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**香港中央結算有限公司**

(香港交易及結算所有限公司全資附屬公司)

**Hong Kong Securities Clearing Company Limited**

(A wholly-owned subsidiary of Hong Kong Exchanges and Clearing Limited)

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**通告 CIRCULAR**

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事項 中央結算系統一般規則及中央結算系統運作程序規則之修訂  
Subject: Amendments to General Rules of CCASS and CCASS Operational Procedures

查詢 查詢熱線  
Enquiry: Hotline 2979 7111

CCASS participants are requested to note that the Securities and Futures Commission has approved amendments to the General Rules of CCASS and the CCASS Operational Procedures to facilitate Hong Kong Securities Clearing Company Limited to comply with its obligations as a participating foreign financial institution under the U.S. Foreign Account Tax Compliance Act.

The amendments, as set out in Appendices 1 and 2, will come into effect on 1 July 2014.

The marked-up version of the amendments can be downloaded from the following sections of the HKEx website:

- "Rule Update - General Rules of CCASS"
- "Rule Update - CCASS Operational Procedures"

Christine Wong  
Chief Counsel & Head  
Legal Services Department

請各位中央結算系統參與者注意，證券及期貨事務監察委員會已批准修訂中央結算系統一般規則及中央結算系統運作程序規則，有關便利香港中央結算有限公司符合作為美國《海外帳戶稅收合規法案》參與海外金融機構的責任之修訂。

載於附件一及二之修訂由 2014年7月1日起生效。

有關規則的標明修訂本可在香港交易所網站中下載：

- "規則修訂 - 中央結算系統一般規則"
- "規則修訂 - 中央結算系統運作程序規則"

法律服務部  
首席法律顧問及主管  
黃凱明 謹啟

香港交易及結算所有限公司  
Hong Kong Exchanges and Clearing Limited

香港中環港景街一號國際金融中心一期12樓  
12/F, One International Finance Centre, 1 Harbour View Street, Central, Hong Kong

電話 Tel: +852 2522 1122 傳真 Fax: +852 2295 3106 網址 Website: www.hkex.com.hk 電郵 E-mail: info@hkex.com.hk

**GENERAL RULES OF CCASS**

**CHAPTER 1**

**INTERPRETATION**

**101. Definitions**

When used herein, the following expressions shall, unless the context otherwise requires, bear the following meanings:

“Code”	means the United States Internal Revenue Code of 1986, as amended;
“Eligible U.S. Securities”	means any U.S. securities that are regularly traded on (i) a national securities exchange which is registered under section 6 of the Securities Exchange Act of 1934 or (ii) the NASDAQ, provided that no such securities are (x) U.S. real property interests as defined in section 897 of the Code, (y) partnerships, trusts, or real estate investment trusts subject to withholding pursuant to Code section 1445(e), or (z) partnerships subject to withholding pursuant to Code section 1446;
“Tax Information Exchange Framework”	means (i) sections 1471 to 1474 of the Code, (ii) any similar or successor legislation to (i) introduced by the United States, (iii) any agreement described in section 1471(b) of the Code, (iv) any regulations or guidance pursuant to any of the foregoing, (v) any official interpretations of any of the foregoing, (vi) any intergovernmental agreement to facilitate the implementation of any of the foregoing (an “IGA”), or (vii) any law implementing an IGA;
“Unit”	means one undivided share or undivided beneficial interest in a Unit Trust, a fund or similar investment arrangement;
“Unit Trust”	means any arrangement made for the purpose, or having the effect, of providing facilities for the participation by persons, as beneficiaries under a trust, in profits or income arising from the acquisition, holding, management or disposal of securities or any other property whatsoever; and
“Withholding Tax”	means any withholding or deduction pursuant to the Tax Information Exchange Framework.

