

LN189-E

L.N. 189 of 2001

Securities and Futures Commission (Levy)

(Securities) (Amendment) Order 2001

(Made by the Chief Executive in Council under section 52(1) of the Securities and Futures Commission Ordinance (Cap. 24))

1. Commencement

This Order shall come into operation on 16 November 2001.

2. Rate of levy under section 52(1)

Paragraph 2 of the Securities and Futures Commission (Levy) (Securities) Order (Cap. 24 sub. leg.) is amended---

(a) in subparagraph (1), by repealing "and (3)" and substituting ", (3) and (3A)";

(b) by adding---

"(3A) The rate of levy for the purposes of section 52(1) of the Ordinance that an Exchange Traded Funds Market Maker is liable to pay on his purchase or sale in such a capacity of shares in Exchange Traded Funds shall be 0% of the consideration.";

(c) in subparagraph (4), by adding---

"Exchange Traded Funds" (交易所買賣基金) means mutual funds or unit investment trusts that hold portfolios of securities which are designed generally to correspond to the price and yield performance of the underlying portfolio of securities with in kind creation and redemption facilities and which are listed or traded on the Stock Exchange Company as a single security;

"Exchange Traded Funds Market Maker" (交易所買賣基金莊家) means an exchange participant registered as a market maker of the Exchange Traded Funds by the Stock Exchange Company in accordance with the rules of the Unified Exchange but does not include a Pilot Programme Market Maker;"

CHENG Mei-sze, Maisie

Clerk to the Executive Council

Council Chamber

18 September 2001

Explanatory Note

This Order provides that the rate of levy to be paid to the Securities and Futures Commission under section 52(1) of the Securities and Futures Commission Ordinance (Cap. 24) by an Exchange Traded Funds Market Maker for the purchase and sale in such a capacity of shares in Exchange Traded Funds shall be 0% of the consideration.