

表格 12 - 終止結算協議書通知

Form 12 - Notification of Termination of Clearing Agreement

交易所參與者 (非結算參與者) / 全面結算參與者名稱*:	中文 (in Chinese)
Name of Exchange Participant (Non-Clearing Participant) / General Clearing Participant*:	英文 (in English)

(* 請將不適用者刪去)

(* please delete whichever is inappropriate)

注意事項：

Notes：

- 除非文義另有所指，否則本表格內的詞語含義與香港聯合交易所有限公司（「聯交所」）/ 香港期貨交易所有限公司（「期交所」）（「**相關的交易所**」）；香港中央結算有限公司（「中央結算所」）/ 香港期貨結算有限公司（「期貨結算所」）/ 香港聯合交易所期權結算所有限公司（「聯交所期權結算所」）（「**相關的結算所**」）的相關規則、規例及程序相同。
Unless otherwise defined or the context otherwise requires, terms used in this Form shall have the same meanings ascribed to them in the relevant rules, regulations and procedures of The Stock Exchange of Hong Kong Limited ("SEHK")/ Hong Kong Futures Exchange Limited ("HKFE") (the "**relevant Exchange**"); Hong Kong Securities Clearing Company Limited ("HKSCC")/ HKFE Clearing Corporation Limited ("HKCC") / The SEHK Options Clearing House Limited ("SEHCO") (the "**relevant Clearing House**").
- 本表格可由交易所參與者（指非結算參與者）遞交予其相關的交易所或由全面結算參與者遞交予相關的結算所，通知其終止雙方所簽訂的結算協議書的建議。而遞交此表格者亦同時需要通知證券及期貨事務監察委員會（「證監會」）的中介團體監察科其終止結算協議書的意向。
This Form can be submitted either by an Exchange Participant (i.e. a Non-Clearing Participant (NCP)) to notify the relevant Exchange, or by a General Clearing Participant (GCP) to notify the relevant Clearing House, of the proposed termination of the Clearing Agreement between them. The NCP or GCP submitting this Form (the "Participant") should also notify the Intermediaries Supervision Department of the Securities and Futures Commission ("SFC") of its intention to terminate the Clearing Agreement(s).
- 交易所參與者請注意，除非及直至交易所參與者成為相關的結算所結算參與者或與上述相關的結算所的另一全面結算參與者訂下具效力、具約束力及有效的結算協議書之前，交易所參與者不允許在相關的交易所進行買賣；並同時明白及同意如結算協議書已終止及沒有與另一全面結算參與者訂下具效力、具約束力及有效的結算協議書，相關的交易所有權在沒有預早通知的情況下，終止或停止交易所參與者連接相關的交易所的交易系統。如有關之交易所參與者欲與另一位全面結算參與者簽訂結算協議書，在簽署新的結算協議書後，必須向相關的結算所給予最少一個工作天的通知，該結算協議書才能生效。
Exchange Participant shall note that unless or until it becomes a Clearing Participant of the relevant Clearing House or has a valid, binding and effective Clearing Agreement(s) with another GCP(s) of the relevant Clearing House, it will not be allowed to trade on the relevant Exchange and in this connection, the relevant Exchange shall have the right to forthwith terminate or suspend the Exchange Participant's access to its trading system(s) without giving the Exchange Participant any prior notice if the Clearing Agreement is terminated and there is no other valid, binding and effective Clearing Agreement between the Exchange Participant and another general clearing participant of the relevant Clearing House. Where the Exchange Participant intends to execute a Clearing Agreement with another GCP(s), at least one business day's notice to the relevant Clearing House forthwith upon execution of such Clearing Agreement is required.
- 請完成表格內的所有問題及不要留有空格，如有任何問題是不適用，請填寫「不適用」。
Please answer all the questions stated in this Form and do not leave any questions blank. If any question is not applicable, please state "N.A.".
- 請將此表格傳真至香港交易及結算所有限公司現貨交易參與者服務（傳真號碼：2522-1707），並致電 2840-3626 確認已遞交。
Please submit this Form to Participant Services, Cash Trading of Hong Kong Exchanges and Clearing Limited by fax at 2522-1707 followed by telephone call at 2840-3626 to confirm submission.

