

CHAPTER X

CCMS

Introduction

1001. HKCC Participants shall ensure that CCMS is operated in accordance with these Rules, the Clearing House Procedures, the CCMS Terminal User Guide and such other procedures and requirements as may be specified by the Clearing House from time to time.

Connection to CCMS

1002. The Clearing House reserves the right immediately to disconnect the electronic connection of an HKCC Participant to CCMS (“CCMS connection”) and prohibit any person (whether an HKCC Participant or not) from having access to CCMS on such conditions as the Clearing House thinks fit.
1003. HKCC Participants shall follow such security procedures pertaining to their CCMS connections as are from time to time specified by the Clearing House in the CCMS Terminal User Guide. It is the responsibility of each HKCC Participant to ensure the security of its access to CCMS at all times.
1004. HKCC Participants shall notify the Clearing House immediately if their CCMS connections or collateral management activities on CCMS are affected by any disruptions, whether technical or otherwise.
1005. The Clearing House may from time to time impose such requirements on HKCC Participants as to the operation of and access to CCMS as the Clearing House may think fit.

CCMS equipment and software

1006. Equipment and software which are required for connection to CCMS shall be specified by the Clearing House from time to time.
1007. The Clearing House reserves the right to approve any equipment and software not specified by the Clearing House in accordance with Rule 1006. In the event that an HKCC Participant wishes to use any equipment and software other than that specified by the Clearing House, the Clearing House may require prior to CCMS connection that such equipment and software are thoroughly tested by the HKCC Participant and determined by the Clearing House not to have any detrimental impact on the operation of CCMS.
1008. HKCC Participants shall install all applicable software specified by the Clearing House in the latest version in force together with system program software in the latest version specified by the Clearing House. HKCC

Participants shall not alter, modify, reverse engineer, change or copy programs or software supplied by the Clearing House without the Clearing House's prior written permission.

1009. HKCC Participants shall grant the Clearing House access for the inspection of equipment, software or applications relating to their CCMS connections. Such inspections shall take place wherever practicable at an agreed time and in the presence of the HKCC Participant in question.
1010. The cost for the requisite equipment supplied by the Clearing House and the installation and maintenance thereof as detailed in Appendix A shall be borne by the HKCC Participant.

Backup Centre for CCMS

1011. In case HKCC Participants cannot perform collateral management functions via CCMS due to technical or other reasons, they can request the use of the backup centre provided by the Clearing House to perform such functions. For the service hours of the backup centre and other details, please refer to the CCMS Terminal User Guide.

Liability of HKCC Participants

1012. Each HKCC Participant shall be responsible and liable for all instructions and activities arising from its CCMS connection, and any unstable condition, breakdown or damage to CCMS or other consequences resulting from the use of such CCMS connection, whether by the HKCC Participant or any other person.
1013. No action shall lie against and no liability whatsoever nature and howsoever arising, whether in contract, tort or otherwise, shall be incurred by the Clearing House, the Exchange, HKSCC, the Board, any Director, the Chairman, any HKEX staff or a recognized exchange controller which is the controller of the Clearing House directly or indirectly in connection with any failure, error or defect in, or unavailability of, CCMS or any other equipment, systems, services or facilities of the Clearing House.