

**L.N. 45 of 2003****INTERPRETATION AND GENERAL CLAUSES ORDINANCE****RESOLUTION OF THE LEGISLATIVE COUNCIL**

**SECURITIES AND FUTURES (FINANCIAL RESOURCES) RULES  
SECURITIES AND FUTURES (KEEPING OF RECORDS) RULES  
SECURITIES AND FUTURES (ACCOUNTS AND AUDIT) RULES  
SECURITIES AND FUTURES (CONTRACT NOTES, STATEMENTS  
OF ACCOUNT AND RECEIPTS) RULES  
SECURITIES AND FUTURES (SHORT SELLING AND SECURITIES  
BORROWING AND LENDING (MISCELLANEOUS)) RULES  
SECURITIES AND FUTURES (MISCELLANEOUS) RULES  
SECURITIES AND FUTURES (PRICE STABILIZING) RULES  
SECURITIES AND FUTURES (INSURANCE) RULES**

Resolution made and passed by the Legislative Council under section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) on 12 February 2003.

RESOLVED that—

- (a) the Securities and Futures (Financial Resources) Rules, published in the Gazette as Legal Notice No. 209 of 2002 and laid on the table of the Legislative Council on 18 December 2002, be amended—
- (i) in section 2(1)—
    - (A) in the definition of “交易日期”, in paragraph (j), by repealing “雙” and substituting “各”;
    - (B) in the definition of “期權合約”, in paragraph (b), by adding “該合約內指明的” before “某”;
  - (ii) in section 46(2)(a), by adding “該等證券的” before “買”;
  - (iii) in section 53(2)(b), by repealing “債項” and substituting “負債”;
  - (iv) in section 56(1), by adding “仍然” before “有效”;
  - (v) in section 60(4), by repealing “進” wherever it appears and substituting “執”;
- (b) the Securities and Futures (Keeping of Records) Rules, published in the Gazette as Legal Notice No. 210 of 2002 and laid on the table of the Legislative Council on 18 December 2002, be amended, in section 1(e) of the Schedule, by repealing “證券抵押品” and substituting “客戶抵押品”;

- (c) the Securities and Futures (Accounts and Audit) Rules, published in the Gazette as Legal Notice No. 211 of 2002 and laid on the table of the Legislative Council on 18 December 2002, be amended—
- (i) in section 3(1)(b)—
    - (A) by repealing “報表” and substituting “申報表”;
    - (B) in subparagraph (viii), by repealing “本身的衍生工具持倉量” and substituting “衍生工具自營交易持倉的狀況”;
  - (ii) in section 4(1)(d), by repealing “報表” where it twice appears and substituting “申報表”;
- (d) the Securities and Futures (Contract Notes, Statements of Account and Receipts) Rules, published in the Gazette as Legal Notice No. 212 of 2002 and laid on the table of the Legislative Council on 18 December 2002, be amended—
- (i) in section 2, in the definition of “保證金比率”, by repealing everything after “百分率是” and substituting “中介人的客戶被容許以該特定種類的證券抵押品向該中介人借貸(或以其他方式自該中介人取得其他方式的財務通融)的上限;”;
  - (ii) in section 5—
    - (A) in subsection (3)(c)(i), by repealing “描述” and substituting “種類”;
    - (B) in subsection (7)(a) and (b), by repealing “樣” and substituting “種類”;
  - (iii) in section 8(2)(b), (c) and (d), by repealing “款” and substituting “一種類的”;
  - (iv) in section 9(2)(b)—
    - (A) by repealing “款” and substituting “一種類的”;
    - (B) by repealing “物” where it twice appears;
  - (v) in section 11—
    - (A) in subsection (3)(e)(ii), by repealing “物”;
    - (B) in subsection (3)(f)(i), by repealing “款” and substituting “一種類的”;
    - (C) in subsection (3)(f)(ii)—
      - (I) by repealing “款” and substituting “一種類的”;
      - (II) by repealing “物”;
    - (D) in subsection (3)(g), by repealing “款” and substituting “一種類的”;
    - (E) in subsection (5)(b)(i), by repealing “款” and substituting “一種類的”;
    - (F) in subsection (5)(d), by adding “合約” after “期貨”;
    - (G) in subsection (6)(e)(ii), by repealing “物”;