**104. HKSCC's policy on personal information collection**

In relation to the Personal Data (Privacy) Ordinance, HKSCC and its nominee's policy with respect to personal information collection relating to individuals in relation to CCASS functions and services are as follows:

- (ii) Unless consent of the individual is obtained, personal information of an individual held by HKSCC will be kept confidential but HKSCC may release some of the information (including but not limited to information received from an Investor Participant and other information in connection with an Investor Participant) to external parties including but not limited to agents, contractors or third party service providers who provide administrative, telecommunications, computer, insurance, payment clearing or other services to HKSCC in connection with the operation of its business, any other person under a duty of confidentiality to HKSCC (including by way of contract), the Commission, the Exchange, any recognized exchange controller, any company of which the recognized exchange controller which is the controller of HKSCC is the controller, other recognized clearing houses, central depositories, bodies of exchanges, overseas governmental or regulatory bodies, governmental departments and issuers of Eligible Securities authorized by law and/or pursuant to the Rules, notwithstanding that any such persons may be outside of Hong Kong.

**CHAPTER 3**

**ADMISSION OF PARTICIPANTS**

**303. Criteria for admission**

An applicant for admission as a Participant must apply in the prescribed manner to HKSCC and must demonstrate to the satisfaction of HKSCC that it is of good financial standing, has the operational capability to satisfy at all times the requirements of CCASS, including but not limited to each of the requirements set out in Chapter 17, and is otherwise a fit and proper person to be admitted as a Participant.

Each applicant must provide HKSCC with such certifications, declarations, representations, undertakings, documents and further information as HKSCC may require for dealing with the application.

**CHAPTER 12**

**MONEY SETTLEMENT SERVICES**

**1210. Tax**

HKSCC shall make any payments due to a Participant net of any Withholding Tax (whether withheld by HKSCC or any other parties), and HKSCC shall have no obligation to gross-up any such payment or to pay any additional amount as a result of such Withholding Tax. HKSCC shall be entitled to deduct Withholding Tax from payments to a Participant.

In the event that any payment made by a Participant to HKSCC is subject to deduction or withholding (either at the time of such payment or in the future) for or on account of any Withholding Tax, then the Participant shall pay to HKSCC an amount, in addition to the payment to which HKSCC is otherwise entitled, necessary to ensure that the net amount actually received by HKSCC (free and clear of any such deduction or withholding for or on account of any such Withholding Tax), will be equal to the full amount HKSCC would have received in the absence of any such deduction or withholding.

## **CHAPTER 17**

### **CONTINUING OBLIGATIONS OF PARTICIPANTS**

#### **1703. Other responsibilities**

Each Participant undertakes that:-

- (i) it will comply with any law, decree, rule, regulation, or order of any government, regulatory authority, competent authority, court or tribunal anywhere in the world, applicable to it or to its status, the conduct of its business, the performance of its obligations as a Participant or its participation in CCASS, including, for the avoidance of doubt, all applicable laws, decrees, rules, regulations, and orders of any government, regulatory authority, competent authority, court or tribunal relating to the prevention of bribery, money laundering, tax evasion, financial crimes and terrorist financing;
- (iii) it will notify HKSCC of any change in the details supplied to HKSCC at the time of admission and thereafter, including but not limited to anything relating to such Participant, its directors or employees which would render inaccurate, incomplete or superseded a statement or information previously furnished by such Participant to HKSCC in connection with either (a) such Participant's application for admission to be a Participant or (b) the status of such Participant under the Tax Information Exchange Framework, the documentation previously furnished by such Participant on such status or the meeting by HKSCC under clause (vii) of any obligations relating to the Tax Information Exchange Framework;
- (v) it will keep records in sufficient detail of its use of any of the services and facilities of CCASS and upon HKSCC's request, make available for inspection by HKSCC all such records and in the case of Participants other than Investor\_Participants, allow HKSCC, during normal office hours, to enter its premises where such records are kept and inspect such records;
- (vi) it (which does not include an Investor Participant) will provide HKSCC with any information requested by an exchange, clearing house, regulatory authority or an organization (whether within or outside Hong Kong) with which HKEX, HKSCC or the Exchange has entered into an information sharing arrangement or agreement; and
- (vii) it will provide HKSCC with sufficient information so as to enable HKSCC to determine whether any payments to be made by HKSCC under these Rules are withholdable payments pursuant to the Tax Information Exchange Framework and to enable HKSCC to meet any applicable obligations relating to the Tax Information Exchange Framework.

