Securities And Futures (Contracts Limits and Reportable Positions) Rules (Made by the Securities and Futures Commission under section 35(1) of the Securities and Futures Ordinance (Cap. 571), and in relation to rules made under section 35(1)(e) of that Ordinance after consultation with the Financial Secretary)

## 1. Commencement

These Rules shall come into operation on the day appointed for the commencement of the Securities and Futures Ordinance (Cap. 571).

2. Interpretation

(1) In these Rules, unless the context otherwise requires---

"Listing Rules" (《上市規則》) means the Rules Governing the Listing of Securities on the Stock Exchange of Hong Kong Limited made by the Stock Exchange Company; "prescribed limit" (訂明上限), in relation to a futures contract or a stock options contract, means the limit on the number of contracts prescribed for it under section 5;

"reportable position" (須申報的持倉量) means an open position in futures contracts or stock options contracts the number of which is---

(a) in the case of a futures contract specified in column 2 of Schedule 1, in excess of that specified opposite to it in column 4 of that Schedule; and

(b) in the case of a stock options contract specified in column 2 of Schedule 2, in excess of that specified opposite to it in column 4 of that Schedule;

"reporting day" (申報日) means a day other than---

- (a) a public holiday;
- (b) a Saturday; and

(c) a gale warning day or a black rainstorm warning day as defined in section 71(2) of the Interpretation and General Clauses Ordinance (Cap. 1).

(2) For the purposes of these Rules, a reference to control, in relation to futures contracts or stock options contracts, shall be construed as a reference to control of such futures contracts or stock options contracts, either directly or indirectly.

3. Application

These Rules apply to futures contracts and stock options contracts that are traded through the facilities of a recognized exchange company in accordance with the rules of the recognized exchange company.

4. Restrictions on number of contracts held or controlled

(1) No person, other than a person referred to in subsections (2) and (4), may hold or control futures contracts or stock options contracts in excess of the

prescribed limit.

(2) A person specified in subsection (3) may be authorized under the rules of the recognized exchange company concerned to hold or control futures contracts or stock options contracts in excess of the prescribed limit.

(3) A person who may be authorized for the purposes of subsection (2) is--(a) a person registered with the Futures Exchange Company for the purpose of performing market making or liquidity providing activities in respect of futures contracts in accordance with its rules;

(b) a person registered with the Stock Exchange Company for the purpose of performing market making or liquidity providing activities in respect of stock options contracts in accordance with its rules;

(c) an issuer of securities listed under Chapter 15A of the Listing Rules who holds or controls futures contracts or stock options contracts in the course of hedging the risks of positions previously acquired in such listed securities for the purpose of performing liquidity providing activities in respect of such listed securities; or

(d) a related corporation of an issuer of securities listed under Chapter 15A of the Listing Rules, where the related corporation holds or controls futures contracts or stock options contracts in the course of hedging the risks of positions previously acquired in such listed securities for the purpose of performing liquidity providing activities in respect of such listed securities.

(4) A person, other than a person who may be authorized under subsection (3), may hold or control futures contracts or stock options contracts in excess of the prescribed limit if---

(a) such person is able to satisfy the Commission that special circumstances exist which warrant the person holding or controlling the futures contracts or the stock options contracts in excess of the prescribed limit;

(b) the Commission is satisfied that the excess would not be prejudicial to the interest of the investing public having regard to the prescribed limit and the liquidity of the futures contracts or the stock options contracts in question; and(c) the Commission has given the person notice in writing that it is satisfied of the matters referred to in paragraphs (a) and (b).

5. Prescribed limits

For the purposes of section 4(1), the limit on the number of contracts that may be held or controlled is---

(a) in the case of a futures contract specified in column 2 of Schedule 1, that specified opposite to it in column 3 of that Schedule; and

(b) in the case of a stock options contract specified in column 2 of Schedule 2, that

specified opposite to it in column 3 of that Schedule.

6. Notice of reportable positions

(1) Any person who holds or controls a reportable position shall lodge a notice in writing of that reportable position with the recognized exchange company concerned within one reporting day following---

(a) the day on which the person first holds or controls that reportable position; and

(b) each succeeding day on which the person continues to hold or control that reportable position.