A. 終止相關結算所結算協議書資料:

Details of the termination of Clearing Agreement of the respective clearing house(s):

全面結算參與者名稱: Name of the General Clearing Participant:	
交易所參與者名稱: Name of Exchange Participant:	

請在下列適當之方格內加上 '✓' 號，以註明所需通知

Please tick the appropriate box(ex) below for the notification

- 中央結算所結算協議書： 擬終止日期
HKSCC Clearing Agreement: Intended Effective Date of Termination: _____
- 期貨結算所結算協議書： 擬終止日期
HKCC Clearing Agreement: Intended Effective Date of Termination: _____
- 聯交所期權結算所結算協議書： 擬終止日期
SEOCH Clearing Agreement: Intended Effective Date of Termination: _____

B. 此通知之聯絡人資料

Information of the Contact Person for this notification

聯絡人名稱： Name of Contact Person：		職銜： Position：	
電話號碼： Telephone Number：		傳真號碼： Fax Number：	
電郵地址： Email Address：			

C. 參與者聲明 Declaration by the Participant

本公司，
We,

_____ 參與者名稱 (Name of Participant)

1. (參與者為交易所參與者)：

已按聯交所規則第358(4)條 / 期交所規則、規例及程序第530(b)條 / 期權交易規則 - 聯交所第539A條 (視乎情況而定) 在此發出通知，欲與上述全面結算參與者終止結算協議書，並確認已通知結算協議書的另一方 (即上述全面結算參與者)。本公司明白當相關的結算所收到相關的交易所通知收到本公司所提交的終止協議通知後，相關的結算所將會就該通知以書面形式發出確認書予全面結算參與者 (副本予本公司)；除非直至相關的結算所發出書面確認書予全面結算參與者為止，否則有關的結算協議書仍具效力、具約束力及有效，而協議雙方仍繼續受制於有關的結算協議書；

(where the Participant is an Exchange Participant):

hereby give you notice pursuant to Rule 358(4) of the Rules of the Exchange/ Rule 530(b) of the Rules, Regulations and Procedures of the Futures Exchange/ Rule 539A of the Options Trading Rules of the Stock Exchange (as the case may be) that we intend to terminate the Clearing Agreement with the abovenamed GCP and we **confirm** that we have notified the other party to the Clearing Agreement i.e. the GCP of the submission of this Form and have given termination notice to the GCP. We **understand** that when the relevant Clearing House receives notification from the relevant Exchange that we have submitted this Form to the relevant Exchange, the relevant Clearing House will issue confirmation of termination to the GCP (with a copy to us) in writing and unless and until written confirmation has been issued to the GCP, the Clearing Agreement(s) shall be treated as valid, binding and effective by the relevant Clearing House and we shall continue to be bound by the Clearing Agreement;

(參與者為全面結算參與者) :

已按中央結算系統一般規則第4004條 / 期貨結算規則及程序第319(a)條 / 聯交所期權結算所期權結算規則第434A(1)條 (視乎情況而定) 在此發出通知，欲與上述交易所參與者終止結算協議書，並確認已通知結算協議書的另一方(即上述交易所參與者)。本公司明白當相關的結算所收到終止協議通知後，相關的結算所將會就該通知以書面形式發出確認書予本公司 (副本予有關的非結算參與者) ；除非直至結算所發出書面確認書予本公司為止，否則有關的結算協議書仍具效力、具約束力及有效，而協議雙方仍繼續受制於有關的結算協議書；

(where the Participant is a GCP):

hereby give you notice pursuant to Rule 4004 of the General Rules of CCASS/ Rule 319(a) of the Clearing Rules and Procedures of HKCC/ Rule 434A(1) of the Options Clearing Rules of SEOC (as the case may be) that we intend to terminate the Clearing Agreement with the abovementioned Exchange Participant and we **confirm** that we have notified the other party to the Clearing Agreement i.e. the Exchange Participant of the submission of this Form and have given termination notice to the the Exchange Participant. We **understand** that when the concerned Clearing House(s) receive(s) this Form from us, the concerned Clearing House(s) will issue a confirmation of termination to us (with a copy to the concerned NCP) in writing and unless and until written confirmation has been issued to us, the Clearing Agreement(s) shall be treated as valid, binding and effective by the concerned Clearing House(s) and we shall continue to be bound by the Clearing Agreement(s);

