101. In these Rules, unless the context otherwise requires:-

“Designated Security” means an automatch stock which is from time to time designated by the Exchange as being eligible for short selling in accordance with the Short Selling Regulations set forth in the Eleventh Schedule to these Rules;

“Designated Specialist” means a corporate client of a Securities Market Maker registered with the Exchange by the Securities Market Maker as its Designated Specialist to perform market making activities with it or for whose account the Securities Market Maker may enter into the System market making orders for a specified security or securities for which that Securities Market Maker holds a current Securities Market Maker permit;

“Exchange Traded Fund” means any passively-managed and open-ended fund, unit trust or similar investment arrangement that is listed and/or traded on the Exchange;

“Market Making AMS Terminal” means an AMS terminal installed by the Exchange in the registered business address of an Exchange Participant for any one or more of the following purposes (as the case may be):-

(a) for carrying out market making activities in a Market Making Security by such Exchange Participant in its capacity as a Securities Market Maker;

(b) for carrying out the activities of providing liquidity to a Structured Product by such Exchange Participant in its capacity as a Structured Product Liquidity Provider in accordance with these Rules, including a market making terminal and a Derivative Warrant Trading Terminal;

“Market Making Open Gateway” means an Open Gateway installed by the Exchange for an Exchange Participant for any one or more of the following purposes (as the case may be):-

(a) for carrying out market making activities in a Market Making Security or Market Making Securities by such Exchange Participant in its capacity as a Securities Market Maker;
for carrying out the activities of providing liquidity to a Structured Product by such Exchange Participant in its capacity as a Structured Product Liquidity Provider in accordance with these Rules, including a Derivative Warrant Open Gateway;

“Market Making Security” means an automatch stock designated by the Exchange to be traded with market making facilities as more particularly described in the Securities Market Making Regulations set forth in the Fourteenth Schedule to these Rules and includes Designated Exchange Traded Funds and securities traded under the Pilot Program;

“Securities Market Maker” means an Exchange Participant that has a valid permit issued by the Exchange to conduct market making activities in one or more Market Making Securities, as more particularly described in the Securities Market Maker Regulations in the Fourteenth Schedule to these Rules and includes an Exchange Participant that is an Exchange Traded Fund Market Maker or a Pilot Program Market Maker;

“Securities Market Maker Short Selling” means the short selling of a Market Making Security which is conducted by a Securities Market Maker for its own account, or for the account of any of its affiliates or for the account of any of its Designated Specialists as part of its market making activities in accordance with the Fourteenth Schedule to these Rules and which may be made below the best current ask price. For the purpose of Securities Market Maker Short Selling, a Securities Market Maker shall not be required to satisfy the requirements set forth in the definition of short selling in the Eleventh Schedule to the extent that it is so exempted under the Ordinance;

CHAPTER 5

TRADING

Operational Trading Rules

Opening Quotations

503. (2) The opening quotation, if made during the Continuous Trading Session, shall be made in accordance with the following requirements:-

(a) where there has been no first ask of the day, the first bid price must be higher than or equal to the previous closing price minus twenty-four spreads or, in the case of Market Making Securities, the number of spreads prescribed by the Exchange from time to time;
(b) where there has been no first bid of the day, the first ask price must be lower than or equal to the previous closing price plus twenty-four spreads or, in the case of Market Making Securities, the number of spreads prescribed by the Exchange from time to time.

provided that such first bid or first ask price shall not in any case deviate 9 times or more from the previous closing price, if available.

(3) [Repealed]

(4) [Repealed]

(5) [Repealed]

(6) [Repealed]

506. For quotations of any non-automatch stocks other than the opening quotation, a buy order (other than a buy auction order) may be made during the Continuous Trading Session as follows:-

(2) (where there is no existing buy order on the primary queue) a limit order may be made at a price within the range of one spread below the current ask price and twenty-four spreads or, in the case of Market Making Securities, the number of spreads prescribed by the Exchange from time to time, below whichever is the lowest of the current ask price, the previous closing price and the lowest transacted price of the day;

(4) (where there is no existing order on both primary queues) a limit order may be made at a price higher than or equal to twenty-four spreads or, in the case of Market Making Securities, the number of spreads prescribed by the Exchange from time to time, below whichever is the lowest of the last ask price, the previous closing price and the lowest transacted price of the day provided that if both the previous closing price and the lowest transacted price of the day are not available, a limit order may be made at a price higher than or equal to or lower than the last ask price.