## **CHAPTER 19**

### **INDEMNITY**

1903. Each Participant shall indemnify HKSCC, the Exchange, and a recognized exchange controller which is the controller of HKSCC and keep HKSCC, the Exchange and a recognized exchange controller which is the controller of HKSCC indemnified from and against any loss, cost (including cost of enforcement), interests, liability (including any tax or other fiscal liability), claim, damage, cost or expenses of whatever nature which HKSCC, the Exchange and a recognized exchange controller which is the controller of HKSCC incurred or suffered in connection with any actions taken by HKSCC or any actions that HKSCC is required to take to comply with any obligations relating to the Tax Information Exchange Framework (or fails to take relating to Withholding Tax obligations) with respect to such Participant.

## **CHAPTER 20**

### **DISCIPLINARY ACTIONS**

#### **2001. Circumstances subject to disciplinary actions**

Subject to Rule 2013, HKSCC may institute disciplinary proceedings against a Participant in respect of an act of misconduct committed or reasonably believed to have been committed by it. An act of misconduct includes :-

- (xi) failure to provide information requested by an exchange, clearing house, regulatory authority or an organization (whether within or outside Hong Kong) with which HKEx, HKSCC or the Exchange has entered into an information sharing arrangement or agreement (this act of misconduct does not apply to an Investor Participant) or pursuant to Rule 1703(iii) or (vii);

## **CHAPTER 28**

### **DISCLOSURE**

#### **2801. Disclosure required by law etc.**

HKSCC shall have authority to disclose the details of any information concerning a Participant and a recipient of copies of Corporate Communications in its possession, any information received from a Participant and any other information in connection with a Participant at any time if so required (i) by any applicable law, decree, rule, regulation or order of any government, regulatory authority, court, tribunal, or other competent authority; (ii) pursuant to any requirement or request of any governmental, regulatory or other competent authority whether within or outside Hong Kong (including, but not limited to, the Commission, HKMA and the Inland Revenue Department of the Hong Kong government); or (iii) by or in accordance with the Tax Information Exchange Framework.

- 2804.** HKSCC may provide information in relation to a Participant other than an Investor Participant to any exchange, clearing house, governmental, regulatory or competent authority or any organization (whether within or outside Hong Kong) with which HKEx, HKSCC or the Exchange has entered into an information sharing arrangement or agreement or pursuant to the Tax Information Exchange Framework.

- 2806.** Without prejudice to the other provisions and any other rights HKSCC may have, HKSCC may direct a Participant to provide it with any information required or requested by a governmental, regulatory or other competent authority, a regulated exchange or clearing house whether within or outside Hong Kong with which HKEx, HKSCC or the Exchange has entered into an information sharing arrangement or agreement or pursuant to the Tax Information Exchange Framework.

中央結算系統一般規則第一章  
釋義

## 101. 定義

在本文件內，除非文義另有所指，下列詞語具有下列意義：

「收入法」	指	新修訂的《1986年美國國內收入法》(U.S. Internal Revenue Code of 1986)；
「合資格美國證券」	指	經常在(i)根據《1934年證券交易所條例》(Securities Exchange Act of 1934)第6條登記的國際證券交易所或(ii)美國全國證券交易商協會自動報價系統(NASDAQ)進行買賣的任何美國證券，而該等證券不屬(x)收入法第897條所界定的美國不動產權益，或(y)根據《收入法》第1445(e)條可被預扣稅款的合夥商行、信託或房地產投資信託，或(z)根據《收入法》第1446條可被預扣稅款的合夥商行；
「稅務資料交換框架」	指	(i) 收入法第1471至1474條，(ii) 任何與(i)相近或其後繼的美國法律，(iii) 任何於收入法第1471(b)條所描述的協議，(iv) 任何有關上述法律的條例或指引，(v) 任何官方對上述法律的詮釋，(vi) 任何為促進執行上述法律而訂立的跨政府協議(「IGA」)，或(vii) 任何執行IGA的法律；
「基金單位」	指	單位信託中一個不分割份數或不分割實益權益、基金或類似的投資安排；
「單位信託」	指	任何安排，而其目的或效果是提供設施，使人能以信託受益人的身份分享由取得、持有、管理或處置證券或任何其他財產而產生的利潤或收入；
「預扣稅」	指	稅務資料交換框架下對款項的任何預扣或扣除。

