

# Futures and Derivatives Regulatory Newsletter

## 期货和衍生品行业监管动态

二〇二三年二月

2023 年第 2 期 总第 12 期

主办： 中国期货业协会  
China Futures Association

合作： 中衍律师事务所  
ZHONGYAN LAW OFFICE



中国期货业协会依法履行期货行业自律管理职能，将定期发布《期货和衍生品行业监管动态》，为关注、参与期货和衍生品交易的主体提供境内外监管法规、政策等信息，积极推动期货和衍生品行业规范发展。

China Futures Association performs the self-regulatory function of the futures industry according to law, and will regularly release the Futures and Derivatives Regulatory Newsletter to provide domestic and overseas regulatory updates for persons who follow and participate in the trading of futures and derivatives, and actively promote the compliance of the futures and derivatives industry.

## 本期资讯概述

本期监管动态包含 11 条境外资讯以及 26 条境内资讯，涵盖了国际、美国、新加坡、中国香港等境外金融监管当局，以及中国人民银行、证监会等境内金融监管机构和交易所、结算机构、行业协会发布的重要信息。境外资讯内容涉及国际证监会组织对衍生品市场监管原则的修订、美国商品期货交易委员会发布商业行为准则的文档规范和不行动立场的改变、关于 ION 事件持续影响的声明、每周交易者持仓报告、美国商品交易委员会和美国证券交易委员会发布违规处罚案例，文莱中央银行和新加坡金融管理局深化金融监管合作等内容。

境内资讯内容主要包括中国证监会发布金融行业标准、实施中国证监会全面实行股票发行注册制制度规则和境外上市备案管理相关制度规则，中国人民银行召开 2023 年度金融市场工作会议、郑州商品交易所发布期货品种做市合约和重点合约的公告、自律监管统计信息，大连商品交易所发布异常和违规交易行为查处情况的通告、风险提示公告，广州期货交易所公布工业硅期货做市商名单、上海期货交易所发布查处违法违规行为情况的公告等内容，以及中国期货业协会发布 2023 年 1 月全国期货市场交易情况简报、2022 年度期货市场发展概述，银行间市场清算所股份有限公司发布关于担保品处置和拍卖处置的细则等内容。

由于我们资讯整理经验和翻译研究水平有限，不足之处在所难免，

欢迎读者批评、斧正，提出完善建议，我们将积极改进，更好助力期货和衍生品市场的建设和发展。

## 编委会 | Editorial Committee

**编委会主任** 洪 磊

**编委会委员** 王明伟 陈东升 吴亚军

王 颖 冉 丽 孙明福

**执行主编** 董秋学

**责任编辑** 罗晓颖 符文翔 祝文小希

刘亭亭 唐源蔚 白晶华

沈 茜

**合作方** 中衍律师事务所

## 目 录 CONTENTS

境外资讯——国际.....	1
1. 国际证监会组织修订 2011 年《商品衍生品市场监管原则》以保障市场诚信和 功能健全（2023 年 1 月 31 日） .....	1
IOSCO Revises Its 2011 Principles for the Regulation and Supervision of Commodity Derivatives Markets to Ensure Market Integrity (2023/1/31).....	1
境外资讯——美国.....	4
2. 美国商品期货交易委员会工作人员改变关于拟清算互换交易对外商业行为准 则和文档规范的不行动立场（2023 年 2 月 2 日） .....	4
CFTC Staff Revises No-Action Positions Regarding External Business Conduct Standards and Documentation Standards for Intended-to-be-cleared Swaps (2023/2/2) .....	4
3. 美国商品期货交易委员会发布关于报告持续影响的声明（2023 年 2 月 10 日） .....	5
CFTC Issues Statement on the Ongoing Impact to Reporting (2023/2/10).....	5
4. 美国商品期货交易委员会命令 The Options Clearing Corporation 就其违反运 营风险管理相关的核心原则与监管规定的行为支付 500 万美元（2023 年 2 月 16 日） .....	6
CFTC Orders The Options Clearing Corporation to Pay a \$5 Million Penalty for Violations of Core Principles and Regulations Related to Operational Risk Management (2023/2/16).....	8
5. 美国证券交易委员会指控 Options Clearing Corporation 存在违规行为（2023 年 2 月 16 日） .....	10
SEC Charges Options Clearing Corporation with Rule Failures (2023/2/16).....	11
6. 美国商品期货交易委员会宣布推迟发布每周交易者持仓报告（2023 年 2 月 16	