506A. For quotations of any automatch stocks other than the opening quotation, a buy order (other than a buy auction order) may be made during the Continuous Trading Session as follows:-

(2) (where there is no existing buy order on the primary queue)-

(a) a limit order may be made at a price within the range of the current ask price and twenty-four spreads or, in the case of Market Making Securities, the number of spreads prescribed by the Exchange from time to time, below whichever is the lowest of the current ask price, the previous closing price and the lowest transacted price of the day;

(b) an enhanced limit order may be made at a price within the range of four spreads above the current ask price and twenty-four spreads or, in the case
of Market Making Securities, the number of spreads prescribed by the Exchange from time to time, below whichever is the lowest of the current ask price, the previous closing price and the lowest transacted price of the day; and

(4) (where there is no existing order on both primary queues) a limit order or an enhanced limit order may be made at a price higher than or equal to twenty-four spreads or, in the case of Market Making Securities, the number of spreads prescribed by the Exchange from time to time, below whichever is the lowest of the last ask price, the previous closing price and the lowest transacted price of the day provided that if both the previous closing price and the lowest transacted price of the day are not available, a limit order or an enhanced limit order may be made at a price higher than or equal to or lower than the last ask price.

507. For quotations of any non-automatch stocks other than the opening quotation, a sell order (other than a sell auction order) may be made during the Continuous Trading Session as follows:-

(2) (where there is no existing sell order on the primary queue) a limit order may be made at a price within the range of one spread above the current bid price and twenty-four spreads or, in the case of Market Making Securities, the number of spreads prescribed by the Exchange from time to time, above whichever is the highest of the current bid price, the previous closing price and the highest transacted price of the day;

(4) (where there is no existing order on both primary queues) a limit order may be made at a price lower than or equal to twenty-four spreads or, in the case of Market Making Securities, the number of spreads prescribed by the Exchange from time to time, above whichever is the highest of the last bid price, the previous closing price and the highest transacted price of the day provided that if both the previous closing price and the highest transacted price of the day are not available, a limit order may be made at a price lower than or equal to or higher than the last bid price.

507A. For quotations of any automatch stocks other than the opening quotation, a sell order (other than a sell auction order) may be made during the Continuous Trading Session as follows:-

(2) (where there is no existing sell order on the primary queue)-

(a) a limit order may be made at a price within the range of the current bid price and twenty-four spreads or, in the case of Market Making Securities, the number of spreads prescribed by the Exchange from time to time, above whichever is the highest of the current bid price, the previous closing price and the highest transacted price of the day;

(b) an enhanced limit order may be made at a price within the range of four spreads below the current bid price and twenty-four spreads or, in the case of Market Making Securities, the number of spreads prescribed by the Exchange from time to time, above whichever is the highest of the current bid price, the previous closing price and the highest transacted price of the day; and
(4) (where there is no existing order on both primary queues) a limit order or an enhanced limit order may be made at a price lower than or equal to twenty-four spreads or, in the case of Market Making Securities, the number of spreads prescribed by the Exchange from time to time, above whichever is the highest of the last bid price, the previous closing price and the highest transacted price of the day provided that if both the previous closing price and the highest transacted price of the day are not available, a limit order or an enhanced limit order may be made at a price lower than or equal to or higher than the last bid price.

Deals in Suspended Securities

539. Under no circumstances shall an Exchange Participant deal in suspended securities otherwise than as set out in this Rule. An Exchange Participant which fails to comply with this Rule shall be liable to disciplinary action by the Board except that the following dealings in suspended securities shall not constitute a breach of this Rule:—

(3) where trading in an applicable Market Making Security is suspended,

(a) the borrowing of shares of such applicable Market Making Security; or

(b) the placing of an order for the creation of shares of such applicable Market Making Security in accordance with the terms for the creation of shares of such Market Making Security as required by the issuer of shares of such Market Making Security

by a Securities Market Maker for its own account or for the account of any of its affiliates or for the account of any of its Designated Specialists for the purpose of completing a Securities Market Maker Short Selling transaction concluded prior to the suspension; and

