

Conduct of Business

商业准则

Professional Investor Treatment Notice

专业投资者的处理通知

PART I

第1部分

This part is applicable only to Institutional Professional Investors and Eligible Corporate Professional Investors.

本部分仅适用于机构专业投资者和合资格法团专业投资者。

Treatment of an "Institutional Professional Investor" and an "Eligible Corporate Professional Investor"

“机构专业投资者”和“合资格法团专业投资者”的处理

1. You are a Professional Investor by virtue of being either an "Institutional Professional Investor" or having been assessed by us as an "Eligible Corporate Professional Investor" based on the information you have given us.
2. An "Institutional Professional Investor" is a person described in paragraphs (a) to (i) of the definition of "Professional Investors" set out in section I of Part I of Schedule I to the Securities and Futures Ordinance (Cap. 571) (the "SFO"), these include entities such as licensed (or overseas-regulated) securities intermediaries and financial institutions, insurance companies, Mandatory Provident Fund schemes, etc..
3. An "Eligible Corporate Professional Investor" is a trust corporation, corporation or partnership, meeting specified monetary thresholds as described under sections 3(a), (c) and (d) of the Securities and Futures

1. 根据您向我们提供的信息，由于符合“机构专业投资者”的条件或被我们评估为“合格法团专业投资者”，您被分类为专业投资者。
2. “机构专业投资者”指《证券及期货条例》（第571章）（“《证券及期货条例》”）附表1第1部第1条所载“专业投资者”一词的定义第(a)至(i)段所描述的人士，包括持牌（或海外监管）证券中介人及财务机构、保险公司、强制性公积金计划等实体。
3. “合资格法团专业投资者”指符合《证券及期货条例》下《证券及期货（专业投资者）规则》（第571D章）第3(a)、(c)及(d)条所述的指定总值限额，并已被我们评估为符合《证券及期货事务监察委员会持牌人或注册人操守准则》（“操守准则”）第15.3A(b)段标准的信托公司、法团或合伙企业。

(Professional Investor) Rules under the SFO (Cap. 571D) and has been assessed by us as satisfying the criteria in paragraph 15.3A(b) of the Code of Conduct for Persons Licensed by or Registered with the Securities and Futures Commission (the "Code of Conduct").

4. As a consequence of your categorisation as an "Institutional Professional Investor" or an "Eligible Corporate Professional Investor", we can be exempted from complying with the following requirements under the Code of Conduct without your consent (in the case of an Institutional Professional Investor) or with your consent (in the case of an Eligible Corporate Professional Investor). While we may in fact provide some or all of the following services/information to you, we have no regulatory responsibility to do so:

4.1. Information about clients

We are not required to establish your financial situation, investment experience or investment objectives.

4.2. Suitability

We are not required to ensure that a recommendation or solicitation is suitable for you.

4.3. Knowledge of derivatives

We are not required to assess your knowledge of derivatives and characterise

4. 由于您被归类为“机构专业投资者”或“合格法团专业投资者”，我们可以在未经您同意（如果是机构专业投资者）或经您同意（如果是合格法团专业投资者）的情况下免于遵守“操守准则”规定的以下要求。虽然我们实际上向您提供以下部分或全部的服务信息，但我们并没有相应的监管责任：

4.1. 有关客户的资料

我们无须确认您的财务状况、投资经验或投资目标。

4.2. 适合性

我们无须确保某项建议或招揽适合您。

4.3. 对衍生工具的认识

根据《操守准则》第5.1A段的规定，我们无须评估您对衍生工具的认识，且无需根据您对衍生工具的认识将您分类。

4.4. 客户协议

我们无须就向您提供的服务根据《操守准则》签订书面协议。

4.5. 风险披露声明

我们无需就与您订立的任何交易所涉及的风险向您提供书面风险警告，或提醒您注意这些风险。

you based on your knowledge of derivatives under the requirements of paragraph 5.1A of the Code of Conduct.

4.4. Client agreement

We are not required to enter into a written agreement that complies with the Code of Conduct relating to the services that are to be provided to you.

4.5. Risk disclosure statements

We are not required to provide you with written risk warnings in respect of the risks involved in any transactions entered into with you, or to bring those risks to your attention.

4.6. Disclosure of sales related information

We will not be subject to the requirements of paragraph 8.3A of the Code of Conduct relating to disclosure of sales related information (applicable where we distribute an investment product to you, in which case we should disclose to you certain information prior to or at the point of entering into the relevant sale, such as (i) our capacity (whether as principal or agent) or (ii) our affiliation with the product issuer, etc.).

4.7. Information about us

4.6. 销售相关信息披露

我们将无需遵守与销售相关信息披露相应的“操守准则”第8.3A段的要求（适用于我们向您分发投资产品的情况，在这种情况下，我们应在进行相关销售之前或在当时向您披露某些信息，例如(i)我们的身份（无论是委托人还是代理人）或(ii)我们与产品发行人的从属关系等）。

4.7. 关于我们的信息

我们无须向您提供有关我们的业务或者将会与您有联系的雇员及其他代表我们的人士的身份和受雇状况的资料。

4.8. 尽快确认

我们无需在为您执行交易后，及时确认交易的基本特征。

4.9. 纳斯达克 - 美国证券交易所试验计划

如果您希望交易纳斯达克-美国证券交易所试验计划允许的香港证券交易所交易的证券，我们无需向您提供有关该计划的文件。

We are not required to provide you with information about our business or the identity and status of employees and others acting on our behalf with whom you will have contact.