(2) A notice referred to in subsection (1) shall be accompanied by the following information---

(a) the number of futures contracts or stock options contracts held or controlled by the person in respect of the reportable position in each relevant contract month; and

(b) if the reportable position is held or controlled for a client, the identity of the client.

7. Compliance by exchange participants

In their application to an exchange participant of a recognized exchange company, the prescribed limits and reportable positions apply---

(a) to futures contracts or stock options contracts held or controlled by the exchange participant for his own account; and

(b) separately, to futures contracts or stock options contracts held or controlled by the exchange participant for each of his clients.

8. Penalties

Any person who, without reasonable excuse, fails to comply with section 4(1) or 6 commits an offence and is liable---

(a) on conviction on indictment to a fine at level 6 and to imprisonment for 2 years; or

(b) on summary conviction to a fine at level 3 and to imprisonment for 6 months. Schedule 1 [ss. 2(1) & 5(a)]

Prescribed Limit and Reporting Level

for Futures Contracts

Item Futures contract Prescribed limit Reporting level

1. HSBC Holdings Plc stock 5 000 open contracts for 1 000 open contracts for any

futures contract any one contract month one contract month

2. CITIC Pacific Ltd. stock 5 000 open contracts for 1 000 open contracts for any

futures contract any one contract month one contract month 3. Cheung Kong (Holdings) 5 000 open contracts for 1 000 open contracts for any Ltd. stock futures contract any one contract month one contract month 4. Swire Pacific Ltd. 'A' stock 5 000 open contracts for 1 000 open contracts for any futures contract any one contract month one contract month 5. CLP Holdings Ltd. stock 5 000 open contracts for 1 000 open contracts for any futures contract any one contract month one contract month 6. China Resources Enterprise, 5 000 open contracts for 1 000 open contracts for any Ltd. stock futures contract any one contract month one contract month 7. Hang Seng Bank Ltd. stock 5 000 open contracts for 1 000 open contracts for any futures contract any one contract month one contract month 8. Henderson Land 5 000 open contracts for 1 000 open contracts for any Development Co. Ltd. any one contract month one contract month stock futures contract 9. Hopewell Holdings Ltd. 5 000 open contracts for 1 000 open contracts for any stock futures contract any one contract month one contract month 10. Hutchison Whampoa Ltd. 5 000 open contracts for 1 000 open contracts for any stock futures contract any one contract month one contract month 11. New World Development 5 000 open contracts for 1 000 open contracts for any Co., Ltd. stock futures any one contract month one contract month contract 12. Shanghai Industrial 5 000 open contracts for 1 000 open contracts for any Holdings Ltd. stock futures any one contract month one contract month contract 13. Sun Hung Kai Properties 5 000 open contracts for 1 000 open contracts for any Ltd. stock futures contract any one contract month one contract month 14. The Wharf (Holdings) Ltd. 5 000 open contracts for 1 000 open contracts for any

stock futures contract any one contract month one contract month 15. Hang Seng China-Affiliated 10 000 open contracts for 500 open contracts for any Corporations Index futures any one contract month one contract month contract 16. Hang Seng China-Affiliated 10 000 open contracts for 500 open contracts for any Corporations Index options any one contract month one contract month contract 17. Three-Month Hong Kong Nil 1 000 open contracts for any Interbank Offered Rate one contract month: 4 000 futures contract open contracts for all contract months 18. COSCO Pacific Ltd. stock 5 000 open contracts for 1 000 open contracts for any futures contract any one contract month one contract month 19. The Hong Kong & China 5 000 open contracts for 1 000 open contracts for any Gas Co. Ltd. stock futures any one contract month one contract month contract 20. Hongkong Electric 5 000 open contracts for 1 000 open contracts for anv Holdings Ltd. stock futures any one contract month one contract month contract 21. China Mobile (Hong Kong) 5 000 open contracts for 1 000 open contracts for any Ltd. stock futures contract any one contract month one contract month 22. HKFE Taiwan Index Nil 500 open contracts for any futures contract one contract month 23. HKFE Taiwan Index Nil 500 open contracts for any one series options contract 24. Hang Seng 100 futures Nil 500 open contracts for any one contract month contract 25. Hang Seng 100 options Nil 500 open contracts for any contract one series 26. One-Month Hong Kong Nil 1 000 open contracts for any Interbank Offered Rate one contract month; 4 000 futures contract open contracts for all