Short Selling

563D. (1) With the exception of Securities Market Maker Short Selling by a Securities Market Maker, Structured Product Liquidity Provider Short Selling by a Structured Product Liquidity Provider, Designated Index Arbitrage Short Selling by a Designated Index Arbitrage Short Selling Participant, Stock Futures Hedging Short Selling by a Designated Stock Futures Hedging Short Selling Participant, Structured Product Hedging Short Selling by a Structured Product Hedging Participant and Options Hedging Short Selling by a Market Maker or an Options Hedging Participant, short selling shall be limited to transactions in Designated Securities effected on the Exchange during the Continuous Trading Session. Exchange Participants engaged in short selling shall comply at all times with the Ordinance as amended from time to time, and the Regulations regarding short selling in the Eleventh Schedule to these Rules as approved by the Exchange from time to time.

(2) Securities Market Maker Short Selling shall be limited to transactions in Market Making Securities effected on the Exchange by a Securities Market Maker for its own account or for the account of any of its affiliates or for the account of any of
its Designated Specialists during the Continuous Trading Session. A Securities Market Maker engaged in Securities Market Maker Short Selling shall comply at all times with the Ordinance and the Regulations regarding Securities Market Maker Short Selling in the Fourteenth Schedule to these Rules as approved by the Exchange from time to time.

563E. (1) In this Rule the term “short selling” shall have the meaning ascribed to them in the Eleventh Schedule to these Rules.

(2) The Exchange reserves the right at its absolute discretion:-

(b) (i) for short selling and Securities Market Maker Short Selling, to impose limits on the number of shares of a particular Designated Security, or Market Making Security, which may be short sold;

(c) to impose open short sold position limits on the number of shares of a particular Designated Security which an Exchange Participant may hold on its own account or for the account of its clients, on the number of shares of a particular Market Making Security which a Securities Market Maker may hold in respect of Securities Market Maker Short Selling for its own account or for the account of any of its affiliates or for the account of any of its Designated Specialists, on the number of Structured Products which a Structured Product Liquidity Provider may hold in respect of Structured Product Liquidity Provider Short Selling for the account of an issuer or the account of any of its associates, on the number of shares of a particular underlying stock of a Designated Index (as defined in the Fifteenth Schedule) or the Tracker Fund of Hong Kong which a Designated Index Arbitrage Short Selling Participant may hold on its own account or for the account of its clients in respect of Designated Index Arbitrage Short Selling, on the number of shares of an underlying stock of a Stock Futures Contract traded on HKFE which a Designated Stock Futures Hedging Short Selling Participant may hold for a client in respect of Stock Futures Hedging Short Selling, on the number of shares of an underlying stock of a single stock derivative warrant or a single stock CBBC which a Structured Product Hedging Participant may hold for the account of an issuer or the account of any of its associates in respect of Structured Product Hedging Short Selling and on the number of shares of an underlying stock of an Options Contract which a Market Maker may hold for its own account or for the account of an affiliate or which an Options Hedging Participant may hold for the account of a Market Maker or for the account of an affiliate of the Market Maker in respect of Options Hedging Short Selling;

(d) (ii) to require a Securities Market Maker to cease Securities Market Maker Short Selling whether temporarily or permanently and either generally or in relation to a particular Market Making Security;

(e) (ii) to require a Securities Market Maker to liquidate any or all open short sold positions in respect of Securities Market Maker Short Selling.
Selling held for its own account or for the account of any of its affiliates or for the account of any of its Designated Specialists either generally or in relation to a particular Market Making Security;

(iv) [Repealed]

(ii) to require a Securities Market Maker to disclose to the Exchange the number of shares of a particular Market Making Security in which the Securities Market Maker holds an open short sold position for its own account or for the account of any of its affiliates or for the account of any of its Designated Specialists;

Securities Market Makers

Exchange Participants acting in the capacity as Securities Market Makers shall comply at all times with these Rules and the Regulations regarding Securities Market Makers in the Fourteenth Schedule to these Rules and as approved by the Exchange from time to time.