4.8. Prompt confirmation

We are not required to promptly confirm with you the essential features of a transaction after effecting a transaction for you.

4.9. Nasdaq-Amex Pilot Program

If you wish to deal through the Hong Kong Stock Exchange in securities admitted to trading on the Hong Kong Stock Exchange under the Nasdaq-Amex Pilot Program, we will not provide you with documentation on that program.

PART 2

This part is applicable only to Individual Professional Investors and Excluded Corporate Professional Investors.

Treatment of an "Individual Professional Investor" and an "Excluded Corporate Professional Investor"

5. You are a Professional Investor by virtue of being either an "Individual Professional Investor" or having been assessed as an "Excluded Corporate Professional Investor" based on information you have given us.

第2部分

本部分仅适用于个人专业投资者和除外法团专业投资者。

“个人专业投资者”和“除外法团专业投资者”的处理

5. 根据您向我们提供的信息，由于符合“个人专业投资者”的条件或被我们评估为“除外法团专业投资者”，您被分类为专业投资者。
6. “个人专业投资者”是属于《证券及期货（专业投资者）规则》第3(b)条的人士类别，例如单

6. An "Individual Professional Investor" is a category of person falling within section 3(b) of the Securities and Futures (Professional Investor) Rules, such as a high net worth individual having, alone, with associates or non-associates on a joint account or through an investment holding vehicle wholly owned by that individual, a portfolio of at least HK\$8 million (or equivalent) in securities and/or currency deposits.

7. An "Excluded Corporate Professional Investor" is a trust corporation, corporation or partnership which is assessed by us as not satisfying all or any of the criteria in paragraph 15.3A(b) of the Code of Conduct for Persons Licensed by or Registered with the Securities and Futures Commission (the "Code of Conduct").

8. As a consequence of your categorisation as an "Individual Professional Investor" or "Excluded Corporate Professional Investor", with your consent, we can be exempted from complying with the following requirements under the Code of Conduct. While we may in fact provide some or all of the following services/information to you, we have no regulatory responsibility to do so:

8.1. Information about us

We are not required to provide you with information about our business or the identity and status of employees and others acting on our behalf with whom you will have contact.

独与有联系者或非有联系者在联名共有账户上拥有或通过该人士全资拥有的投资持有工具拥有至少800万港元(或等值) 证券及/或货币存款的投资组合的高净值个人。

7. “除外法团专业投资者”是指被我们评估为不符合《证券及期货事务监察委员会持牌人或注册人操守准则》(“操守准则”) 第15.3A(b)段的全部或任何标准的信托公司、法团或合伙企业。

8. 由于您被归类为“个人专业投资者”或“除外法团专业投资者”，经您同意，我们可以免于遵守“操守准则”规定的以下要求。虽然我们实际上向您提供以下部分或全部的服务信息，但我们并没有相应的监管责任：

8.1. 关于我们的信息

我们无须向您提供有关我们的业务或者将会与您有联系的雇员及其他代表我们的人士的身份和受雇状况的资料。

8.2. 尽快确认

我们无需在为您执行交易后，及时确认交易的基本特征。

8.3. 纳斯达克 - 美国证券交易所试验计划

如果您希望交易纳斯达克-美国证券交易所试验计划允许的证券交易所交易的证券，我们无需向您提供有关该计划的文件。

8.2. Prompt confirmation

We are not required to promptly confirm with you the essential features of a transaction after effecting a transaction for you.

8.3. Nasdaq-Amex Pilot Program

If you wish to deal through the Hong Kong Stock Exchange in securities admitted to trading on the Hong Kong Stock Exchange under the Nasdaq-Amex Pilot Program, we are not required to provide you with documentation on that program.

PART 3

This part is applicable to all Professional Investors (as defined under the SFO).

According to section 3(2)(b) of the Securities and Futures (Contract Notes, Statements of Account and Receipts) Rules (the "CN Rules"), our obligation to provide to you with contract notes, statements of account or receipts under section 5, 8, 9, 11 or 13 of the CN Rules does not apply if:

- (a) you are an Institutional Professional Investor;
or
- (b) you (i) are an Individual Professional Investor, an Excluded Corporate Professional Investor or an

第3部分

本部分适用于所有专业投资者（根据《证券及期货条例》的定义）。

根据《证券及期货（成交单据、户口结单及收据规则》（“《成交单据规则》”）第3(2)(b)条，如果出现以下情况，我们根据《成交单据规则》第5、8、9、11或13条向您提供成交单据、户口结单及收据的义务则不适用：

- (a) 您是机构专业投资者；或
- (b) 您(i)是个人专业投资者、除外法团专业投资者或合格法团专业投资者，以及(ii)同意豁免这些要求。

虽然我们仍可能向您提供以下部分或全部信息，但我们可能没有法律义务提供。请参考以下《成交单据规则》相关章节的摘录。

Eligible Corporate Professional Investor and (ii) agree to waive the requirements.

