

Frequently Asked Questions Series 2 (Released on 6 June 2006/ Last Updated on 30 September 2009)

Minor and Housekeeping Rule Amendments (effective 1 March 2006)

Status of “Frequently Asked Questions”

The following frequently asked questions (FAQs) are designed to help issuers to understand and comply with the Listing Rules, particularly in situations not explicitly set out in the Rules or where further clarification may be desirable.

Users of the FAQs should refer to the Rules themselves and, if necessary, seek qualified professional advice. The FAQs are not substitutes for the Rules. If there is any discrepancy between the FAQs and the Rules, the Rules prevail.

In formulating our “answers”, we may have assumed certain underlying facts, selectively summarised the Rules or concentrated on one particular aspect of the question. They are not definitive and do not apply to all cases where the scenario may at first appear similar. In any given case, regard must be had to all the relevant facts and circumstances.

The Listing Division may be consulted on a confidential basis. Contact the Listing Division at the earliest opportunity with any queries.

No.	Main Board Rule Reference	GEM Rule Reference	Query	Response
1.	(FAQ withdrawn on 30 September 2009)			
2.	13.51(2)(x)	17.50(2)(x)	If there is no information to be disclosed pursuant to the requirements under certain paragraphs, say (h) to (w), in Main Board Rule 13.51(2)/GEM Rule 17.50(2), is a negative statement required for each sub-paragraph including a recital of the language of the sub-paragraph in full or, alternatively, is it acceptable for the negative statement to be made by quoting the rule reference without a detailed description of each of the requirements therein?	Subject to the comment below, compliance with the requirements of Main Board Rule 13.51(2)/GEM Rule 17.50(2), could be achieved by either approach. We think the alternative offers a more elegant and focused form of disclosure. Under either approach separate disclosure should always be made pursuant to Main Board Rule 13.51(2)(w) /GEM Rule 17.50(2)(w) to confirm, in the announcement, whether or not there are any other matters that need to be brought to the attention of holders of securities of the listed issuer.
3.	13.51A	17.52A	Does the new rule apply to financial reports with glossy covers published by a listed issuer pursuant to the Main Board Listing Rules/GEM Listing Rules? If yes, is it acceptable for the listed issuer to disclose its stock code in the corporate or shareholder information section instead of the cover pages of the documents?	Financial reports are considered documents subject to Main Board Rule 13.51A/ GEM Rule 17.52A (the “Rule”). However, the Exchange would accept that the purpose of the Rule would be satisfied, in the circumstances described, provided that the stock code is displayed prominently in the corporate or shareholder information section of the document. This application of the Rule represents a modification to the strict wording of the Rule for which consent from the Securities and Futures Commission has been obtained under Main Board Rule 2.04/GEM Rule 2.07.