## 104. 結算公司處理個人資料的政策

就處理與中央結算系統功能及服務有關的人士的個人資料，結算公司會採取下列政策，以符合《個人資料(私隱)條例》的規定：

- (ii) 除非有關人士同意，結算公司會將一切個人資料保密，但可能將部分的資料(包括但不限於從投資者戶口持有人收取的資料及與投資者戶口持有人其他相關的資料)提供給其他人士或機構，包括但不限於(包括任何在香港以外地方的人士或機構)：任何中間人、承包商，或任何提供行政、電訊、電腦、保險、款項結算或其他與結算公司業務運作有關的服務的第三者服務供應商；任何對結算公司有保密責任的人士(包括以合約規定的)；證監會；聯交所、任何認可控制人、身為結算公司控制人的認可控制人為其控制人的任何公司；其他的認可結算所、中央存管處、交易所機構；海外的政府或監管機構；法例授權的政府部門及合資格證券發行人；一般規則所載結算公司須向其申報資料的人士及機構。

## 第三章

### 接納參與者

#### 303. 接納準則

申請成為參與者的人士必須按結算公司指定的方式提出申請，並須向結算公司證明其具備使結算公司滿意的穩健的財政基礎，具有於任何時候也符合中央結算系統要求的運作能力，包括但不限於規則第十七章闡明的每項要求，且在其他方面均為合適及正確人選才可獲接納為參與者。

每位申請成為參與者的人士必須提供結算公司就處理該申請而要求的任何證明、聲明、陳述、承諾、文件及進一步的資料。

## 第十二章

### 款項交收服務

#### 1210. 稅務

結算公司將向參與者支付扣除所有預扣稅後的淨值（無論該稅款由結算公司或其他方預扣），而結算公司無須在該付款中彌補任何因預扣稅而引起的差額，或因預扣稅而作出任何額外付款。結算公司亦有權在向參與者所作的付款中扣除預扣稅款。

如參與者向結算公司所作的付款（無論於支付時或將來）受制於任何預扣稅扣除或預扣，參與者除須支付原本結算公司應收的款項外，亦須向結算公司作出額外付款，以確保結算公司收取的金額（在免去及排除因預扣稅而引起的所有扣除及預扣的金額後）的淨值等同於在沒有任何該等扣除或預扣的情況下結算公司應收的全數金額相同。

## 第十七章

### 參與者的持續責任

#### 1703. 其他責任

每位參與者承諾：

- (i) 將遵守世界上任何地方適用於該參與者、其身份、其業務運作、其履行參與者的責任、或其參與中央結算系統的任何法律、法令、規則、規例或任何政府、監管權力、有效監管機關、法院或審裁處的指令，為免產生疑問，包括所有有關防止賄賂、清洗黑錢、逃稅漏稅、金融罪行及恐怖份子融資活動適用的法律、法令、規則、規例及任何政府、監管權力、有效監管機關、法院或審裁處的指令；
- (iii) 獲接納為參與者時及以後向結算公司提供的資料若有任何更改，將通知結算公司，包括但不限於任何有關該參與者、其董事或僱員資料的更改，而有關更改將導致該參與者之前遞交給結算公司有關 (a) 申請接納成為參與者，或 (b) 其於稅務資料交換框架下的身份、之前遞交資料有關其身份的文件或其為履行第 (vii) 條所描述有關結算公司在稅務資料交換框架下的任何責任時要求該參與者提供的聲明或資料的失確、不完整性，或使其取代該參與者之前遞交的聲明及資料；
- (v) 將保存有關其使用中央結算系統任何服務及設施的詳盡記錄，並於結算公司要求時，將所有此等記錄提供予結算公司查閱，以及（就非投資者戶口持有人的參與者而言）在正常辦公時間內讓結算公司進入其保存此等記錄的地方並查閱此等記錄；

