

Consultations, Codes and Guidelines

The following were published in 2002-2003:

Consultation Papers: 20

1. Consultation Paper on the Draft S&F (Levy) Order and the S&F (Levy) Rules	April 2002
2. Consultation Paper on the Draft S&F (Stock Market Listing) Rules and the S&F (Transfer of Functions – Stock Exchange Company) Order	May 2002
3. Consultation Paper on the Draft S&F (Disclosure of Interests – Exclusions) Regulation	May 2002
4. Consultation Paper on the Draft S&F (Short Selling Exemption and Stock Lending) Rules	May 2002
5. Consultation Paper on the Draft S&F (Leveraged Foreign Exchange Trading – Exemption) Rules	June 2002
6. Consultation Paper on the Draft S&F (Financial Resources) Rules	June 2002
7. Consultation Paper on the Draft S&F (Insurance) Rules	June 2002
8. Consultation Paper on the Draft S&F (Miscellaneous) Rules	July 2002
9. Consultation Paper on the Draft S&F (Intermediary Information) Rules	July 2002
10. Consultation Paper on the Draft S&F (Offences and Penalties) Regulations	July 2002
11. Consultation Paper on the Draft S&F (Fees) Rules	July 2002
12. Consultation Paper on the Draft S&F (Amendments of Schedule 8) Order	Aug 2002
13. Consultation Paper on Hedge Funds Reporting Requirements	September 2002
14. Consultation Document on the Proposed Revisions to the Code of Conduct for Persons Registered with the SFC	November 2002
15. Consultation Document on the Proposed Revisions to the Guidance Notes Issued by the SFC on Money Laundering	January 2003
16. Consultation Paper on the Guidance Note on Position Limits and Large Open Position Reporting Requirements	January 2003
17. Consultation Paper on the Proposed Revisions to the Guidelines for Registered Persons Using the Internet to Collect Applications for Securities in an Initial Public Offering	January 2003
18. Consultation Paper on the Draft Code on Real Estate Investment Trusts	March 2003
19. Consultation Paper on Proposed Amendments to the Companies Ordinance to Facilitate Offers of Shares and Debentures	March 2003
20. Consultation Paper on the Draft Guidelines for Regulating Index Tracking Exchange Traded Funds under the Code on Unit Trusts and Mutual Funds	March 2003

Conclusions: 37

1. Consultation Conclusions on the Draft SFC Disciplinary Fining Guidelines	April 2002
2. Consultation Conclusions on the Draft S&F (Licensed Persons and Registered Institutions) Rules	April 2002
3. Consultation Conclusions on the Draft S&F (Information) Rules	April 2002
4. Consultation Conclusions on the Draft S&F (Leveraged Foreign Exchange Trading – Arbitration) Rules	April 2002
5. Consultation Conclusions on the Draft S&F (Contracts Limits and Reportable Positions) Rules	April 2002
6. Consultation Conclusions on the Draft S&F (Recognized Counterparty) Rules	April 2002
7. Consultation Conclusions on the Offering of Hedge Funds	May 2002
8. Consultation Conclusions on the Draft S&F (Associated Entities) Rules	May 2002
9. Consultation Conclusions on the Proposed Amendments to the Financial Resources Rules made under S28 of the Securities and Futures Commission Ordinance (Cap. 24)	May 2002
10. Consultation Conclusions on the Draft S&F (Gold Purchase) Notice	June 2002
11. Consultation Conclusions on the Draft S&F (Professional Investor) Rules	June 2002
12. Consultation Conclusions on the Draft (i) S&F (Investor Compensation – Levy) Rules (ii) S&F (Investor Compensation – Compensation Limits) Rules (iii) S&F (Transfer of Functions – Investor Compensation Company) Order; and (iv) S&F (Investor Compensation – Claims) Rules	June 2002
13. Consultation Conclusions on the Draft S&F (Registration of Commission Disciplinary Orders) Rules	June 2002
14. Consultation Conclusions on the Draft S&F (Levy) Order and the S&F (Levy) Rules	June 2002
15. Consultation Conclusions on the Draft S&F (Contract Notes, Statements of Account and Receipts) Rules	June 2002