日) .....	13
<b>CFTC Announces Postponement of Commitments of Traders Report (2023/2/16)</b> .....	13
7. 美国商品期货交易委员会为互换交易的记录保存和报告指定唯一产品识别码 (2023年2月16日) .....	14
<b>CFTC Designates Unique Product Identifier for Swaps Recordkeeping and Reporting (2023/2/16).....</b>	15
<b>境外资讯——英国.....</b>	16
8. 英格兰银行和英国金融行为监管局有关市场基础设施监管谅解备忘录的最新 进展(2023年2月24日) .....	16
<b>Update on the Bank of England and FCA Memorandum of Understanding for supervision of market infrastructure (2023/2/24).....</b>	16
<b>境外资讯——新加坡.....</b>	17
9. 文莱中央银行和新加坡金融管理局深化金融监管合作(2023年2月3日) .	17
<b>Brunei Darussalam Central Bank and Monetary Authority of Singapore Deepen Cooperation in Financial Supervision (2023/2/3) .....</b>	17
10. 新加坡金融管理局关于打击跨境洗钱问题的书面答复 (2023年2月23日) .....	18
<b>Written Reply to Parliamentary Question on Tackling Cross-border Money Laundering (2023/2/23).....</b>	19
<b>境外资讯——中国香港.....</b>	21
11. 香港证监会谴责金瑞期货(香港)有限公司违反监管规定并处以罚款480万 元和对其负责人员进行处罚(2023年2月7日) .....	21
<b>SFC Reprimands and Fines Jinrui Futures (Hong Kong) Limited \$4.8 Million and Sanctions Its Responsible Officers for Regulatory Breaches (2023/2/7).....</b>	22

境内资讯.....	26
➤ 法律与监管 Laws and Regulations .....	26
1. 证监会发布《证券公司场外业务资金服务接口》等4项金融行业标准（2023年2月10日） .....	26
China Securities Regulatory Commission Issued Four Financial Industry Standards Including <i>Over-the-counter capital service interface for securities companies</i> (2023/2/10).....	26
2. 中国人民银行召开2023年金融市场工作会议（2023年2月15日） .....	27
The People’s Bank of China Held 2023 Financial Market Work Conference (2023/2/15).....	27
3. 中国人民银行就《内地与香港利率互换市场互联互通合作管理暂行办法（征求意见稿）》公开征求意见（2023年2月17日） .....	28
The People’s Bank of China Solicits Public Comments on the <i>Interim Measures for the Administration of the Mutual Access Between the Mainland and Hong Kong Interest Rate Swap Markets (Draft for Public Comments)</i> (2023/2/17).....	28
4. 中国证监会发布实施全面实行股票发行注册制制度规则（2023年2月17日） .....	29
China Securities Regulatory Commission Releases Rules on the Full Implementation of the Registration System for Stock Issuance (2023/2/17).....	29
5. 中国证监会发布境外上市备案管理相关制度规则（2023年2月17日） .....	31
China Securities Regulatory Commission Releases New Regulations for Filing-based Administration of Overseas Offering and Listing (2023/2/17).....	32
6. 中国证监会 中国人民银行联合发布《重要货币市场基金监管暂行规定》（2023年2月17日） .....	33
China Securities Regulatory Commission and the People’s Bank of China Jointly	



Issued the *Interim Provisions on the Supervision of Important Money Market Funds* (2023/2/17)..... 34

7. 上海金融法院公开宣告全球首例中央对手方金融测试案例司法意见(2023年2月22日) ..... 34

Shanghai Financial Court Publishes the Judicial Opinion on the First Central Counterparty Financial Test Case in the World (2023/2/22).....34

8. 人民银行 银保监会 证监会 外汇局 广东省人民政府联合发布金融支持横琴粤澳深度合作区和前海深港现代服务业合作区建设意见(2023年2月23日) ..... 34

The People’s Bank of China, China Banking and Insurance Regulatory Commission, China Securities Regulatory Commission, State Administration of Foreign Exchange, and People’s Government of Guangdong Province Jointly Issued *Opinions on Financial Support for the Construction of the Guangdong-Macao In-Depth Cooperation Zone in Hengqin and the Qianhai Shenzhen-Hong Kong Modern Service Industry Cooperation Zone* (2023/2/23)..... 35

