

# REGULATIONS OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION 2016

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Securities and Futures (Amendment)  
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The following provisions—

- (a) section 9 in so far as it relates to the following provisions—
  - (i) the new section 101A in so far as it relates to—
    - (A) the new definitions of ***clearing obligation***, ***clearing rules***, ***designated CCP*** and ***designation rules***;
    - (B) paragraph (a) of the new definition of ***prescribed manner***;
    - (C) paragraph (b) of the new definition of ***prescribed person***; and
    - (D) paragraph (b) of the new definition of ***specified OTC derivative transaction***;
  - (ii) the new section 101C;
  - (iii) the new section 101F in so far as it relates to the contravention of the clearing obligation;
  - (iv) the new section 101G in so far as it relates to the contravention of the clearing obligation;

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(v) the new section 101H in so far as it relates to the exemption from the clearing obligation;			
(vi) the new section 101I in so far as it relates to the guidelines on exemption from the clearing obligation;			
(vii) the new sections 101J and 101N;			
(viii) the new section 101Q, except—			
(A) paragraph (a)(ii);			
(B) paragraph (e) in so far as it relates to the new section 101K; and			
(C) paragraph (f) in so far as it relates to the new section 101K;			
(b) section 18(5) in so far as it relates to the new section 182(1)(da) (in so far as it relates to the contravention of the clearing obligation);			
(c) section 20 in so far as it relates to the new section 184A (in so far as it relates to the contravention of the clearing obligation);			
(d) section 37 in so far as it relates to the new Division 4 of Part IX (in so far as it relates to the contravention of the clearing obligation);			

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(e) section 52(3) in so far as it relates to the new definition of <b><i>clearing obligation</i></b> ;			
(f) section 53(1);			
(g) section 53(2) in so far as it relates to the new entry relating to Type 12 (in so far as it relates to paragraph (c) of the new definition of <b><i>excluded services</i></b> in Part 2 of Schedule 5);			
(h) section 53(9) in so far as it relates to the new paragraph (d) of the definition of <b><i>automated trading services</i></b> in Part 2 of Schedule 5;			
(i) section 53(10);			
(j) section 53(11) in so far as it relates to the new paragraph (d) of the definition of <b><i>automated trading services</i></b> in Part 2 of Schedule 5;			
(k) section 53(12);			
(l) section 53(13) (except in so far as it relates to Type 7 regulated activity under the Securities and Futures Ordinance (Cap. 571));			
(m) section 53(14);			
(n) section 53(22) in so far as it relates to—			
(i) paragraph (c) of the new definition of <b><i>excluded services</i></b> ; and			



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(ii) the new definition of ***providing client clearing services for OTC derivative transactions*** (in so far as it relates to paragraph (c) of the new definition of ***excluded services***);

(o) section 53(23) in so far as it relates to section 4(b) of the new Part 2A of Schedule 5 (in so far as it relates to the new definition of ***providing client clearing services for OTC derivative transactions*** in Part 2 of Schedule 5);

(p) section 54(1) in so far as it relates to the new items 4C, 4D, 4E and 4F;

(q) section 54(5) in so far as it relates to the new items 2A and 2B,

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《2014 年證券及期貨（修訂）條例》  
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(i) 新的第 101A 條，但限於在該條關乎以下條文的範圍內——

(A) 新的***指定中央對手方***、《***指定規則***》、《***結算規則***》及***結算責任***的定義；

(B) 新的***訂明方式***的定義的 (a) 段；

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(C) 新的 <b>訂明人士</b> 的定義的 (b) 段；及			
(D) 新的 <b>指明場外衍生工具交易</b> 的定義的 (b) 段；			
(ii) 新的第 101C 條；			
(iii) 新的第 101F 條，但限於在該條關乎違反結算責任的範圍內；			
(iv) 新的第 101G 條，但限於在該條關乎違反結算責任的範圍內；			
(v) 新的第 101H 條，但限於在該條關乎豁免履行結算責任的範圍內；			
(vi) 新的第 101I 條，但限於在該條關乎豁免履行結算責任的指引的範圍內；			
(vii) 新的第 101J 及 101N 條；			
(viii) 新的第 101Q 條，但以下條文除外——			
(A) (a)(ii) 段；			
(B) (e) 段，但限於在該段關乎新的第 101K 條的範圍內；及			
(C) (f) 段，但限於在該段關乎新的第 101K 條的範圍內；			
(b) 第 18(5) 條，但限於在該條關乎新的第 182(1)(da) 條 (在該第 182(1)(da) 條關乎違反結算責任的範圍內) 的範圍內；			
(c) 第 20 條，但限於在該條關乎新的第 184A 條 (在該第 184A 條關乎違反結算責任的範圍內) 的範圍內；			