16. Consultation Conclusions on the Draft S&F (Leveraged Foreign Exchange Trading – Exemption) Rules	July 2002
17. Consultation Conclusions on the Draft S&F (Price Stabilising) Rules	July 2002
18. Consultation Conclusions on the Draft S&F (Accounts and Audit) Rules	July 2002
19. Consultation Conclusions on the Draft S&F (Client Money) Rules	July 2002
20. Consultation Conclusions on the Draft S&F (Client Securities) Rules	July 2002
21. Consultation Conclusions on the Draft S&F (Keeping of Records) Rules	July 2002
22. Consultation Conclusions on the Draft S&F (Short Selling Exemption and Stock Lending) Rules	July 2002
23. Consultation Conclusions on the Draft S&F (Disclosure of Interests – Exclusions) Regulation	July 2002
24. Consultation Conclusions on the Draft S&F (Disclosure of Interests – Securities Borrowing and Lending) Rules	July 2002
25. Consultation Conclusions on the Draft S&F (Stock Market Listing) Rules and the S&F (Transfer of Functions – Stock Exchange Company) Order	July 2002
26. Consultation Conclusions on the Proposed Licensing Fees under the S&F (Fees) Rules	July 2002
27. Consultation Conclusions on the Draft SFO (Amendments of Schedule 8) Order	September 2002
28. Consultation Conclusions on the Draft S&F (Miscellaneous) Rules	September 2002
29. Consultation Conclusions on the Draft S&F (Intermediary Information) Rules	September 2002
30. Consultation Conclusions on the Draft S&F (Offences and Penalties) Regulations	September 2002
31. Consultation Conclusions on the Draft S&F (Insurance) Rules	September 2002
32. Consultation Conclusions on the Draft S&F (Fees) Rules	September 2002
33. Consultation Conclusions on the Draft S&F (Financial Resources) Rules	October 2002
34. Consultation Conclusions on the Hedge Funds Reporting Requirements	November 2002
35. Consultation Conclusions on the Proposed Revisions to the Code of Conduct for Persons Registered with the SFC	February 2003
36. Consultation Conclusions on the Guidance Note of Position Limits and Large Open Position Reporting Requirements	March 2003
37. Consultation Conclusions on the Proposed Revisions to the Guidance Note Issued by the SFC on Money Laundering	March 2003
Codes & Guidelines: 36	
1. SFC Disciplinary Fining Guidelines	April 2002
2. Hedge Funds Guidelines	May 2002
3. Addendum to the Guidance Note on Short Selling Reporting and Stock Lending Record Keeping Requirements	June 2002
4. Amendments of Paragraph 5.1 of the Code of Conduct for Persons Registered with the SFC	June 2002
5. Revised Guidance Note on Short Selling Reporting and Stock Lending Record Keeping Requirements	November 2002
6. Guidelines for Exemptions from the Recognised Industry Qualification and Local Regulatory Framework Paper Requirements	December 2002
7. Guidelines for Facilitate Offers of Shares and Debentures:	February 2003
• Guidelines on use of offer awareness and summary disclosure materials in offerings of shares and debentures under the Companies Ordinance (Cap. 32)	
• Guidelines on using a “dual prospectus” structure to conduct programme offers of shares or debentures requiring a prospectus under the Companies Ordinance (Cap. 32)	
• Guidelines on applying for a relaxation from the procedural formalities to be fulfilled upon registration of a prospectus under the Companies Ordinance (Cap. 32)	
8. Comparison Table on Securities and Futures Ordinance Requirements for Licensing and Supervision of Intermediaries	February 2003
9. Code of Conduct for Persons Licensed by or Registered with the SFC	March 2003
10. Suggested Control Techniques and Procedures for Enhancing a Firm’s Ability to Comply with the S&F (Client Securities) Rules and the S&F (Client Money) Rules	March 2003
11. Debt Collection Guidelines for Licensed Corporations	March 2003
12. Management, Supervision and Internal Control Guidelines for Persons Licensed by or Registered with the SFC	March 2003
13. Core Operational and Financial Risk Management Controls for Over-the-Counter Derivatives Activities of Persons Licensed by or Registered with the SFC	March 2003

14. Client Identity Rule Policy	March 2003
15. SFC Disciplinary Fining Guidelines	March 2003
16. Outline of Part XV – Disclosure of Interests	March 2003
17. Guidelines for the Regulation of Automated Trading Services	March 2003
18. Guidance Note on Short Selling Reporting and Stock Lending Record Keeping Requirements	March 2003
19. Code of Conduct for Share Registrars	March 2003
20. Guidelines on Transitional Arrangements	March 2003
21. Guidelines on Waivers of Certain Licensing Fees	March 2003
22. Codes on Takeovers and Mergers and Share Repurchases	March 2003
23. Code of Conduct for Corporate Finance Adviser	March 2003
24. Code on Unit Trusts and Mutual Funds	March 2003
25. Code on Investment-Linked Assurance Schemes	March 2003
26. Code on Pooled Retirement Funds	March 2003
27. Code on Immigration-Linked Investment Schemes	March 2003
28. SFC Code on MPF Products	March 2003
29. Fund Manager Code of Conduct	March 2003
30. Guidance Note for Persons Advertising or Offering Collective Investment Schemes on the Internet	March 2003
31. Guidance Note issued by the SFC on Prevention of Money Laundering and Terrorist Financing	March 2003
32. Guidance Note on Position Limits and Large Open Position Reporting Requirements	March 2003
33. Guidelines for the Exemption of Listed Corporations from Part XV of the SFO (Disclosure of Interests)	March 2003
34. Fit and Proper Guidelines	March 2003
35. Guidelines on Competence	March 2003
36. Guidelines on Continuous Professional Training	March 2003

* S&F stands for Securities and Futures
SFO stands for Securities and Futures Ordinance