

**SECURITIES AND FUTURES ORDINANCE
(AMENDMENT OF SCHEDULE 8) ORDER 2002**

(Made by the Chief Executive in Council under section 234
of the Securities and Futures Ordinance (5 of 2002))

1. Commencement

This Order shall come into operation on the day on which Part XI of the Securities and Futures Ordinance (5 of 2002) comes into operation.

2. Securities and Futures Appeals Tribunal

Schedule 8 to the Securities and Futures Ordinance (5 of 2002) is amended -

(a) in Part 2 -

(i) in Division 1, by adding -

“73.	Section 6(2) of the Securities and Futures (Stock Market Listing) Rules (L.N. of 2002)	Objection to a listing of securities.
74.	Section 6(3)(b) of the Securities and Futures (Stock Market Listing) Rules (L.N. of 2002)	Imposition of any condition.
75.	Section 8(1) of the Securities and Futures (Disclosure of Interests – Securities Borrowing and Lending) Rules (L.N. of 2002)	Refusal to approve a corporation as an approved lending agent.
76.	Section 8(4) of the Securities and Futures (Disclosure of Interests – Securities Borrowing and Lending) Rules (L.N. of 2002)	Imposition of any condition.
77.	Section 8(6) of the Securities and Futures (Disclosure of Interests – Securities Borrowing and Lending) Rules (L.N. of 2002)	Withdrawal of approval.”;

(ii) in Division 3, by adding -

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| “1. | Section 4(4) of the Securities and Futures (Investor Compensation – Claims) Rules (L.N. of 2002) | Determination that a claim not lodged within the time provided in section 4(3) is barred. |
| 2. | Section 7(1) of the Securities and Futures (Investor Compensation – Claims) Rules (L.N. of 2002) | Determination of a default, the date of default or the amount of loss sustained. |
| 3. | Section 9(3) of the Securities and Futures (Investor Compensation – Claims) Rules (L.N. of 2002) | Aggregation of separate claims or parts of those claims.”; |

(b) in Part 3, in Division 5, by adding -

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| “16. | A specified decision set out in item 73 of Division 1 of Part 2. | Section 6(5) of the Securities and Futures (Stock Market Listing) Rules (L.N. of 2002). |
| 17. | A specified decision set out in item 74 of Division 1 of Part 2. | Section 6(5) of the Securities and Futures (Stock Market Listing) Rules (L.N. of 2002).”. |

Clerk to the Executive Council
COUNCIL CHAMBER

2002

Explanatory Note

This Order is made by the Chief Executive in Council under section 234 of the Securities and Futures Ordinance (5 of 2002). It amends Divisions 1 and 3 of Part 2 of Schedule 8 to the Ordinance by adding certain decisions of the Securities and Futures Commission or a recognized investor compensation company to the list of specified decisions in respect of which appeals lie to the Securities and Futures Appeals Tribunal. In addition, it adds to Division 5 of Part 3 of Schedule 8 to the Ordinance certain specified decisions of the Commission which take effect earlier than the period specified in section 232(2)(a), (b) or (c) of the Ordinance.