9. 境外上市备案管理制度配套保密和档案管理规则修订发布(2023年2月24日) ..... 35

Release of the Revised Provisions on Confidentiality and Archives Administration as Supplement to CSRC Regulations on Filing-based Administration of Overseas Offering and Listing (2023/2/24)..... 36

➤ 交易所 Exchange ..... 37

10. 郑州商品交易所关于2023年2月期货品种做市合约和重点合约的公告(2023年1月31日) ..... 37

Announcement of Zhengzhou Commodity Exchange on Market-making Contracts and Main Contracts of Futures Products in February 2023 (2023/1/31)..... 37

11. 大连商品交易所发布关于2023年1月异常和违规交易行为查处情况的通告(2023年2月2日) ..... 38

<b>Announcement of Dalian Commodity Exchange on the Investigation and Penalties of Abnormal Trading Behaviors and Violations for January 2023 (2023/2/2)</b>	<b>38</b>
12. 郑州商品交易所发布 2023 年 1 月自律监管统计信息 (2023 年 2 月 2 日)	.38
<b>Zhengzhou Commodity Exchange Issues Self-regulatory Statistics for January 2023 (2023/2/2)</b>	<b>38</b>
13. 中国金融期货交易所关于 2023 年 1 月采取自律监管措施情况的公告 (2023 年 2 月 6 日)	38
<b>Announcement of China Financial Futures Exchange on Self-regulatory Cases for January 2023 (2023/2/6)</b>	<b>38</b>
14. 广州期货交易所发布关于公布工业硅期货做市商名单的公告 (2023 年 2 月 6 日)	38
<b>Announcement of Guangzhou Futures Exchange on Publishing the List of Market Makers for Silicon Metal Futures (2023/2/6)</b>	<b>38</b>
15. 上海期货交易所关于 2023 年 1 月查处违法违规行情况的公告 (2023 年 2 月 7 日)	39
<b>Announcement of Shanghai Futures Exchange on Investigation and Penalties for Violations of Relevant Rules and Regulations in January 2023 (2023/2/7)</b>	<b>39</b>
16. 上海国际能源交易中心关于 2023 年 1 月查处违法违规行情况的公告 (2023 年 2 月 7 日)	39
<b>Announcement of Shanghai International Energy Exchange on Investigation and Penalties for Violations of Relevant Rules and Regulations in January 2023 (2023/2/7)</b>	<b>39</b>
17. 郑州商品交易所关于增设指定棉花交割仓库的公告 (2023 年 2 月 7 日)	...39
<b>Announcement of Zhengzhou Commodity Exchange on Opening New Designated Delivery Warehouses for Cotton (2023/2/7)</b>	<b>39</b>

18. 郑州商品交易所关于动力煤期货 2402 合约有关事项的公告（2023 年 2 月 7 日） .....	40
Announcement of Zhengzhou Commodity Exchange on Matters Regarding the Thermal Coal Futures 2402 Contract (2023/2/7).....	40
19. 上海期货交易所关于调整锡期货品种相关合约交易手续费的通知（2023 年 2 月 8 日） .....	40
Notice of Shanghai Futures Exchange on Adjusting Processing Fees for Tin Futures-Related Contracts (2023/2/8).....	40
20. 中国金融期货交易所关于提示股指期货和股指期权合约交割相关事项的通知（2023 年 2 月 10 日） .....	40
Notice of China Financial Futures Exchange on Reminding the Matters Related to the Delivery of Equity Index Futures and Options Contracts (2023/2/10).....	40
21. 大连商品交易所发布市场风险提示公告（2023 年 2 月 17 日） .....	40
Dalian Commodity Exchange Issues Warning Notice on Market Risk (2023/2/17) .....	40
22. 大连商品交易所关于调整铁矿石期货部分合约交易限额的通知（2023 年 2 月 21 日） .....	41
Notice of Dalian Commodity Exchange on Adjusting Trading Limit on Certain Iron Ore Futures Contracts (2023/2/21).....	41
➤ 行业协会 Association .....	41
23. 中国期货业协会发布 2023 年 1 月全国期货市场交易情况简报（2023 年 2 月 2 日） .....	41
China Futures Association Releases the Brief on National Futures Markets Tradings for January 2023 (2023/2/2).....	41
24. 中国期货业协会发布《2022 年度期货市场发展概述》（2023 年 2 月 21 日） .....	

