidated financial statements of the Companies Act 1967. After the investigation, ACRA issued an advisory letter to Mr. Er, noting that there were strong mitigating factors in his favour, and to exercise due diligence when carrying out his duties as a director.