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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)

通告 CIRCULAR

事項 投資者戶口持有人規則修訂
Subject: Amendments to the Terms and Conditions for Investor Participants

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Investor Participants are requested to note that the Securities and Futures Commission has approved the amendments to the Terms and Conditions for Investor Participants for the implementation of certain enhancements to CCASS and the introduction of third party clearing by Hong Kong Securities Clearing Company Limited.

The amendments set out in the attached Appendix will take effect from 3 December 2007.

Mary Kao
Head – Legal Services

請各位投資者戶口持有人注意，證券及期貨事務監察委員會已批准投資者戶口持有人規則，有關提升一系列中央結算系統服務及香港中央結算有限公司引入第三者結算之修訂。

載於附件之修訂由 2007 年 12 月 3 日起生效。

法律服務部主管
高美萊 謹啓

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TERMS AND CONDITIONS FOR INVESTOR PARTICIPANTS

1. Definitions

- 1.1 In this document, unless the context otherwise requires, the following expressions have the following meanings:-

"Broker Participant"

means a Participant admitted to participate in CCASS as a Broker Participant immediately before 3 December 2007 and whose Broker Participantship had not been terminated;

"CCASS Internet System"

means the website operated by HKSCC for enabling Investor Participants and, upon authorization by a Clearing Participant or a Custodian Participant, SSA Statement Recipients of that Clearing Participant or Custodian Participant to access CCASS in accordance with the Rules;

"CCASS Phone System"

means the interactive voice response system operated by HKSCC for enabling Investor Participants and, upon authorization by a Clearing Participant or a Custodian Participant, SSA Statement Recipients of that Clearing Participant or Custodian Participant to access CCASS in accordance with the Rules;

"CCASS Terminal"

means, in relation to a Participant (other than an Investor Participant) or a Designated Bank, a terminal which provides direct electronic linkage to the CCASS host computer of HKSCC, as referred to in Section 3.1.1 of the Operational Procedures, installed at the office premises of the Participant, its Settlement Agent or the Designated Bank;

"Clearing Participant"

means a Participant admitted to participate in CCASS as a Direct Clearing Participant or a General Clearing Participant;

"Participant Gateway" or "PG"

means, in relation to a Participant (other than an Investor Participant), an optional technical device, which provides communication interface with CCASS in respect of particular functions specified by HKSCC from time to time, installed at the office premises in Hong Kong of the Participant or its Settlement Agent;

"SMS "

means the short message services for sending messages via mobile phone or fixed line phone or through other means specified by HKSCC to Investor Participants who have subscribed to the services and to SSA Statement Recipients upon authorization by a Clearing Participant or a Custodian Participant;

"SSA Statement Recipient"

means, in relation to a SSA with Statement Service of a Clearing Participant or a Custodian Participant, the person or persons named and/or maintained by such Participant in the manner prescribed by HKSCC in respect of that SSA with Statement Service, as referred to in Section 3.4A of the Operational Procedures. For the purposes of the Rules, such person or persons named and/or maintained by the Participant in respect of the SSA with Statement Service shall be treated as a single SSA Statement Recipient in respect of that SSA with Statement Service;

“SSA with Statement Service”

means a Stock Segregated Account of a Clearing Participant or a Custodian Participant in relation to which SSA Statement Recipient is named and/or maintained by such Participant;

"Stock Account"

means, in relation to each Clearing Participant, each Stock Clearing Account, Stock Segregated Account and Stock Collateral Control Account; in relation to each Investor Participant, each Stock Clearing Account; and, in relation to each Participant other than a Clearing Participant and an Investor Participant, each Stock Clearing Account and Stock Segregated Account; allocated to and operated by it in which Eligible Securities of such Participant are credited or debited, as referred to in Rule 601;

19. Joint Account

19.2 The Joint Individual Investor Participant agrees to operate its Stock Account in the following manner:-

(ii) all individual members must jointly authorise HKSCC:-

- to change their Designated Bank Account for CCASS money settlement;
- to change any address, office hour contact telephone number, fax number, e-mail address or telephone number for receiving messages via SMS;
- to add or delete any joint holder; and
- to close the Stock Account.

投資者戶口持有人規則

1. 釋義

1.1 於本文中，除非文義另有所指，否則下列詞語具有如下含義：

「經紀參與者」

指在2007年12月3日之前已獲接納為中央結算系統參與者而此其參與者資格未被終止的參與者；

「中央結算系統互聯網系統」

指香港結算所管理的網站，供投資者戶口持有人以及結算參與者的股份獨立戶口結單收件人(在獲得結算參與者或託管商參與者的授權後)按照一般規則使用中央結算系統的服務；

「結算通」

指香港結算所管理的互動電話系統，供投資者戶口持有人以及結算參與者的股份獨立戶口結單收件人(在獲得結算參與者或託管商參與者的授權後)按照一般規則使用中央結算系統的服務；

「中央結算系統終端機」

就非投資者戶口持有人的參與者或指定銀行而言，如運作程序第3.1.1節所述，指裝設於參與者、其交收代理或指定銀行辦公室的終端機，它提供與結算公司中央結算系統主電腦的直接電子聯繫；

「結算參與者」

指獲接納以直接結算參與者或全面結算參與者身份參與中央結算系統的參與者；

「參與者網間連接器」或「PG」

一裝設於參與者(非投資者戶口持有人)或其交收代理的香港辦公室的選擇性的技術設備以作為與連接中央結算系統結算公司不時規定的功能的一溝通渠道；

「短訊服務」

指經流動電話或固網電話，又或是透過香港結算指定的其他途徑向選擇有關服務的投資者戶口持有人及股份獨立戶口結單收件人(須獲得結算參與者或託管商參與者的授權)發送訊息的簡短訊息服務；

「股份獨立戶口結單收件人」

指就結算參與者或託管商參與者提供的附寄結單服務的股份獨立戶口而言，由該參與者按結算公司就附寄結單服務的股份獨立戶口指定的方式(如運作程序規則第 3.4A 節所述)而指定及/或持續指定的一名或多名人士。就一般規則而言，參與者就附寄結單服務的股份獨立戶口所指定及/或持續指定的該(等)人士應被視為該附寄結單服務的股份獨立戶口的單一股份獨立戶口結單收件人；

「附寄結單服務的股份獨立戶口」

指結算參與者或託管商參與者名下指定及/或持續指定為股份獨立戶口結單收件人的股份獨立戶口；

「股份戶口」

指如一般規則第 601 條所述，編配予各結算參與者並由其管理的每個股份結算戶口、股份獨立戶口和抵押股份統制戶口，編配予各投資者戶口持有人並由其管理的每個股份結算戶口，編配予除結算參與者及投資者戶口持有人外的各參與者並由其管理的每個股份結算戶口和股份獨立戶口，合資格證券會於該等戶口記存或記除；

19. 聯合戶口

19.2 聯名投資者戶口持有人同意以下列形式管理其股份戶口：

(ii) 所有個人成員必須共同授權香港結算：

- 更改供中央結算系統款項交收之用的指定銀行戶口；
- 更改任何地址、辦公時間的聯絡電話號碼、圖文傳真號碼、電郵地址或透過短訊服務收取訊息的電話號碼；
- 加入或刪除任何聯名持有人；及
- 取消股份戶口。