..... 41

**China Futures Association Issues the 2022 Summary of Futures Market Development (2023/2/21).....41**

25. 中国银行间市场交易商协会发布《中国银行间市场信用风险缓释工具交易信用事项决定规程》（2023年2月24日）.....42

**National Association of Financial Market Institutional Investors Issues the Rules on Credit Matters Determination of Interbank Market Credit Risk Mitigation Instrument (2023/2/24)..... 42**

➤ **结算机构 Clearing House..... 42**

26. 银行间市场清算所股份有限公司关于发布《担保品处置业务实施细则》和《担保品拍卖处置业务实施细则》的通知（2023年2月8日）..... 42

**Notice of Shanghai Clearing House on the Issuance of Implementation Rules for Collateral Disposal and Implementation Rules for Collateral Auction Disposal (2023/2/8)**  
..... 42

## 境外资讯——国际

### 1. 国际证监会组织修订 2011 年《商品衍生品市场监管原则》以保障市场诚信和功能健全（2023 年 1 月 31 日）

国际证监会组织（IOSCO）理事会公布了 2011 年《商品衍生品市场监管原则》修订版。此次修订旨在确保这些原则继续为商品衍生品市场监管提供一套具有韧性的监管框架。

虽然这些原则反映了 2011 年商品衍生品市场的特点，但在过去十年中，受到各类市场发展以及新冠疫情、俄乌冲突等国际事件所产生的外部影响，商品衍生品市场持续发展。

IOSCO 主席 Jean-Paul Servais 表示：“去年发生的各种事件突显了地缘政治的持续紧张和宏观经济的高度不确定性将如何扰乱全球商品市场并造成巨大波动，引发金融系统潜在的连锁反应。基于 G-20 的委任，IOSCO 原则最初发布于 2011 年，旨在保障商品衍生品市场诚信和功能健全。正如近期事件所反映的，正确实施监管原则对于商品衍生品市场以及基础的能源、金属和食品等现货市场的合理价格形成至关重要，这些市场是全球经济运作的核心。”

修订后的 24 项原则旨在支持实物商品衍生品市场提供其基本的价格发现和套期保值功能，同时避免受到操纵和滥用交易行为的影响。

IOSCO 在修订其原则时，重点关注市场监控、透明度、价格发现、现货市场关联性、失序市场处理、市场滥用应对，以及加强交易场所对终端用户行为的执法权。这些原则的总体内容和修订内容涉及近期商品市场动荡与波动期间所突显的各种问题。具体而言，新原则 16 “突发事件（Unexpected Disruptions）”旨在指导市场监管主体在出现突发事件时恢复市场秩序，并确保市场参与者具备应对这些事件的程序和完备方案。

IOSCO 认为，相关市场监管主体应审查其政策和规则，以确保相关原则得到落实。

**IOSCO Revises Its 2011 Principles for the Regulation and Supervision of**

## **Commodity Derivatives Markets to Ensure Market Integrity (2023/1/31)**

The Board of the International Organization of Securities Commissions today has published a revised version of its 2011 Principles for the Regulation and Supervision of Commodity Derivatives Markets. The aim of the revision is to ensure that these Principles continue to provide a resilient framework for the regulation and oversight of the commodity derivatives markets.

While the Principles reflected the characteristics of commodity derivatives markets in 2011, these markets have continued to evolve over the past decade, spurred by various market developments and international events in the form of external disruptions, such as the COVID-19 pandemic and the Russia-Ukraine conflict.

IOSCO Board Chair Jean-Paul Servais said: “Various events last year highlighted how continued geopolitical tensions and heightened macroeconomic uncertainty can disrupt global commodity markets and create significant volatility, with potential knock-on effects on the broader financial system. Originally published in 2011 as a G-20 mandate, the IOSCO Principles aim to ensure the integrity of commodity derivatives markets. As recent events demonstrate, proper implementation of the Principles is essential for sound price formation in commodity derivatives markets and the underlying physical energy, metals and food markets, which all are core to the functioning of the global economy.”

The 24 revised Principles seek to support the physical commodity derivatives markets in providing their fundamental price discovery and hedging functions, while operating free from manipulation and abusive trading schemes.”

In revising its Principles, IOSCO focused on market surveillance; transparency; price discovery; the correlation with physical markets; addressing disorderly markets; responding to market abuse; and strengthening the enforcement powers of trading venues against end-user behaviors. The Principles in general and the revisions address various issues highlighted during the recent commodity markets turmoil and volatility. Specifically, the new Principle 16 on Unexpected Disruptions aims to guide regulators

in restoring orderly markets in the case of an unexpected disruption and ensure market participants have a process and adequate plans to address these events.

