

HKEx Information Services Limited

(A wholly-owned member of the Hong Kong Exchanges and Clearing Limited Group)

**Guiding Note on
Monthly Subscriber and/or Individual User Report Summary and
Detailed Subscriber and/or Individual User Report
Securities and Derivatives Market Data
(for real-time data vendors and licensed end-users)**

PURPOSE

This Guiding Note sets out the reporting requirements for authorized information vendors (IVs) and licensed end-users (EUs) who disseminate our Securities and/or Derivatives Market Data (“Market Data”) on real-time basis.

DETAILS

IVs and/or EUs are obliged to provide a Subscriber Report and/or Individual User Report to HKEx-IS within 15 days of the end of each month (unless the Subscriber Report or Individual User Report related to Subscribers outside Hong Kong, in which case it shall be provided within 30 days of the end of each month) as per clause 5.5 of the Market Data Vendor Licence Agreement and clause 6.4 of the Market Data End-User Licence Agreement (collectively known as the “Licence Agreement”) respectively.

In order to facilitate the IVs and/or EUs to complete and submit the monthly Subscriber Report or Individual User Report, all IVs and EUs are required to comply with the following reporting requirements:-

Part A – Monthly Subscriber or Individual User Report Summary (obtainable directly from HKEx-IS as it directly captured all approved services as recorded in the MOPP)

1. Content of Report Summary

- 1.1 Name of Licensee – Name of the IV or EU as stated on the Licence Agreement.
- 1.2 Name of Datafeed – Name of Datafeed(s) as recorded in the Schedule 3 of the Licence Agreement.
- 1.3 Name of Service – Name(s) of the approved services as recorded in the MOPP as per Schedule 4 of the Licence Agreement.
- 1.4 Fee Type – Applicable Subscriber Fee Type of the approved services as recorded in the MOPP as per Schedule 4 of the Licence Agreement.
- 1.5 Free Trial Units (applicable to IVs only) – Number of Free Trial Units which are strictly offered to potential clients who would like to trial real-time data services. For your information, please obtain prior written approval from HKEx-IS or otherwise the IV is liable to pay the applicable subscriber fees to HKEx-IS.
- 1.6 Business Support Units (applicable to IVs only) – Number of subscriber units which are employed solely for business support purposes. At any given time, the total number of Business Support Units shall not exceed 50 units unless with prior written approval obtained

from HKEx-IS or otherwise the IV is liable to pay the applicable subscriber fees to HKEx-IS.

- 1.7 Editorial Units (applicable to IVs only) – Number of units should be employed solely for editorial or news reporting purpose. Please give prior notice to HKEx-IS for such usages.
- 1.8 Free units to HKEx-IS – Number of free units provided to HKEx-IS for monitoring purpose.
- 1.9 Total Adjustments – Total amount of the adjustment items.
- 1.10 Total Payment – The net amount of "Total Subscriber/Individual User Fee " and "Total Adjustments" paid/payable to HKEx-IS.
- 1.11 Payment of Subscriber/Individual User Fee – IVs are required to properly fill in the relevant information when submitting the Subscriber or Individual User Report Summary.
- 1.12 Authorized signature – The original copy of the Subscriber or Individual User Report Summary must be signed by the authorised representative with the printed name, title and company chop affixed.

Part B – Monthly Detailed Subscriber or Individual User Report (obtainable directly from HKEx-IS)

1. Contents of the Detailed Subscriber or Individual User Report

Subscriber or Individual User Reports are monthly statements in reporting the number and the details of subscriber or individual user units to whom the IVs and/or EUs disseminate our Market Data on real-time basis. The items included in the report are interpreted as follows:

| Fields | Details | Field type |
|---|--|-----------------|
| 1.1 Reporting Month | The month in which the number of subscriber or individual user units and the amount of subscriber or individual user fees reported by IVs or EUs. | Char - yy/mm |
| 1.2 Unique Subscriber/ Individual User ID | A unique identifier assigned by IVs or EUs to each subscriber or individual user unit which shall be traceable in the systems of sales, accounting, billing and service permissioning. | Char |
| 1.3 Subscriber/ Individual User name | The names of the subscribers or individual users to whom the IVs or EUs have disseminated our Market Data as per clause 5.5 of the Market Data Vendor Licence Agreement or clause 6.4 of the Market Data End-User Licence Agreement. | Char |
| 1.4 Subscriber/ Individual User address | The addresses of all Corporate subscribers/users and Corporate subscribers/users under Mainland China Discount Program. For your information, it is <u>not</u> required to report the address of retail subscribers/users. | Char |
| 1.5 Country / Region code | The country/region where the subscribers/users are located. (Please refer to Appendix I for details of applicable ISO3166 codes.) | Char |
| 1.6 Name of Service | The service name that the subscribers or individual users are subscribing or using from the IVs/EUs. (Please refer to the approved services as recorded in the MOPP as per Schedule 4 of the Licence Agreement.) | Char |

| Fields | Details | Field type |
|--|--|--|
| 1.7 Fee Type | Please refer to the MOPP of the Licence Agreement. | Char |
| 1.8 Subscriber/ Individual User fee per unit | Please refer to the MOPP of the Licence Agreement and all the applicable Marketing Programs. (All reported amount must be denominated in HK\$) | Numeric (with 2 decimal points) |
| 1.9 Number of subscriber/ Individual User unit | The total number of subscriber/ Individual User units being activated as of the last day of each calendar month. | Numeric |
| 1.10 Percentage discount (applicable to IVs only) | Please refer to the Discount table in Schedule 5 of the Market Data Vendor Licence Agreement as entitled by the subscribers or IVs. | Numeric |
| 1.11 Total subscriber/ Individual User fee payable | The total of net subscriber / individual user fees after applicable discounted amount. (All reported amount must be denominated in HK\$) | Numeric |
| 1.12 Date of service commenced | The service activation date for permitting each individual subscriber or user to access our Market Data. | Date - yy/mm/dd |
| 1.13 Date of service terminated | The service de-activation date for disallowing each individual subscriber or user to access our Market Data. (IVs or EUs shall be liable for the subscriber/ individual user fee for any re-activation during the reporting month.) | Date - yy/mm/dd |
| 1.14 Remarks | Mark "Both" for those subscribe to both Securities and Derivatives (L1) Market Data under Mainland China Discount Program. | Char |
| 1.15 Total Payment | Total amount should be agreed to the Monthly Subscriber or Individual User Report Summary | Numeric |

2. Reporting on duration period for each subscriber unit

IVs or EUs shall report the service duration for each subscriber/individual user unit including the "Date of service activated" and the "Date of service de-activated".

For subscriber/individual user units being activated or de-activated prior to the reporting month, IVs or EUs shall make remarks on the Subscriber or Individual User Report by referring to the payment discrepancies in the Report of Adjustments separately.

3. Entitlement on "Volume Discount" (Applicable to IVs (but not EUs) and on Streaming / Continuous Access Service only)

IVs shall report and claim the volume discount by no later than the time due for submitting the relevant Subscriber Report.

IVs are reminded to maintain proper audit trails in proving if those subscriber units receive the

same classification of service throughout a particular month for the applicable discount.

4. Entitlement on Charge Per Unit Time Service

Please to separate reporting Guiding Note on Charge Per Unit Time service.

5. Claim on "Marketing/ Promotion Programs" (Applicable to IVs (but not EUs) and on Streaming / Continuous Access Service only)

IVs shall report and claim the discounted prices by no later than the time due for submitting the relevant Subscriber Report. They are also required to fulfill the following conditions:-

- a) IVs are not entitled to claim the volume discount under Schedule 5 of the Market Data Vendor Licence Agreement simultaneously;
- b) IVs are required to on-pass the discounts to subscribers; and
- c) IVs are required to provide breakdown on the number of subscriber units and the amount of subscriber fees by countries in the Monthly Subscriber Reports.

Part C – Report of Adjustments

Content of Adjustment Report

IVs or EUs shall submit a separate report in specifying the causes and the details of any adjustment on the Monthly Subscriber or Individual User reports. For clarification purposes, the adjustments for under-remittances / over-payments may be due to omission in reporting in the previous month(s) or due to any other reasons with submission of documents to HKEx-IS for reference.