2. **聲明**在此表格內所提供的資料，全屬完整、真實及正確，同時，本公司並沒有因任何陳述或遺漏而導致該等資料有任何不真確或誤導的成份；
declare that the information provided in this Form is complete, true and correct and that we have not made any statements or omissions which would render such information untrue or misleading;
3. **承諾**若此表格內所提供之資料有任何變更，本公司當立刻通知相關的交易所及相關的結算所 (視乎情況而定) ；
undertake that we shall notify the relevant Exchange and the relevant Clearing House (as the case may be) immediately of any changes in the information given in this notification;
4. **明白**如本公司在此表格內作出任何虛假或錯誤引導之通知，相關的交易所及相關的結算所 (視乎情況而定) 會對本公司採取紀律處分；
understand that the relevant Exchange and the relevant Clearing House (as the case may be) may take disciplinary proceedings against us for making any false or misleading representation in relation to our notification under this Form;
5. **承諾**本公司會遵守所有適用於相關的交易所及相關的結算所(視乎情況而定) 不時生效之規則、規例及程序，及相關的交易所及相關的結算所 (視乎情況而定) 不時作出的其他指令，並**同意**在任何不遵守之情況下接受紀律處分；及
undertake that we shall comply with the relevant rules, regulations and procedures of the relevant Exchange and the relevant Clearing House (as the case may be) from time to time in force, and any other directives from time to time issued by the relevant Exchange and the relevant Clearing House (as the case may be); and **agree** that any non-compliance shall render us liable to disciplinary proceedings; and
6. **同意**聯交所、期交所、中央結算所、期貨結算所、聯交所期權結算所及聯交所、期交所、中央結算所、期貨結算所、聯交所期權結算所控制人的認可控制人又或任何作為聯交所、期交所、中央結算所、期貨結算所、聯交所期權結算所控制人的認可控制人為其控制人的公司，可將本公司的有關資料透露予證監會、其他交易所及監管機構 (不論於香港境內或境外) 。
consent that SEHK, HKFE, HKSCC, HKCC, SEOC and any recognized exchange controller which is the controller of SEHK, HKFE, HKSCC, HKCC and SEOC or any company of which a recognized exchange controller which is the controller of SEHK, HKFE, HKSCC, HKCC and SEOC is a controller may disclose our information to the SFC, any exchange and regulatory authority (whether within or outside Hong Kong).

聯交所 / 中央結算所參

與者簽署¹

Signature of
SEHK/ HKSCC
Participant¹

日期
Date

(連同公司簽署印章 with Company Chop)

簽署人姓名
Name of Signatory

職銜
Position

¹如參與者為非結算參與者，其簽署人必須為交易所參與者的負責人員；或如參與者為全面結算參與者，其簽署人必須為全面結算參與者的授權簽署人士。

The signatory shall be a Responsible Officer of the Exchange Participant (in the case of the Participant being an NCP) or Authorised Signatories of the GCP (in the case of the Participant being a GCP).

期交所 / 期貨結算所參與

者簽署¹

Signature of
HKFE/ HKCC
Participant¹

日期

Date

(連同公司簽署印章 with Company Chop)

簽署人姓名

Name of Signatory

職銜

Position

聯交所期權交易所 /

結算所參與者簽署¹

Signature of OTEP/
SEOCH Participant¹

日期

Date

(連同公司簽署印章 with Company Chop)

簽署人姓名

Name of Signatory

職銜

Position

² 如參與者為非結算參與者，其簽署人必須為交易所參與者的負責人員；或如參與者為全面結算參與者，其簽署人必須為全面結算參與者的授權簽署人士。

The signatory shall be a Responsible Officer of the Exchange Participant (in the case of the Participant being an NCP) or Authorised Signatories of the GCP (in the case of the Participant being a GCP).