

L.N. 231 of 2002

Securities and Futures Ordinance (Amendment of Schedule 8) Order 2002

(Made by the Chief Executive in Council under section 234

of the Securities and Futures Ordinance (Cap. 571))

1. Commencement

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

2. Securities and Futures Appeals Tribunal

Schedule 8 to the Securities and Futures Ordinance (Cap. 571) is amended---

(a) in Part 2---

(i) in Division 1, by adding---

"73. Section 6(2) of the Objection to a Securities and Futures listing of securities.

(Stock Market Listing)

Rules (L.N. 217 of 2002)

74. Section 6(3)(b) of the Imposition of any Securities and Futures condition.

(Stock Market Listing)

Rules (L.N. 217 of 2002)

75. Section 8(3) of the Refusal to approve Securities and Futures a corporation as

(Disclosure of Interests--- an approved

Securities Borrowing and lending agent.

Lending) Rules (L.N. 219

of 2002)

76. Section 8(4) of the Imposition of any Securities and Futures condition.

(Disclosure of Interests---

Securities Borrowing and

Lending) Rules (L.N. 219

of 2002)

77. Section 8(6) of the Withdrawal of an Securities and Futures approval.

(Disclosure of Interests---

Securities Borrowing and

Lending) Rules (L.N. 219

of 2002)

78. Section 4(4)(c) of the Refusal to give

Securities and Futures notice.";

(Contracts Limits and

Reportable Positions)

Rules (L.N. 220 of 2002)

(ii) in Division 3, by adding---

"1. Section 4(4) of the Refusal to Securities and Futures determine that a (Investor Compensation--- claim which is not Claims) Rules (L.N. 215 lodged within the of 2002) time limit provided in section 4(3) of the Securities and Futures (Investor Compensation---Claims) Rules (L.N. 215 of 2002) is not barred.

2. Section 7(1)(a), (b) or (c) of Determination as the Securities and Futures to whether there (Investor Compensation--- has been a default, Claims) Rules (L.N. 215 as to the date of of 2002) default, or as to whether a claimant is entitled to compensation.

3. Section 7(2) of the Determination of a Securities and Futures provisional (Investor Compensation--- amount of Claims) Rules (L.N. 215 compensation. of 2002)

4. Section 9(3) of the Aggregation of Securities and Futures separate claims or (Investor Compensation--- parts of those Claims) Rules (L.N. 215 claims."; of 2002)

(b) in Part 3, in Division 5, by adding---

"16. A specified decision set out Section 6(5) of the in item 73 of Division 1 of Securities and Futures Part 2. (Stock Market Listing) Rules (L.N. 217 of 2002).

17. A specified decision set out Section 6(5) of the in item 74 of Division 1 of Securities and Futures Part 2. (Stock Market Listing) Rules (L.N. 217 of 2002).".

CHENG Mei-sze, Maisie

Clerk to the Executive Council

Council Chamber

10 December 2002

Explanatory Note

This Order is made by the Chief Executive in Council under section 234 of the Securities and Futures Ordinance (Cap. 571). It amends Divisions 1 and 3 of Part 2 of Schedule 8 to the Ordinance by adding certain decisions of the Securities and Futures Commission or a recognized investor compensation company to the list of specified decisions which may be reviewed by the Securities and Futures Appeals Tribunal. In addition, it adds to Division 5 of Part 3 of Schedule 8 to the Ordinance certain specified decisions of the Commission which take effect earlier than the period specified in section 232(2)(a), (b) or (c) of the Ordinance.