Part D – Payment and Filing of Monthly Reports

1. Payment

IVs or EUs shall pay the fees in Hong Kong dollars either by cheque or by direct remittance (**all bank charges should be borne by IVs or EUs**) to the HKEx-IS' account with details as below:

| | | |
|--------------|---|--------------------------------------|
| Banker | : | Hang Seng Bank Ltd. |
| Swift Code | : | HASEHKHH |
| Bank Address | : | 83 Des Voeux Road Central, Hong Kong |
| Beneficiary | : | HKEx Information Services Limited |
| Account No | : | 024-280-0-340503 |

2. Reporting (duly signed hardcopy)

IVs or EUs shall submit a properly authorized Monthly Subscriber/Individual User Report Summary (signed by authorized representative) together with payment to the following address.

The Finance Department – Revenue Control
HKEx Information Services Ltd.
c/o Hong Kong Exchanges and Clearing Ltd.
17 World Wide House, 19 Des Voeux Road, Central, Hong Kong

3. Electronic Reporting

IVs or EUs shall also send an electronic copy of the Monthly Subscriber/Individual User Report Summary together with the Monthly Detailed Subscriber/Individual User Report to ElecReport@hkex.com.hk.

(For your information, HKEx-IS will send out via e-mail a reporting template, each for Securities and Derivatives Market, if applicable, in excel format **on the first day following the reporting month**, to each IV and EU for completion and submission purposes.)

Should IVs or EUs have any additional concerns or queries, please contact the Compliance Team of Market Data Department:-

Michelle Chen via MichelleChen@hkex.com.hk at (+852) 2840 3346; or

Carmen Ho via CarmenHo@hkex.com.hk at (+852) 2840 3210; or

Raymond Lo via RaymondLo@hkex.com.hk at (+852) 2840 3024.

This Guiding Note supersedes any version previously sent. HKEx-IS reserves the rights to amend the requirements should the needs arise and shall keep you informed as soon as possible.

HKEx-IS
December 2012

Appendix I

| <u>Country / Area</u> | <u>Code</u> | <u>Country / Area</u> | <u>Code</u> | <u>Country / Area</u> | <u>Code</u> |
|-----------------------|-------------|-----------------------|-------------|--|-------------|
| Argentina | ARG | Greenland | GRL | Peru | PER |
| Australia | AUS | Guam | GUM | Philippines | PHL |
| Austria | AUT | Hong Kong | HKG | Poland | POL |
| Bahamas | BHS | Hungary | HUN | Portugal | PRT |
| Bahrain | BHR | Iceland | ISL | Romania | ROM |
| Bangladesh | BGD | India | IND | Russian Federation | RUS |
| Belgium | BEL | Indonesia | IDN | Saudi Arabia | SAU |
| Bermuda | BMU | Ireland | IRL | Singapore | SGP |
| Brazil | BRA | Israel | ISR | South Africa | ZAF |
| Bulgaria | BGR | Italy | ITA | Spain | ESP |
| Canada | CAN | Japan | JPN | Sweden | SWE |
| Cayman Islands | CYM | Republic of Korea | KOR | Switzerland | CHE |
| Chile | CHL | Kuwait | KWT | Taiwan | TWN |
| China | CHN | Liechtenstein | LIE | Thailand | THA |
| Colombia | COL | Luxembourg | LUX | Turkey | TUR |
| Cyprus | CYP | Macau | MAC | United Kingdom | GBR |
| Czech Republic | CZE | Malaysia | MYS | United States | USA |
| Denmark | DNK | Mexico | MEX | Venezuela | VEN |
| Egypt | EGY | Monaco | MCO | Vietnam | VNM |
| Finland | FIN | Netherlands | NLD | British Virgin Islands | VGB |
| France | FRA | Netherlands Antilles | ANT | United States Virgin Islands | VIR |
| Germany | DEU | New Zealand | NZL | Channel Islands | NDS |
| Gibraltar | GIB | Norway | NOR | Democratic People's Republic of Korea | PRK |
| Greece | GRC | Panama | PAN | | |

Source: International Organization for Standardization (ISO)

Please refer to the <http://www.un.org/Depts/unsd/methods/m49alpha.htm> for details.