contract months 27. Hang Seng Index futures 10 000 long or short 500 open Hang Seng Index and options contracts, and position delta limit for all futures contracts for any one Mini-Hang Seng Index contract months combined, contract month; 500 open futures contracts and provided the position delta Hang Seng Index options options contracts for the Mini-Hang Seng contracts for any one series; Index futures contracts or 2 500 open Mini-Hang Seng Mini-Hang Seng Index Index futures contracts for options contracts shall any one contract month and not at any time exceed 2 500 open Mini-Hang Seng 2 000 long or short for all Index options contracts for contract months combined any one series 28. Hang Seng Finance 300 open contracts for any 50 open contracts for any one Sub-Index futures contracts one contract month contract month 29. Hang Seng Utilities 300 open contracts for 50 open contracts for any one Sub-Index futures contracts any one contract month contract month 30. Hang Seng Commerce and 300 open contracts for 50 open contracts for any one Industry Sub-Index futures any one contract month contract month contracts 31. Hang Seng Properties 250 open contracts for 50 open contracts for any one Sub-Index futures contracts any one contract month contract month 32. Hang Seng Properties 250 open contracts for 50 open contracts for any one Sub-Index options contracts any one series series 33. Hang Seng China 6 000 open contracts for 250 open contracts for any Enterprises Index futures any one contract month one contract month contracts 34. Hang Seng China 6 000 open contracts for 250 open contracts for any Enterprises Index options any one series one series contracts 35. PCCW Ltd. stock futures 5 000 open contracts for 1 000 open contracts for any

contract any one contract month one contract month 36. The Bank of East Asia Ltd. 5 000 open contracts for 1 000 open contracts for any stock futures contract any one contract month one contract month 37. Legend Group Ltd. stock 5 000 open contracts for 1 000 open contracts for any futures contract any one contract month one contract month 38. MSCI China Free Index 10 000 open contracts for 500 open contracts for any futures contract any one contract month one contract month 39. MSCI China Free Index 10 000 open contracts for 500 open contracts for any options contract any one contract month one contract month 40. Amoy Properties Ltd. stock 5 000 open contracts for 1 000 open contracts for any futures contract any one contract month one contract month 41. Cathay Pacific Airways Ltd. 5 000 open contracts for 1 000 open contracts for any stock futures contract any one contract month one contract month 42. Cheung Kong Infrastructure 5 000 open contracts for 1 000 open contracts for any Holdings Ltd. stock any one contract month one contract month futures contract 43. China Merchants Holdings 5 000 open contracts for 1 000 open contracts for any (International) Co. Ltd. any one contract month one contract month stock futures contract 44. China Petroleum & 5 000 open contracts for 1 000 open contracts for any Chemical Corporation any one contract month one contract month stock futures contract 45. China Unicom Ltd. stock 5 000 open contracts for 1 000 open contracts for any futures contract any one contract month one contract month 46. Dah Sing Financial 5 000 open contracts for 1 000 open contracts for any Holdings Ltd. stock any one contract month one contract month futures contract

47. Guoco Group Ltd. stock 5 000 open contracts for 1 000 open contracts for any futures contract any one contract month one contract month 48. Hang Lung Development 5 000 open contracts for 1 000 open contracts for any Co. Ltd. stock futures any one contract month one contract month contract 49. Henderson Investment Ltd. 5 000 open contracts for 1 000 open contracts for any stock futures contract any one contract month one contract month 50. Hong Kong Exchanges and 5 000 open contracts for 1 000 open contracts for any Clearing Ltd. stock futures any one contract month one contract month contract 51. Hysan Development Co. 5 000 open contracts for 1 000 open contracts for any Ltd. stock futures contract any one contract month one contract month 52. Johnson Electric Holdings 5 000 open contracts for 1 000 open contracts for any Ltd. stock futures contract any one contract month one contract month 53. Li & Fung Ltd. stock 5 000 open contracts for 1 000 open contracts for any futures contract any one contract month one contract month 54. MTR Corporation Ltd. 5 000 open contracts for 1 000 open contracts for any stock futures contract any one contract month one contract month 55. PetroChina Co. Ltd. stock 5 000 open contracts for 1 000 open contracts for any futures contract any one contract month one contract month 56. Shangri-La Asia Ltd. stock 5 000 open contracts for 1 000 open contracts for any futures contract any one contract month one contract month 57. Sino Land Co. Ltd. stock 5 000 open contracts for 1 000 open contracts for any futures contract any one contract month one contract month 58. South China Morning Post 5 000 open contracts for 1 000 open contracts for any (Holdings) Ltd. stock any one contract month one contract month