While we may still provide some or all of the following information to you, we may not have any legal obligation to do so. Please see below an extract of the relevant sections of the CN Rules.

Section 5 — Preparation and provision of contract notes

Subject to subsection (2) and section 6, where an intermediary enters into a relevant contract with or on behalf of a client, it shall

- (a) prepare a contract note in accordance with this section in respect of the relevant contract; and
- (b) provide the contract note to the client no later than the end of the second business day after entering into the relevant contract.

Section 8 — Preparation and provision of daily statements of account relating to financial accommodation

Subject to section 10, where an intermediary provides financial accommodation to a client and any event specified in subsection (3) takes place in relation to the client, it shall

- (a) prepare a statement of account in respect of the client in accordance with subsection (2); and
- (b) provide the statement of account to the client no later than the end of the second business

第5条 — 成交单据的制备及提供

除第(2)款及第6条另有规定外,如中介人与客户或代客户订立有关合约,则该中介人须—

- (a) 按照本条就该有关合约制备成交单据;并且
- (b) 在订立该有关合约后第2个营业日终结前,向该客户提供该成交单据。

第8条 — 就财务通融而制备及提供户口日结单

除第10条另有规定外,如中介人向客户提供财务通融,而第(3)款所指明的事件就该客户发生,则该中介人须—

- (a) 按照第(2)款就该客户制备户口结单;及
- (b) 在该事件发生后第2个营业日终结前,或(就第3(a)(iii)或(b)(iii)款指明的事件而言)在该中介人察觉该事件已发生后第2个营业日终结前,向该客户提供该户口结单。

day after the event takes place, or in the case of an event specified in subsection 3(a)(iii) or (b)(iii), after the intermediary becomes aware that the event has taken place.

Section 9 — Preparation and provision of daily statements of account relating to margined transactions

Subject to section 10, where an intermediary enters into margined transactions with or on behalf of a client and any event specified in subsection (3) takes place in relation to the client, it shall

- (a) prepare a statement of account in respect of the client in accordance with subsection (2); and
- (b) provide the statement of account to the client no later than the end of the second business day after the event takes place.

Section 11 — Preparation and provision of monthly statement of account

Subject to subsection (4), where any of the circumstances specified in subsection (6) apply in respect of a client of an intermediary in respect of a monthly accounting period, the intermediary shall

- (a) prepare a statement of account in respect of the client in accordance with subsections (3) and (3A); and
- (b) provide the statement of account to the client no later than the end of the seventh business day after the end of the monthly accounting

第9条 — 就保证金交易制备及提供户口日结单

除第10条另有规定外，如中介人与客户或代客户订立保证金交易，而第(3)款指明的任何事件就该客户发生，则该中介人须—

- (a) 按照第(2)款就该客户制备户口结单；及
- (b) 在该事件发生后第2个营业日终结前向该客户提供该户口结单。

第11条 — 户口月结单的制备及提供

除第(4)款另有规定外，如第(6)款指明的任何情况就某按月会计期而适用于中介人的客户，该中介人须—

- (a) 按照第(3)及(3A)款就该客户制备户口结单；及
- (b) 在该按月会计期终结后第7个营业日终结前，向该客户提供该户口结单。

period.

Section 13 — Preparation and provision of receipts

Subject to subsection (2), on each occasion that

- (a) an intermediary receives any
 - (i) client assets; or
 - (ii) security provided in relation to a margined transaction (to the extent that such security is not client assets); or
- (b) an associated entity of an intermediary receives any client assets,

from or on behalf of a client of the intermediary, the intermediary or associated entity (as the case may be) shall
- (c) prepare a receipt in accordance with subsection (3); and
- (d) provide the receipt to the client no later than the end of the second business day after receiving the client assets or security.

The English language is the official communication language at XHK. In case of any disputes, discrepancies, ambiguity or differences in translations of documents/information in any other languages, the version in English prevails. Documents/Information provided in any other languages is for information purposes only and cannot be treated as an official text of the particular document.

第13条 — 编制和提供收据

除第(2)款另有规定外, 每次当—

- (a) 中介人自该中介人的客户收取或代该客户收取任何—
 - (i) 客户资产; 或
 - (ii) 就保证金交易提供的保证 (在该保证并非客户资产的范围内); 或
- (b) 中介人的有联系实体自该中介人的客户收取或代该客户收取任何客户资产,

该中介人或有联系实体 (视属何情况而定) 须—
- (c) 按照第(3)款制备收据; 及
- (d) 在收取该等客户资产或保证后第2个营业日终结前, 向该客户提供该收据。

英语是XHK的官方沟通语言。如任何其他语言的文件/信息在翻译方面有任何争议、差异、歧义或差别, 则以英文版本为准。以任何其他语言提供的文件/信息只作参考用途, 不能视为该文件的正式文本。