

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—

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| “73. Section 6(2) of the Securities and Futures (Stock Market Listing) Rules (L.N. 217 of 2002) | Objection to a listing of securities. |
| 74. Section 6(3)(b) of the Securities and Futures (Stock Market Listing) Rules (L.N. 217 of 2002) | Imposition of any condition. |
| 75. Section 8(3) of the Securities and Futures (Disclosure of Interests—Securities Borrowing and Lending) Rules (L.N. 219 of 2002) | Refusal to approve a corporation as an approved lending agent. |
| 76. Section 8(4) of the Securities and Futures (Disclosure of Interests—Securities Borrowing and Lending) Rules (L.N. 219 of 2002) | Imposition of any condition. |

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| 77. Section 8(6) of the Securities and Futures (Disclosure of Interests— Securities Borrowing and Lending) Rules (L.N. 219 of 2002) | Withdrawal of an approval. |
| 78. Section 4(4)(c) of the Securities and Futures (Contracts Limits and Reportable Positions) Rules (L.N. 220 of 2002) | Refusal to give notice.”; |
| (ii) in Division 3, by adding— | |
| “1. Section 4(4) of the Securities and Futures (Investor Compensation— Claims) Rules (L.N. 215 of 2002) | Refusal to determine that a claim which is not lodged within the 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 the Securities and Futures (Investor Compensation— Claims) Rules (L.N. 215 of 2002) | Determination as to whether there has been a default, as to the date of default, or as to whether a claimant is entitled to compensation. |
| 3. Section 7(2) of the Securities and Futures (Investor Compensation— Claims) Rules (L.N. 215 of 2002) | Determination of a provisional amount of compensation. |
| 4. Section 9(3) of the Securities and Futures (Investor Compensation— Claims) Rules (L.N. 215 of 2002) | Aggregation of separate claims or parts of those claims.”; |

- (b) in Part 3, in Division 5, by adding—
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| “16. A specified decision set out in item 73 of Division 1 of Part 2. | Section 6(5) of the Securities and Futures (Stock Market Listing) Rules (L.N. 217 of 2002). |
| 17. A specified decision set out in item 74 of Division 1 of Part 2. | Section 6(5) of the Securities and Futures (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.