futures contract 59. Television Broadcasts Ltd. 5 000 open contracts for 1 000 open contracts for any stock futures contract any one contract month one contract month 60. Wheelock and Co. Ltd. 5 000 open contracts for 1 000 open contracts for any stock futures contract any one contract month one contract month 61. Wing Hang Bank, Ltd. 5 000 open contracts for 1 000 open contracts for any stock futures contract any one contract month one contract month 62. Yue Yuen Industrial 5 000 open contracts for 1 000 open contracts for any (Holdings) Ltd. stock any one contract month one contract month futures contract 63. Cisco System Incorporated 50 000 open contracts for 10 000 open contracts for any stock futures contract any one contract month one contract month 64. IBM Corporation stock 50 000 open contracts for 10 000 open contracts for any futures contract any one contract month one contract month 65. Intel Corporation stock 50 000 open contracts for 10 000 open contracts for any futures contract any one contract month one contract month 66. Microsoft Corporation 50 000 open contracts for 10 000 open contracts for any stock futures contract any one contract month one contract month 67. Oracle Corporation stock 50 000 open contracts for 10 000 open contracts for any futures contract any one contract month one contract month 68. NTT DoCoMo 50 000 open contracts for 10 000 open contracts for any Incorporated stock any one contract month one contract month futures contract 69. Sony Corporation stock 50 000 open contracts for 10 000 open contracts for any futures contract any one contract month one contract month 70. Nippon Telegraph & 50 000 open contracts for 10 000 open contracts for anv Telephone Corporation any one contract month one contract month

stock futures contract 71. Fujitsu Limited stock 50 000 open contracts for 10 000 open contracts for any futures contract any one contract month one contract month 72. Toyota Motor Corporation 50 000 open contracts for 10 000 open contracts for any stock futures contract any one contract month one contract month 73. Korea Electric Power 5 000 open contracts for 1 000 open contracts for any Corporation stock futures any one contract month one contract month contract 74. KT Corporation stock 5 000 open contracts for 1 000 open contracts for any futures contract any one contract month one contract month 75. Samsung Electronics 5 000 open contracts for 1 000 open contracts for any Company Limited stock any one contract month one contract month futures contract 76. SK Telecom Company 5 000 open contracts for 1 000 open contracts for anv Limited stock futures any one contract month one contract month contract 77. Kookmin Bank stock 5 000 open contracts for 1 000 open contracts for any futures contract any one contract month one contract month 78. Mosel Vitelic Incorporated 5 000 open contracts for 1 000 open contracts for any stock futures contract any one contract month one contract month 79. Ritek Corporation stock 5 000 open contracts for 1 000 open contracts for any futures contract any one contract month one contract month 80. Taiwan Semiconductor 5 000 open contracts for 1 000 open contracts for any Manufacturing Company any one contract month one contract month Limited stock futures contract 81. United Micro Electronics 5 000 open contracts for 1 000 open contracts for any