- (vi) 其（不包括投資者戶口持有人）將向結算公司提供任何由與交易結算公司、結算公司或聯交所簽訂了資料共用安排或協議的交易所、結算所、監管權力或機構（無論設於香港或其他地方）要求的任何資料；及
- (vii) 將向結算公司提供充份資料以便讓結算公司判斷其根據一般規則下而作出的付款是否屬於稅務資料交換框架下的預扣付款，及使結算公司履行任何適用於結算公司有關稅務資料交換框架下的責任。

## 第十九章

### 賠償

- 1903.** 每位參與者須向結算公司、聯交所及身為結算公司控制人的認可控制人保證，及保持對結算公司、聯交所及身為結算公司控制人的認可控制人承諾，因結算公司履行對該參與者有關稅務資料交換框架的責任所採取的行動或須採取的行動（或因結算公司未能履行與該參與者有關的預扣稅責任），而蒙受或承擔任何性質的虧損、費用（包括強制執行費用）、利息、責任（包括任何稅項或其他財務責任）、索償、損失及任何性質的代價或費用，該參與者須向其作出賠償。

## 第二十章

### 紀律處分

- 2001.** 須受紀律處分的情形

在規則第 2013 條的規限下，結算公司可就參與者已作出或被合理地相信已作出的不當行為對該參與者採取紀律處分程序。不當行為包括：

- (xi) 未能提供由與交易結算公司、結算公司或聯交所簽訂了資料共用安排或協議的交易所、結算所、監管權力或機構（無論設於香港或其他地方）或根據規則第 1703 (iii) 或 (vii) 條要求的資料（此不當行為不適用於投資者戶口持有人）；

## 第二十八章

### 資料的披露

- 2801.** 法例等規定的資料披露

如 (i) 任何適用法律、法令、規則、規例或任何政府、監管權力、法院、審裁處或其他有效監管機關的指令；(ii) 就任何設於香港或其他地方的政府機構、監管權力、或其他有效監管機關（包括但不限於證監會、金管局及香港政府稅務局）；或 (iii) 按稅務資料交換框架有所要求，結算公司有權披露其持有的任何參與者及公司通訊收件人的資料細節、任何從參與者收取的資料及與參與者於任何時間任何其他有關的資料。

- 2804.** 結算公司可根據簽訂了的資料共用安排或協議或稅務資料交換框架，把有關非投資者戶口持有人的參與者的資料提供予與交易結算公司、結算公司或聯交所簽訂了資料共用安排或協議的任何交易所、結算所、政府機構、監管權力或有效監管機關或任何機構（無論設於香港或其他地方）。

- 2806.** 在不影響其他條文及結算公司任何其他權利的情況下，結算公司可指示參與者向其提供無論設於香港或任何地方的政府、監管權力或其他有效監管機關、受監管的交易所或結算所，就與交易結算公司、結算公司或聯交所簽訂了的資料共用安排或協議，或稅務資料交換框架，所要求的任何資料。



**CCASS OPERATIONAL PROCEDURES****Definitions**

- (a) For the convenience of readers, the definitions contained in the Rules are repeated below.