Notwithstanding Rule 582, an Exchange Participant acting in the capacity as a Securities Market Maker shall not be subject to the following Rules:

Rule 513
Rules 514 to 516
Rules 517(2) to 517(5)
Rules 520 to 521
Rules 526(1) to 526(3)
Rule 527
Rule 576

Market Making Security

The Exchange may, in consultation with the Commission, designate any security as a Market Making Security or remove any security from the designation as a Market Making Security.

CHAPTER 11

TRANSACTION AND INVESTOR COMPENSATION LEVIES

Notwithstanding Rule 1103, the rate of the Transaction Levy and the Investor Compensation Levy, in relation to a transaction concluded by an Exchange Participant acting in the capacity as a Securities Market Maker for a Market Making Security, is 0%.
ELEVENTH SCHEDULE

SHORT SELLING REGULATIONS (“REGULATIONS”)

(1) These Regulations apply to short selling of securities other than Securities Market Maker Short Selling, Structured Product Liquidity Provider Short Selling, Designated Index Arbitrage Short Selling, Stock Futures Hedging Short Selling, Structured Product Hedging Short Selling and Options Hedging Short Selling.

In these regulations, “short selling” or “short sale”:-

(a) subject to paragraph (b), means the sale of a security in respect of which the seller, or the person for whose benefit or on whose behalf the sale is made, has a presently exercisable and unconditional right to vest the security in the purchaser by virtue of having:-

(15) A short sale of a Designated Security shall not be made on the Exchange below the best current ask price except where the Designated Security is a Market Making Security approved by the Commission to be excluded from the application of this Regulation.

(18) An automatch stock may be designated by the Exchange as Designated Security from time to time if it falls within or is otherwise included in any one or more of the following categories:-

(g) Exchange Traded Funds approved by the Board in consultation with the Commission;

(i) stocks that have been listed on the Exchange for not more than 60 trading days, with a public float capitalisation of not less than HK$10 billion for a period of 20 consecutive trading days commencing from the date of their listing on the Exchange and an aggregate turnover of not less than HK$200 million during such period;

(j) all underlying stocks of Structured Product which is based on one single class of shares traded on the Exchange; and

(k) applicable Market Making Securities (other than the securities described in categories (g) and (h) above) approved by the Board in consultation with the Commission.
FOURTEENTH SCHEDULE

SECURITIES MARKET MAKER REGULATIONS
(“REGULATIONS”)

INTRODUCTION

(1) In these Regulations:-

“Wide Spread” means, in respect of a Market Making Security:-

(i) a situation where the bid ask spread is larger than a limit specified by the Exchange from time to time;

(ii) a situation where there is only one-sided quotation; or

(iii) a situation where there is no existing quotation on both the bid and the ask queues, continuously for a period of time, as the Exchange may from time to time prescribe, during the Continuous Trading Session.

APPLICATION FOR SECURITIES MARKET MAKER PERMIT

(2) An Exchange Participant may apply to the Exchange for permission to make a market in a particular Market Making Security, by completing the prescribed application form and returning it to the Exchange, in accordance with the instructions contained in the application form.

(3) Before granting a Securities Market Maker permit, the Exchange shall require the applying Exchange Participant to demonstrate to the satisfaction of the Exchange that it is suitably qualified to make a market in the Market Making Security in respect of which the application is made (having regard to such matters as the Exchange may, in its absolute discretion, consider to be appropriate, including the financial standing, trading record, personnel, computer equipment and internal security procedures and risk management policy and procedures of the applying Exchange Participant).

(4) The decision of the Exchange in respect of the admission or rejection in relation to an application to become a Securities Market Maker shall be final and conclusive.

(5) The Exchange Participant which is applying for a Securities Market Maker permit, will be notified in writing by the Exchange of the grant of each Securities Market Maker permit for each Market Making Security.

APPLICATION FOR REGISTRATION OF DESIGNATED SPECIALIST

(5A) (c) A Securities Market Maker may apply to register one or more of its Designated Specialists for any Market Making Security specified in its current Securities Market Maker permit provided that no more than one Designated Specialist shall be registered for one such specified Market Making Security.
(5B) (c) A Securities Market Maker shall ensure that each of its Designated Specialists comply with the conditions set out in Regulation (5B)(a) at all times. A Securities Market Maker shall immediately notify the Exchange in writing when any of its Designated Specialists ceases to comply with any of the conditions prescribed in Regulation (5B)(a) and the Exchange shall revoke the registration of such Designated Specialist and remove its name and other related details of the Securities Market Maker from the Register of Designated Specialists.