Corporation stock futures any one contract month one contract month contract 82. Winbond Electronics 5 000 open contracts for 1 000 open contracts for any Corporation stock futures any one contract month one contract month contract 83. Options on Cisco System 50 000 open contracts for 10 000 open contracts for any Incorporated stock futures any one contract month one contract month contract 84. Options on IBM 50 000 open contracts for 10 000 open contracts for any Corporation stock futures any one contract month one contract month contract 85. Options on Intel 50 000 open contracts for 10 000 open contracts for any Corporation stock futures any one contract month one contract month contract 86. Options on Microsoft 50 000 open contracts for 10 000 open contracts for any Corporation stock futures any one contract month one contract month contract 87. Options on Oracle 50 000 open contracts for 10 000 open contracts for anv Corporation stock futures any one contract month one contract month contract 88. Options on NTT DoCoMo 50 000 open contracts for 10 000 open contracts for any Incorporated stock futures any one contract month one contract month contract 89. Options on Sony 50 000 open contracts for 10 000 open contracts for anv Corporation stock futures any one contract month one contract month contract 90. Options on Nippon 50 000 open contracts for 10 000 open contracts for any any one contract month one contract month Telegraph & Telephone Corporation stock futures contract

91. Options on Fujitsu Limited 50 000 open contracts for 10 000 open contracts for any stock futures contract any one contract month one contract month 92. Options on Toyota Motor 50 000 open contracts for 10 000 open contracts for any Corporation stock futures any one contract month one contract month contract 93. Options on Korea Electric 5 000 open contracts for 1 000 open contracts for any Power Corporation stock any one contract month one contract month futures contract 94. Options on KT Corporation 5 000 open contracts for 1 000 open contracts for any stock futures contract any one contract month one contract month 95. Options on Samsung 5 000 open contracts for 1 000 open contracts for any Electronics Company any one contract month one contract month Limited stock futures contract 96. Options on SK Telecom 5 000 open contracts for 1 000 open contracts for any Company Limited stock any one contract month one contract month futures contract 97. Options on Kookmin Bank 5 000 open contracts for 1 000 open contracts for any stock futures contract any one contract month one contract month 98. Options on Mosel Vitelic 5 000 open contracts for 1 000 open contracts for any Incorporated stock futures any one contract month one contract month contract 99. Options on Ritek 5 000 open contracts for 1 000 open contracts for any Corporation stock futures any one contract month one contract month contract 100. Options on Taiwan 5 000 open contracts for 1 000 open contracts for any Semiconductor any one contract month one contract month Manufacturing Company

Limited stock futures contract 101. Options on United Micro 5 000 open contracts for 1 000 open contracts for any Electronics Corporation any one contract month one contract month stock futures contract 102. Options on Winbond 5 000 open contracts for 1 000 open contracts for any Electronics Corporation any one contract month one contract month stock futures contract 103 Dow Jones Industrial 20 000 open contracts for 1 000 open contracts for any Average futures contract any one contract month one contract month 104 Dow Jones Industrial 20 000 open contracts for 1 000 open contracts for any Average options contract any one contract month one contract month 105. Three Year Exchange Fund 5 000 open contracts for 1 000 open contracts for any Note (EFN) futures contract any one contract month one contract month except except that the limit for the that the reportable position spot month contract during for the spot month contract the last 6 trading days is during the last 6 trading days 1 000 open contracts is 200 open contracts 106. CNOOC Ltd. stock 5 000 open contracts for 1 000 open contracts for any futures contract any one contract month one contract month 107. Huaneng Power 5 000 open contracts for 1 000 open contracts for anv International, Inc. stock any one contract month one contract month futures contract Schedule 2 [ss. 2(1) & 5(b)] Prescribed Limit and Reporting Level for Stock Options Contracts Item Stock options contract Prescribed limit Reporting level 1. HSBC Holdings Plc stock 5 000 contracts in any 1 000 contracts in any one options contract one expiry month expiry month 2. Cheung Kong (Holdings) 5 000 contracts in any 1 000 contracts in any one