IOSCO believes that relevant Market Authorities should review their policies and regulation to ensure that the Principles are put into effect.

<https://www.iosco.org/news/pdf/IOSCONEWS679.pdf>

## 境外资讯——美国

### 2. 美国商品期货交易委员会工作人员改变关于拟清算互换交易对外商业行为准则和文档规范的不行动立场（2023年2月2日）

美国商品期货交易委员会（CFTC）市场参与者部门宣布，其发布了一份设有期限的不行动函，以取代 CFTC 第 13-70 号工作函，涉及互换交易商（SDs）和主要互换参与者（MSPs）应履行的若干义务。

该不行动函设法解决 CFTC 联邦法规第 23.504 条针对拟在成交时即提交清算的互换交易（ITBC Swaps）所规定的互换交易商和主要互换参与者应遵守的与交易对手方的商业行为准则以及若干文档要求。

在特定条件下，该不行动函将涵盖的互换范围扩大到已注册或豁免注册的衍生品清算机构成交日所接受清算的某一类所有 ITBC Swaps，以及在豁免注册的互换执行设施或根据其规则成交的 ITBC Swaps。该不行动函还对第 13-70 号函中的不行动立场做了其他修改。

该不行动函是为回应国际掉期与衍生工具协会（ISDA）代表其互换交易商会员提出的请求而发布的。该函中的不行动立场将于 2025 年 12 月 31 日到期。

### **CFTC Staff Revises No-Action Positions Regarding External Business Conduct Standards and Documentation Standards for Intended-to-be-cleared Swaps (2023/2/2)**

The Commodity Futures Trading Commission’s Market Participants Division today announced it has issued a time-limited no-action letter replacing CFTC Staff Letter No. 13-70, regarding certain duties imposed on swap dealers (SDs) and major swap participants (MSPs).

The letter addresses the CFTC’s Business Conduct Standards with Counterparties and certain documentation requirements imposed on SDs and MSPs as stated in CFTC Regulation 23.504 for swaps that are intended to be submitted to clearing contemporaneously with execution (ITBC Swaps).



Subject to certain conditions, the letter expands the scope of swaps covered to all ITBC Swaps of a type accepted for clearing by a registered or exempt derivatives clearing organization on the date of execution and ITBC Swaps that are executed on or pursuant to the rules of an exempt swap execution facility. The letter also makes other changes to the no-action positions in Letter 13-70.

The letter was issued in response to a request received from the International Swaps and Derivatives Association on behalf of its respective SD members. The no-action positions in the letter will expire on December 31, 2025.

<https://www.cftc.gov/PressRoom/PressReleases/8651-23>

### 3. 美国商品期货交易委员会发布关于报告持续影响的声明（2023年2月10日）

美国商品期货交易委员会清算和风险部、市场参与者部、数据部和市场监督部的工作人员发布跟进声明，向公众通报了 ION Cleared Derivatives (ION Markets 的子公司) 网络相关事件 (ION 事件) 导致报告延迟的最新情况，ION Cleared Derivatives 是一家第三方服务提供商，从事清算衍生品订单管理、订单执行、交易和交易处理等业务活动。

尽管 ION 事件的影响已经得到缓解，但具有报告义务的公司向 CFTC 及时、准确提交数据方面仍然存在一些问题。因此，CFTC 工作人员制作的每周交易商持仓报告 (Commitments of Traders, COT) 将继续推迟，直至所有交易都能够正常报告。一旦收到这些公司发送的数据并得以验证，将会发布一份报告。

此外，CFTC 工作人员认识到，由于 ION 事件，对部分具有报告义务的公司仍存在影响。受影响的每家公司应继续其最大努力，加快履行 CFTC 联邦法规第 17 部分要求准备每日大户持仓报告的义务，与 CFTC 工作人员合作，确保及时达到合规。一旦公司的系统恢复运行后，应提交修订后的报告。CFTC 工作人员将酌情考虑任何必要的进一步行动。

### **CFTC Issues Statement on the Ongoing Impact to Reporting (2023/2/10)**

Staff of the Commodity Futures Trading Commission Divisions of Clearing and Risk, Market Participants, Data, and Market Oversight today released the following statement to update the public on reporting delays due to the cyber-related incident at ION Cleared Derivatives (a subsidiary of ION Markets), a third-party service provider of cleared derivatives order management, order execution, trading, and trade processing:

Although the impact of the cyber-related incident at ION has been mitigated, firms that are responsible for reporting are continuing to experience some issues with respect to the submission of timely and accurate data to the CFTC. As a result, the weekly Commitments of Traders report, that is produced by CFTC staff, will continue to be delayed until all trades can be reported. A report will be published upon receipt and validation of data from those firms.

