

Chapter 35

DEBT SECURITIES

GUARANTORS AND GUARANTEED ISSUES

- 35.01 Chapter 37 applies to guaranteed debt issues to professional investors only. In all other cases where listing is sought for debt securities of an issuer guaranteed or secured by another legal person not being its holding company, the guarantor will be required to comply with the Exchange Listing Rules to the same extent as if such guarantor were the issuer of the relevant debt securities. In particular:—
- (1) a listing document issued in relation to a guaranteed issue must contain the same information regarding the guarantor as that regarding the issuer, so that, where appropriate, references in paragraphs of Part C of Appendix 1 to “issuer” should be read as applying equally to the guarantor; and
 - (2) a guarantor will be required to sign a Listing Agreement in the form prescribed and provided by the Exchange.
- 35.02 The relevant guarantee must be issued in conformity with the law of the place where the guarantor is incorporated or otherwise established and in conformity with the guarantor’s memorandum and articles of association or equivalent documents and all authorisations needed for its issue under such law or documents must have been duly given.
- 35.03 The matters to be included or reported on under rules 4.04 to 4.07 must be extended to the guarantor and its subsidiaries as well as the issuer.