Ltd. stock options contract one expiry month expiry month 3. CITIC Pacific Ltd. stock 5 000 contracts in any 1 000 contracts in any one options contract one expiry month expiry month 4. Swire Pacific Ltd. 'A' stock 5 000 contracts in any 1 000 contracts in any one options contract one expiry month expiry month 5. CLP Holdings Ltd. stock 5 000 contracts in any 1 000 contracts in any one options contract one expiry month expiry month 6. Henderson Land 5 000 contracts in any 1 000 contracts in any one Development Co. Ltd. one expiry month expiry month stock options contract 7. Hutchison Whampoa Ltd. 5 000 contracts in any 1 000 contracts in any one stock options contract one expiry month expiry month 8. Sun Hung Kai Properties 5 000 contracts in any 1 000 contracts in any one Ltd. stock options contract one expiry month expiry month 9. Hopewell Holdings Ltd. 25 000 contracts in any 5 000 contracts in any one stock options contract one expiry month expiry month 10. Amoy Properties Ltd. stock 25 000 contracts in any 5 000 contracts in any one options contract one expiry month expiry month 11. The Bank of East Asia Ltd. 25 000 contracts in any 5 000 contracts in any one stock options contract one expiry month expiry month 12. Hang Seng Bank Ltd. stock 25 000 contracts in any 5 000 contracts in any one options contract one expiry month expiry month 13. Hongkong Electric 25 000 contracts in any 5 000 contracts in any one Holdings Ltd. stock one expiry month expiry month options contract 14. The Hong Kong & China 25 000 contracts in any 5 000 contracts in any one Gas Co. Ltd. stock one expiry month expiry month options contract 15. Hysan Development Co. 5 000 contracts in any 1 000 contracts in any one

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28. China Resources Enterprise, 5 000 contracts in any 1 000 contracts in any one Ltd. stock options contract one expiry month expiry month 29. COSCO Pacific Ltd. stock 5 000 contracts in any 1 000 contracts in any one options contract one expiry month expiry month 30. Shanghai Industrial 5 000 contracts in any 1 000 contracts in any one Holdings Ltd. stock one expiry month expiry month options contract 31. China Merchants Holdings 25 000 contracts in any 5 000 contracts in any one (International) Co. Ltd. one expiry month expiry month stock options contract 32. China Mobile (Hong 5 000 contracts in any 1 000 contracts in any one Kong) Ltd. stock one expiry month expiry month options contract 33. Tracker Fund of Hong 25 000 contracts in any 5 000 contracts in any one Kong stock options one expiry month expiry month contract 34. Legend Group Ltd. stock 5 000 contracts in any 1 000 contracts in any one options contract one expiry month expiry month 35. PCCW Ltd. stock options 25 000 contracts in any 5 000 contracts in any one contract one expiry month expiry month 36. China Petroleum & 25 000 contracts in any 5 000 contracts in any one Chemical Corporation one expiry month expiry month stock options contract 37. China Unicom Ltd. stock 25 000 contracts in any 5 000 contracts in any one options contract one expiry month expiry month 38. Dah Sing Financial 25 000 contracts in any 5 000 contracts in any one Holdings Ltd. stock one expiry month expiry month options contract 39. Guoco Group Ltd. stock 5 000 contracts in any 1 000 contracts in any one options contract one expiry month expiry month 40. Hong Kong Exchanges and 5 000 contracts in any 1 000 contracts in any

one Clearing Ltd. stock one expiry month expiry month options contract 41. Li & Fung Ltd. stock 5 000 contracts in any 1 000 contracts in any one options contract one expiry month expiry month 42. MTR Corporation Ltd. 25 000 contracts in any 5 000 contracts in any one stock options contract one expiry month expiry month 43. PetroChina Co. Ltd. stock 25 000 contracts in any 5 000 contracts in any one options contract one expiry month expiry month 44. Wing Hang Bank, Ltd. 25 000 contracts in any 5 000 contracts in any one stock options contract one expiry month expiry month 45. Yue Yuen Industrial 5 000 contracts in any 1 000 contracts in any one (Holdings) Ltd. stock one expiry month expiry month options contract 46. CNOOC Ltd. stock 25 000 contracts in any 5 000 contracts in any one options contract one expiry month expiry month 47. Huaneng Power 25 000 contracts in any 5 000 contracts in any one International, Inc. stock one expiry month expiry month options contract Andrew Len Tao SHENG Chairman, Securities and Futures Commission 9 December 2002 Explanatory Note These Rules are made by the Securities and Futures Commission under section 35(1) of the Securities and Futures Ordinance (Cap. 571)---

(a) to prohibit a person (except an authorized person) from holding or controlling futures contracts and stock options contracts in excess of the prescribed limit;(b) to require a person who holds or controls a reportable position in such futures contracts or stock options contracts to notify the recognized exchange company concerned; and

(c) to provide for penalties for contravention of such prohibition or requirement.