(d) A Securities Market Maker shall immediately notify the Exchange in writing upon becoming aware of any of the following matters:-

(i) any change in information relating to any of its Designated Specialists supplied to the Exchange at the time of application or from time to time;

(ii) any of its Designated Specialists being in breach of any rules or regulatory requirements of the regulatory authority it is subject to;

(iii) any disciplinary action taken by the regulatory authority against any of its Designated Specialists which it is subject to; or

(iv) any restrictive action being imposed on any of its Designated Specialists by the regulatory authority or any other bodies or authorities which it is subject to.

(e) A Securities Market Maker shall give 30 days' (or such shorter period of time as the Exchange may allow) prior written notice to the Exchange if the Securities Market Maker wishes to have the name of any of its Designated Specialists removed from the Register of Designated Specialists. The Exchange shall, upon expiration of the said notice, revoke the registration of the said Designated Specialist and remove its name and other related details of the Securities Market Maker from the Register of Designated Specialists.

(g) The Exchange shall have absolute discretion to withhold or withdraw approval or revoke or suspend the registration of a Designated Specialist at any time and shall not be required to give any reason for its action. The decision of the Exchange shall be final and conclusive.

(h) A Securities Market Maker shall procure each of its Designated Specialists to provide information to the Securities Market Maker in relation to any investigation or inquiries which involve market making activities, including but not limited to the provision of accounts and reports or any other documents which the Exchange may request from time to time.

(i) Upon expiration or revocation of the Securities Market Maker permit, the registration of each Designated Specialist of a Securities Market Maker shall be revoked and the name and address of the Designated Specialist and of the Securities Market Maker removed from the Register of Designated Specialists.

FORM AND DURATION OF SECURITIES MARKET MAKER PERMITS

(7) Each Securities Market Maker permit shall state a trading day on which it is to come into effect and the period and the Market Making Security for which it is granted. Unless otherwise stipulated by the Exchange, the minimum period for which each permit will be granted will be 1 year and may be renewed at the Exchange’s discretion.
RIGHTS AND OBLIGATIONS OF SECURITIES MARKET MAKERS

(8) Each Securities Market Maker shall enter market making orders for Market Making Securities, for which it holds a current Securities Market Maker permit into the System, for its own account or for the account of any of its affiliates or for the account of any of its Designated Specialists. Market making orders shall only be input into the System during the Continuous Trading Session.

(9) Subject to Regulation (10), each Securities Market Maker (as the case may be) shall be obliged, upon occurrence of Wide Spread in a Market Making Security for which it holds a current Securities Market Maker permit, to:-

(i) enter two-sided market making orders into the System in no less than the minimum quantity, as specified by the Exchange from time to time, and within the maximum spread;

(ii) enter such market making orders into the System within such period after occurrence of Wide Spread as specified by the Exchange from time to time; and

(iii) maintain such orders for a minimum period of time as specified by the Exchange from time to time.

(10) A Securities Market Maker shall respond, in accordance with Regulation (9) above, to occurrences of Wide Spread and meet the minimum response rate over such time period as may, from time to time be stipulated by the Exchange if the occurrence of Wide Spread over that time period is no less than the minimum number specified by the Exchange from time to time.

(13) Each Securities Market Maker (as the case may be) may enter market making orders and conclude trades in the System for its own account or for the account of any of its affiliates or for the account of any of its Designated Specialists to improve the liquidity and spread in a Market Making Security for which it holds a current Securities Market Maker permit.

(13A) All market making orders entered by a Securities Market Maker into the System shall be for its own account or for the account of any of its affiliates or for the account of any of its Designated Specialists and shall not be for the account of or for the benefit of any third party. A Securities Market Maker shall be fully responsible and liable for all market making orders entered into the System irrespective of whether it is for its own account or for the account of any of its affiliates or for the account of any of its Designated Specialists.

RIGHTS AND OBLIGATIONS OF SECURITIES MARKET MAKERS WITH DESIGNATED SPECIALISTS

(14A) A Securities Market Maker which has registered a Designated Specialist for a specified Market Making Security shall only perform market making activities for that specified security with its Designated Specialist and enter market making orders into the System in accordance with Regulation (14B).
Notwithstanding anything herein provided to the contrary, a Securities Market Maker which has registered a Designated Specialist for a specified Market Making Security, the Securities Market Maker shall only enter market making orders for the account of that Designated Specialist in respect of that specified security and shall maintain separate accounts for each of its Designated Specialists.