- (vi) in section 12—
  - (A) in subsection (2)(b)(i) and (c), by repealing “款” and substituting “一種類的”;
  - (B) in subsection (2)(b)(ii), by repealing “款保證物” and substituting “一種類的保證”;
- (vii) in section 13—
  - (A) in subsection (1)(a)(ii), by repealing “物” where it twice appears;
  - (B) in subsection (1)(d), by repealing “物”;
  - (C) by repealing subsection (2)(e)(i) and (ii) and substituting—
    - “(i) 於中介人的保管人處開立的帳戶；或
    - (ii) 於中介人的有聯繫實體的保管人處開立的帳戶。”;
  - (D) in subsection (3)(d), by repealing “物” wherever it appears;
  - (E) in subsection (3)(d)(i), by repealing “描述” and substituting “種類”;
- (e) the Securities and Futures (Short Selling and Securities Borrowing and Lending (Miscellaneous)) Rules, published in the Gazette as Legal Notice No. 213 of 2002 and laid on the table of the Legislative Council on 18 December 2002, be amended—
  - (i) in section 3(2)(c)—
    - (A) by repealing “該證券當” and substituting “某上市證券當”;
    - (B) by repealing “上市” and substituting “該”;
  - (ii) in section 4(5), by repealing “根據第 (1)、(2) 或 (3) 款記錄口頭保證或第 (4) 款描述的詳情或” and substituting “記錄口頭保證或第 (4) 款描述的詳情，或根據第 (1)、(2) 或 (3) 款”;
- (f) the Securities and Futures (Miscellaneous) Rules, published in the Gazette as Legal Notice No. 216 of 2002 and laid on the table of the Legislative Council on 18 December 2002, be amended by repealing section 2(1)(b) and substituting—
  - “(b) in the case of a document in electronic form, be—
    - (i) sent by means of such electronic transmission as may be approved by the Commission; or
    - (ii) sent by electronic mail transmission, to such electronic reception facility as may be specified by the Commission on the contact details page of the Commission’s web site.”;

- (g) the Securities and Futures (Price Stabilizing) Rules, published in the Gazette as Legal Notice No. 218 of 2002 and laid on the table of the Legislative Council on 18 December 2002, be amended in section 12(1)(c), by adding “為提出任何買盤或達成任何交易” after “中”;
- (h) the Securities and Futures (Insurance) Rules, published in the Gazette as Legal Notice No. 11 of 2003 and laid on the table of the Legislative Council on 22 January 2003, be amended—
- (i) in section 4(1), by repealing “就任何保險期根據第 5(1) 條核准某類受規管活動的” and substituting “為某類受規管活動而根據第 5(1) 條就某保險期核准某份”;
  - (ii) in section 4(2), by repealing “就任何保險期根據第 5(2)(a) 條核准某份屬證券交易的受規管活動的” and substituting “為屬證券交易的受規管活動而根據第 5(2)(a) 條就某保險期核准某份”;
  - (iii) in section 4(3), by repealing “就任何保險期根據第 5(2)(b) 條核准某份屬期貨合約交易的受規管活動的” and substituting “為屬期貨合約交易的受規管活動而根據第 5(2)(b) 條就某保險期核准某份”;
  - (iv) in section 5(1), by repealing “任何保險期就某類受規管活動” and substituting “某類受規管活動就某保險期”;
  - (v) in section 5(2), by repealing “就任何保險期”;
  - (vi) in section 5(2)(a) and (b), by adding “就某保險期” before “核准”.

Ricky FUNG Choi-cheung  
Clerk to the Legislative Council

12 February 2003