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(d)	第 37 條，但限於在該條關乎新的第 IX 部第 4 分部 ( 在該分部關乎違反結算責任的範圍內 ) 的範圍內；		
(e)	第 52(3) 條，但限於在該條關乎新的 <b>結算責任</b> 的定義的範圍內；		
(f)	第 53(1) 條；		
(g)	第 53(2) 條，但限於在該條關乎新的與第 12 類有關的記項 ( 在該記項關乎附表 5 第 2 部的新的 <b>豁除服務</b> 的定義的 (c) 段的範圍內 ) 的範圍內；		
(h)	第 53(9) 條，但限於在該條關乎附表 5 第 2 部的 <b>自動化交易服務</b> 的定義的新的 (d) 段的範圍內；		
(i)	第 53(10) 條；		
(j)	第 53(11) 條，但限於在該條關乎附表 5 第 2 部的 <b>自動化交易服務</b> 的定義的新的 (d) 段的範圍內；		
(k)	第 53(12) 條；		
(l)	第 53(13) 條 ( 在該條關乎《證券及期貨條例》( 第 571 章 ) 所指的第 7 類受規管活動的範圍內除外 ) ；		
(m)	第 53(14) 條；		
(n)	第 53(22) 條，但限於在該條關乎以下條文的範圍內——		
	(i) 新的 <b>豁除服務</b> 的定義的 (c) 段；及		
	(ii) 新的 <b>為場外衍生工具交易提供客戶結算服務</b> 的定義 ( 在該定義關乎新的 <b>豁除服務</b> 的定義的 (c) 段的範圍內 ) ；		

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(o) 第 53(23) 條，但限於在該條關 乎附表 5 新的第 2A 部第 4(b) 條 ( 在該第 4(b) 條關乎附表 5 第 2 部的新的 <b>為場外衍生工具 交易提供客戶結算服務</b> 的定義 的範圍內 ) 的範圍內；			
(p) 第 54(1) 條，但限於在該條關乎 新的第 4C、4D、4E 及 4F 項 的範圍內；			
(q) 第 54(5) 條，但限於在該條關乎 新的第 2A 及 2B 項的範圍內， 在 2016 年 9 月 1 日實施 .....	5. 2.2016	27	B514
Securities and Futures (OTC Derivative Transactions—Reporting and Record Keeping Obligations) Rules (L.N. 96 of 2015)— Rule 15 in operation on 1 September 2016 .....	5. 2.2016	29	B591
《證券及期貨 ( 場外衍生工具交易 —— 匯報及 備存紀錄責任 ) 規則》(2015 年第 96 號法律 公告)—— 第 15 條在 2016 年 9 月 1 日實施 .....	5. 2.2016	29	B590
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《2015 年小額錢債審裁處 ( 訴訟人儲存金 ) ( 修 訂 ) 規則》(2015 年第 152 號法律公告 ) 在 2016 年 4 月 1 日實施 .....	22. 1.2016	19	B254
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《2015 年實習律師 ( 修訂 ) 規則》(2015 年第 174 號法律公告 ) 在 2016 年 5 月 3 日實施	29. 1.2016	23	B446

**INDEX OF NEW SUBSIDIARY LEGISLATION AND AMENDMENTS  
TO SUBSIDIARY LEGISLATION NOT YET PUBLISHED IN  
THE LOOSE-LEAF EDITION OF THE LAWS OF  
HONG KONG AS UPDATED BY ISSUE 52  
(To 31.3.2016)**

This index lists new subsidiary legislation and amendments to subsidiary legislation which are not published in the Loose-leaf Edition as updated by the most recent issue (i.e. Issue 52). The index is published monthly, and for new subsidiary legislation or amendments to subsidiary legislation published later than the index, users should refer to the individual Legal Supplements to the Gazette.

2. Part 1 lists new subsidiary legislation. Part 2 lists subsidiary legislation that has been amended, repealed or otherwise affected; following each item is the Legal Notice or the Ordinance that effected the amendment or repeal, etc.

- N.B. (a) Items arising from legislation enacted in March 2016 are printed in bold type.  
(b) Material is included whether or not it is in operation, but is not included when it is shown (as not yet in operation) in the pink Check Lists of the Loose-leaf Edition.  
(c) Commencement notices are not included.

**PART 1**

**NEW REGULATIONS, ETC.**

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- Inland Revenue (Exchange of Information relating to Taxes) (Kingdom of Norway) Order (LN 187/2015)
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