



THE  
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BY FAX / POST

20 December 2002

Mr. Stephen Po  
Director of Intermediaries Supervision  
SFC (Code of Conduct)  
12/F, Edinburgh Tower  
The Landmark, Hong Kong

Dear Mr. Po,

**Re: Proposed Revisions to the Code of Conduct for Persons Registered with the Securities and Futures Commission ("SFC")**

I refer to your letter dated 21 November 2002 and attach copy submissions on the proposals.

Yours sincerely,

Joyce Wong  
Director of Practitioners Affairs  
e-mail: [dpa@hklawsoc.org.hk](mailto:dpa@hklawsoc.org.hk)

Encl.

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**Law Society of Hong Kong  
Securities Law Committee**

**Response to Consultation**

**Comments on the proposed revision of the Code of Conduct for Persons  
Registered with the Securities and Futures Commission November, 2002**

**Comments on Consultation Document**

- Paragraph 9 The revised Code of Conduct will be a code published pursuant to section 169 of the Securities and Futures Ordinance ("SFO"). The Committee supports the Code of Conduct being published pursuant to section 169 rather than "rules" pursuant to section 168 of the SFO.
- Paragraph 13 The Committee supports the Code of Conduct being applicable to all intermediaries and their representatives.

**Comments on the revised Code of Conduct**

- Cover Page We suggest retaining a publication date on the face of the Code to ensure that users do not inadvertently refer to outdated editions.
- Schedule 4 The Hong Kong Futures Exchange Limited maintains a sole business requirement for Futures Exchange participants (unlike the Stock Exchange of Hong Kong Limited which allows the sole business requirement to be waived in writing by the SFC). Accordingly, it would not be possible for a registered person (i.e. an authorised institution) to be subject to some of the provisions in Schedule 4 (although other provisions will clearly still be of potential relevance) unless it is proposed to also amend the requirements for being a participant of the Futures Exchange.