A Securities Market Maker shall ensure that each of its Designated Specialists does not have access to and operate the Market Making AMS Terminal. The Securities Market Maker must have in place the necessary systems and procedures to maintain sufficient risk management control on itself and its Designated Specialist.

A Securities Market Maker shall be fully responsible and liable for all acts or omissions of each of its Designated Specialists and for breach, infringement or non-compliance of these Rules and the Regulations.

A Securities Market Maker shall enter market making orders into the System and conclude trades and perform market making activities with its Designated Specialists in such manner as prescribed by the Exchange from time to time.

A Securities Market Maker shall ensure that each of its Designated Specialists shall at all times comply with the obligations set out in Regulations (9), (10) and (12) and the Securities Market Maker Obligations in or prescribed under the Appendix as approved by the Exchange from time to time. The Securities Market Maker shall notify the Exchange of any breach of any such obligations by any of its Designated Specialists.

MARKET MAKING OPEN GATEWAY AND MARKET MAKING AMS TERMINAL

A Securities Market Maker shall ensure that only an Exchange Participant or its Authorized Person, as the case may be, can have access to and operate the Market Making AMS Terminal.

SUSPENSION, REVOCATION AND SURRENDER

Any market making obligations may be suspended by the Exchange for such period, as it shall think fit: -

(i) if the market for any Market Making Security in respect of which the Securities Market Maker permits have been granted is not, in the Exchange’s opinion, orderly;

(ii) if the trading of any Market Making Security and/or its underlying securities in respect of which Securities Market Maker permits have been granted is not, in the Exchange's opinion, orderly;

(iii) [Repealed]

(iv) if the Market Making Security in respect of which the Securities Market Maker permits have been granted are suspended from trading;

(v) [Repealed]

(vi) when a fast market is determined by the Exchange; or

(vii) in any circumstances as may be determined by the Exchange.
(19) Any Securities Market Maker permit (where applicable) may be revoked by the Exchange in its absolute discretion at any time without giving any reason or notice. Without prejudice to this general power of revocation, a Securities Market Maker permit will be revoked:

(ii) if a Securities Market Maker has, in the opinion of the Exchange, manipulated or distorted the market for one or more Market Making Securities or attempted to do so or abused his or its rights as a Securities Market Maker; or

(20) An Exchange Participant may surrender at any time its Securities Market Maker permit for any Market Making Security by giving 30 days’ (or such shorter period of time as the Exchange may allow) written notice to that effect to the Exchange.

(21) The Exchange may, at its sole discretion, reject a new application for a Securities Market Maker permit by any Exchange Participant which has previously surrendered, or failed to renew, a Securities Market Maker permit or which has had a Securities Market Maker permit revoked.

SECURITIES MARKET MAKER SHORT SELLING

(22) Notwithstanding anything to the contrary contained in these Rules, Securities Market Maker Short Selling by a Securities Market Maker or a Securities Market Maker for its Designated Specialists shall be conducted in accordance with these Regulations and in compliance at all times with the Ordinance.

(23) A Securities Market Maker Short Selling transaction shall only be concluded in a Market Making Security which is automatically struck through the System.

APPENDIX TO FOURTEENTH SCHEDULE

SECURITIES MARKET MAKER OBLIGATIONS (“Obligations”)

2. The Exchange has absolute discretion to prescribe from time to time different Obligations with respect to different Market Making Securities. Such different Obligations will be notified to the Exchange Participants. Unless otherwise notified to the Exchange Participants, the Obligations with respect to each of the Market Making Securities may be prescribed by the Exchange within the following ranges:

7. In the event that a Securities Market Maker fails to meet the minimum response rate of Wide Spread in a Market Making Security in a month in accordance with the Fourteenth Schedule for two consecutive months and the occurrence of Wide Spread in that security in each of those two months is no less than the minimum number specified by the Exchange from time to time, its Securities Market Maker permit for that Market Making Security may be revoked at the Exchange’s discretion.