**“Code”**

means the United States Internal Revenue Code of 1986, as amended;

**“Eligible U.S. Securities”**

means any U.S. securities that are regularly traded on (i) a national securities exchange which is registered under section 6 of the Securities Exchange Act of 1934 or (ii) the NASDAQ, provided that no such securities are (x) U.S. real property interests as defined in section 897 of the Code, (y) partnerships, trusts, or real estate investment trusts subject to withholding pursuant to Code section 1445(e), or (z) partnerships subject to withholding pursuant to Code section 1446;

**“Tax Information Exchange Framework”**

means (i) sections 1471 to 1474 of the Code, (ii) any similar or successor legislation to (i) introduced by the United States, (iii) any agreement described in section 1471(b) of the Code, (iv) any regulations or guidance pursuant to any of the foregoing, (v) any official interpretations of any of the foregoing, (vi) any intergovernmental agreement to facilitate the implementation of any of the foregoing (an “IGA”), or (vii) any law implementing an IGA;

**“Withholding Tax”**

means any withholding or deduction pursuant to the Tax Information Exchange Framework.

**Section 8  
Nominee Services****8.7 CASH DIVIDEND ENTITLEMENTS****8.7.1 Determination of entitlements**

In the case of Foreign Securities and Depositary Receipts, dividend entitlements will normally be distributed to HKSCC and the relevant Participants after deduction of any withholding taxes applicable to HKSCC and/or net of any Withholding Tax (whether withheld by HKSCC or any other parties). HKSCC will have no obligation to gross-up any such distribution or to pay any additional amount as a result of such deduction or Withholding Tax.

Without prejudice to the above, to the extent required by the Tax Information Exchange Framework, HKSCC shall be entitled to deduct or withhold Withholding Tax (whether withheld by HKSCC or any other parties) from any payment of dividend entitlement (or payment of any other income) received by HKSCC on or accruing to Eligible Securities to a Participant (or from any other payment made by HKSCC to a Participant) and shall have no obligation to gross-up any such payment or to pay any additional amount as a result of such Withholding Tax.

## **8.15 INTEREST PAYMENTS**

### **8.15.1 Determination of interest**

In the case of Debt Securities which are Foreign Securities and are held with an Appointed Depository, interest payments will normally be distributed to HKSCC and the relevant Participants after deduction of any withholding taxes applicable to HKSCC and/or net of any Withholding Tax (whether withheld by HKSCC or any other parties). HKSCC will have no obligation to gross-up any such distribution or to pay any additional amount as a result of such deduction or Withholding Tax.

Without prejudice to the above, to the extent required by the Tax Information Exchange Framework, HKSCC shall be entitled to deduct or withhold Withholding Tax (whether withheld by HKSCC or any other parties) from any payment of interest payment (or payment of any other income) received by HKSCC on or accruing to Debt Securities to a Participant (or from any other payment made by HKSCC to a Participant) and shall have no obligation to gross-up any such payment or to pay any additional amount as a result of such Withholding Tax.

## **Section 10 Exchange Trades - CNS System**

### **10.11 RISK MANAGEMENT: COLLATERAL**

#### **10.11.6 Interest on Collateral**

Unless otherwise specified by HKSCC, interest to be allowed or charged on Collateral provided in cash, if any, will be accrued daily and paid (after deduction of the administrative costs, if applicable, and net of any Withholding Tax (whether withheld by HKSCC or any other parties) or charged (together with the administrative costs, if applicable) monthly, by HKSCC to Clearing Participants in the same currency as the cash on which the interest accrued, by crediting or debiting, as the case may be, the CCMS House Collateral Accounts of the Clearing Participants, on the first Business Day of the following month.

Without prejudice to the above, to the extent required by the Tax Information Exchange Framework, HKSCC shall be entitled to deduct or withhold Withholding Tax (whether withheld by HKSCC or any other parties) from any payment of interest allowed on Collateral to a Participant (or from any other payment made by HKSCC to a Participant) and shall have no obligation to gross-up any such payment or to pay any additional amount as a result of such Withholding Tax.

