

L.N. 27 of 2016

**Securities and Futures (Amendment) Ordinance 2014
(Commencement) Notice 2016**

Under section 1(2) of the Securities and Futures (Amendment) Ordinance 2014 (6 of 2014), I appoint 1 September 2016 as the day on which the following provisions of the Ordinance come into operation—

- (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;
 - (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);
- (e) section 52(3) in so far as it relates to the new definition of ***clearing obligation***;
- (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 ***excluded services*** 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 ***automated trading services*** 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 ***automated trading services*** 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 *excluded services*; and
 - (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.

K. C. CHAN
Secretary for Financial Services
and the Treasury

29 January 2016