

**38C. Expert's consent to issue of prospectus containing statement by him**

- (1) A prospectus inviting persons to subscribe for shares in or debentures of a company and including a statement purporting to be made by an expert shall not be issued unless—
  - (a) he has given and has not, before delivery of a copy of the prospectus for registration, withdrawn his written consent to the issue thereof with the statement included in the form and context in which it is included; and
  - (b) a statement that he has given and has not withdrawn his consent as aforesaid appears in the prospectus.
- (2) If any prospectus is issued in contravention of this section the company and every person who is knowingly a party to the issue thereof shall be liable to a fine. (*Amended 7 of 1990 s. 2*)
- (3) In this section the expression *expert* (專家) includes engineer, valuer, accountant, and any other person whose profession gives authority to a statement made by him.

(*Added 78 of 1972 s. 6*)

[*cf. 1948 c. 38 s. 40 U.K.*]