中央結算系統運作程序規則

## 定義

(a) 為便利讀者，規則內的定義茲重覆載列如下：

「收入法」	指	新修訂的《1986年美國國內收入法》(U.S. Internal Revenue Code of 1986)；
「合資格美國證券」	指	經常在(i)根據《1934年證券交易所條例》(Securities Exchange Act of 1934)第6條登記的國家證券交易所或(ii)美國全國證券交易商協會自動報價系統(NASDAQ)進行買賣的任何美國證券，而該等證券不屬(x)收入法第897條所界定的美國不動產權益，或(y)根據《收入法》第1445(e)條可被預扣稅款的合夥商行、信託或房地產投資信託，或(z)根據《收入法》第1446條可被預扣稅款的合夥商行；
「稅務資料交換框架」	指	(i) 收入法第1471至1474條，(ii) 任何與(i)相近或其後繼的美國法律，(iii) 任何於收入法第1471(b)條所描述的協議，(iv) 任何有關上述法律的條例或指引，(v) 任何官方對上述法律的詮釋，(vi) 任何為促進執行上述法律而訂立的跨政府協議(「IGA」)，或(vii) 任何執行IGA的法律；
「預扣稅」	指	稅務資料交換框架下對款項的任何稅務預扣或扣除。

## 第八節

## 代理人服務

## 8.7 現金股息權益

## 8.7.1 權益的決定

就境外證券及預託證券而言，股息權益一般會在扣除任何適用於結算公司的預扣稅後發給結算公司及有關參與者，及/或扣除任何預扣稅（無論該稅款由結算公司或其他方預扣）後的淨額。結算公司無須彌補任何因預扣稅而在該股息權益中引起的差額，或因預扣稅而作出任何額外付款。

在不影響上述事宜的情況下，結算公司將有權在向參與者支付的任何結算公司就合資格證券收取或參與者就合資格證券所累計的股息權益（或任何其他收益）中（或在任何其他結算公司向參與者作出的付款中）扣除或預扣就稅務資料交換框架所要求的預扣稅（無論該稅款由結算公司或其他方預扣）。結算公司無須彌補任何因預扣稅而在該股息權益中引起的差額，或因預扣稅而作出任何額外付款。

## **8.15 派發利息**

### **8.15.1 利息的決定**

就屬境外證券並記存在獲委任存管處的債務證券而言，利息一般會在扣除任何適用於結算公司的預扣稅後發給結算公司及有關參與者，及/或扣除任何預扣稅（無論該稅款由結算公司或其他方預扣）後的淨額。結算公司無須彌補任何因預扣稅而在該利息分派中引起的差額，或因預扣稅而作出任何額外付款。

在不影響上述事宜的情況下，結算公司將有權在向參與者支付的任何結算公司就債務證券收取或參與者就債務證券所累計的利息（或任何其他收益）中（或在任何其他結算公司向參與者作出的付款中）扣除或預扣就稅務資料交換框架所要求的預扣稅（無論該稅款由結算公司或其他方預扣）。結算公司無須彌補任何因預扣稅而在該利息中引起的差額，或因預扣稅而作出任何額外付款。

## **第十節**

### **聯交所買賣 一 持續淨額交收制度**

#### **10.11 風險管理：抵押品**

##### **10.11.6 抵押品的利息**

除結算公司另有指定外，結算公司將透過中央結算系統的款項交收步驟，每日累欠及每月以累欠利息的現金相同貨幣向結算參與者支付（扣除行政費用及任何預扣稅（無論稅款由結算公司或其他方預扣）後，如適用）或收取（連同行政費用，如適用）以現金提供的抵押品的利息（如適用者），該款項則會於下月的第一個辦公日記存或記除（視乎情況而定）於結算參與者的 CCMS 公司抵押品戶口。

在不影響上述事宜的情形下，結算公司將有權在向參與者支付的任何抵押品的利息（或在任何其他結算公司向參與者作出的付款）中扣除或預扣稅務資料交換框架所要求的預扣稅（無論該稅款由結算公司或其他方預扣）。結算公司無須彌補任何因預扣稅而在該付款中引起的差額，或因預扣稅而作出任何額外付款。