

For discussion on
8 June 2001

Paper No. CE01/01

**Bills Committee on
Securities and Futures Bill and Banking (Amendment) Bill 2000**

**Parts I and II of and Schedule 2 to the Securities and Futures Bill
Clause-by-clause examination**

Parts I and II

We propose no Committee Stage Amendment to Parts I and II of the Securities and Futures Bill. Please refer to the Blue Bill for clause-by-clause examination.

Schedule 2

2. We propose a Committee Stage Amendment to expand the list of functions not delegable by the Securities and Futures Commission, as itemized in Part 2 of Schedule 2. Please refer to the Annex for the updated mark-up version of Schedule 2 and the reason for the amendment. Please refer to the Blue Bill for the rest of Schedule 2.

Securities and Futures Commission
Financial Services Bureau
1 June 2001

Securities and Futures Bill

Part 2 of Schedule 2

(Blue Bill Page No.2421)

x x x x x x x

Note ¹ (75A) to specify the time at which a specified decision is to take effect, under section 224(3) of this Ordinance;

Note ¹ (75B) to specify the time at which an excluded decision is to take effect, under section 225(5) of this Ordinance;

(76) to establish a compensation fund, under section 229 of this Ordinance;

(77) to borrow, or to charge any investments by way of security, under section 230(2) of this Ordinance;

(78) to appoint an auditor, under section 232(5) of this Ordinance;

(79) to invest money, under section 233(1) of this Ordinance;

(80) to make report to the Financial Secretary, under section 244(8) of this Ordinance;

x x x x x x x

Explanatory Note

¹ The two amendments were proposed in paragraph 21 of Paper 10/01 (on Part XI on the Securities and Futures Appeals Tribunal) as an additional safeguard in situations where appealable decisions would have to, in the public interest or the interest of the investing public, take effect prior to the resolving of possible appeals.