

**Bills Committee on Securities and Futures and Companies Legislation
(Structured Products Amendment) Bill 2010**

**Follow-up actions to be taken by the Administration and the Securities and
Futures Commission in response to members' requests made at the meeting
on 20 January 2011**

1. To contrast the protection afforded by the Banking Ordinance (Cap. 155) for investors of unlisted investment products sold by Authorized Institutions and **not regulated** under the Securities and Futures Ordinance (Cap. 571) (SFO) with the protection afforded by SFO for investors of unlisted investment products **regulated** under SFO.
2. To confirm (a) whether the fees to be charged by the Securities and Futures Commission (SFC) for authorization of the offer documents for structured products would be introduced separately as subsidiary legislation for scrutiny by the Legislative Council, or as part of the Bill by Committee Stage Amendments; and (b) there is no difference in the consultation process and the need for approval by the Chief Executive in Council under either approach.
3. To explain the respective purposes and scopes of the exemption provisions under the various subsections of section 103 of SFO, particularly subsections (2), (5) and (6), and to review the effect of the addition of "excluding unlisted securities that are structured products" to the relevant exemption provisions.
4. To review the effect of proposed section 103(11A) of SFO.
5. To explain the concept "offered to the public" with reference to real-life examples.