

(5) 一份看來是由金融管理專員根據第(4)款備存的登記冊(或其任何部分)的副本的文件,或(如該登記冊以可閱讀形式以外的形式備存但能夠以可閱讀形式複製)一份看來是如此的複製本(或其任何部分的複製本)並看來是由金融管理專員簽署的文件,在沒有相反證據的情況下,可在任何司法程序中獲接納及須被當作經金融管理專員簽署,而文件上所記錄的事實在沒有相反證據的情況下須當作已確立。(由1995年第12號第5條增補)

(由1995年第12號第5條修訂;由1997年第362號法律公告修訂)

4A. (由1987年第64號第31條廢除)

5. 紙幣的發行限額須予維持

如有任何規限紙幣發行的條例或章程對紙幣的發行訂定最高限額,本條例並不賦權任何發鈔銀行發行超過該限額的紙幣,而財政司司長根據第4條發出證明書時,須顧及該等限額。

(由1951年第4號附表代替。由1978年第7號第3條修訂;由1995年第12號第6條修訂;由1997年第362號法律公告修訂)

5A. 金融管理專員的委任

- (1) 財政司司長須按其認為適當的條款及條件,委任一名人士為金融管理專員。
- (2) 金融管理專員須——
 - (a) 協助財政司司長執行其根據本條例獲授予的職能;
 - (b) 執行財政司司長所指示的職能;及
 - (c) 執行任何其他條例委予或指派予金融管理專員的職能。
- (3) 財政司司長可按其認為適當的條款及條件,委任其他人協助金融管理專員執行第(2)款指明的金融管理專員職能。
- (4) 儘管有第(2)(b)及(c)款的規定,金融管理專員及根據第(3)款獲委任以協助金融管理專員的人,就所有目的而言,須視作為外匯基金事宜而受僱用。
- (5) 在本條中,“職能”(functions)包括權力與職責。

(由1992年第82號第4條增補。由1997年第362號法律公告修訂)

(5) A document purporting to be a copy of a register maintained by the Monetary Authority under subsection (4) (or any part thereof) or, where such register is maintained otherwise than in a legible form but is capable of being reproduced in a legible form, a document purporting to be such a reproduction (or a reproduction of any part thereof) and purporting to be signed by the Monetary Authority shall be admissible in any judicial proceedings and shall be deemed to have been signed by the Monetary Authority and the facts recorded thereon shall be deemed to be established, in the absence of evidence to the contrary. (Added 12 of 1995 s. 5)

(Amended 12 of 1995 s. 5)

4A. (Repealed 64 of 1987 s. 31)

5. Preservation of limits on note issue

Nothing in this Ordinance shall empower any note-issuing bank to issue notes in excess of any maximum limit laid down in any Ordinance or charter governing the issue of such notes, and in issuing certificates under section 4 the Financial Secretary shall take into account such maximum limits.

(Replaced 4 of 1951 Schedule. Amended 7 of 1978 s. 3; 12 of 1995 s. 6)

5A. Appointment of Monetary Authority

- (1) The Financial Secretary shall appoint a person to be the Monetary Authority on such terms and conditions as he thinks fit.
- (2) The Monetary Authority shall—
 - (a) assist the Financial Secretary in the performance of his functions under this Ordinance;
 - (b) perform such functions as the Financial Secretary may direct; and
 - (c) perform functions imposed on or assigned to the Monetary Authority by any other Ordinance.
- (3) The Financial Secretary may appoint, on such terms and conditions as he thinks fit, persons to assist the Monetary Authority in the performance of the functions of the Monetary Authority specified in subsection (2).
- (4) Notwithstanding subsection (2)(b) and (c), the Monetary Authority and persons appointed to assist him under subsection (3) shall be regarded, for all purposes, as employed in connection with the purposes of the Fund.
- (5) In this section “functions” (職能) includes powers and duties.

(Added 82 of 1992 s. 4)