Further, CFTC staff recognizes there remain impacts to some reporting firms due to the incident at ION. Each affected reporting firm should continue their best efforts to expedite compliance obligations in preparing the daily large trader reports required under Part 17 of the Commission's regulations, working with CFTC staff, to ensure timely compliance. A reporting firm should also file revised reports once the reporting firm's systems are operational. CFTC staff will consider any necessary further action as appropriate.

<https://www.cftc.gov/PressRoom/PressReleases/8655-23>

#### 4. 美国商品期货交易委员会命令 **The Options Clearing Corporation** 就其违反运营风险管理相关的核心原则与监管规定的行为支付 500 万美元

##### CFTC 针对核心原则违反行为的第二次执法行动（2023 年 2 月 16 日）

美国商品期货交易委员会（CFTC）发布行政令，对位于芝加哥的 CFTC 注册衍生品清算机构（DCO）——The Options Clearing Corporation（OCC）提起指控并达成和解。行政令查明，被告未能建立、实施、维护和执行用于管理其自动

化系统相关运营风险的政策和程序，违反了《美国商品交易法》（CEA）和 CFTC 相关监管规定。

在不承认或否认所指控事实的情况下，OCC 同意为其违反 CEA 和 CFTC 联邦法规的行为支付 500 万美元罚款，并承诺采取补救措施。

CFTC 代理执法主任 Gretchen Lowe 表示：“注册衍生品清算机构在美国期货和期权市场发挥着重要作用，CFTC 要求其完全遵守注册衍生品清算机构核心原则。此次行动表明，为了充分遵守这些原则，注册衍生品清算机构不仅须制定旨在管理其风险的政策和程序，还应当实施、保持和执行上述政策和程序。”

### 案件背景

行政令查明，从 2019 年 10 月至 2021 年 5 月 17 日，OCC 未能遵守注册衍生品清算机构核心原则的要求建立、实施、维持和执行用于管理运营风险的政策和程序，以利用适当的制度、政策、程序和控制识别可能的运营风险来源并降低其影响。具体而言，为解决清算会员投资组合平仓成本相关的某些交易成本的影响，OCC 在其用于计算保证金的 STANS 方法中采用了一项附加费用，以更好对清算违约清算会员的投资组合成本（“LC 费用”）进行解释。然而，OCC 未能将 LC 费用计入清算资金（Clearing Fund）计算做相应更改，违反了 OCC 的综合压力测试和清算资金方法以及流动性风险管理说明规则。

由于某些内部控制缺失、人为错误和监督失败，OCC 清算资金在 2019 年 10 月至 2021 年 5 月 17 日期间的不同时期不足 2 亿到 5.88 亿美元。OCC 称，尽管出现了资金不足的情况，但其清算资金保有足够的财务资源，以便在极端但可能的市场条件下，在单个会员或参与者产生最大金融风险敞口时履行其义务，符合 CFTC 的要求。然而，行政令查明，OCC 的行为违反了两项注册衍生品清算机构核心原则和相关 CFTC 联邦法规，即《美国法典》第 7 编第 7a-1(c)(2)(H)、(I) 条，《美国联邦法规》第 17 编第 39.17(a)(1)、39.18(b)(1)、(2) 条。

2019 年 9 月，CFTC 对 OCC 提起诉讼，要求 OCC 停止任何违反 DCO 核心原则和相关的 CFTC 规定的行为【参见 CFTC 第 8000-19 号新闻稿】。该行政令包括一项系统保障原则，以识别和减少运营风险的来源和相关 CFTC 联邦法规，

并要求 OCC 建立和实施内部控制以及旨在遵守注册衍生品清算机构核心原则和 CFTC 联邦法规的政策和程序。此次行政令指出，虽然与 2019 年的行政令中所查明的违规行为性质和范围不同，但 CFTC 注意到 OCC 未能执行与 LC 费用相关的某些政策和程序发生于 2019 年行政令签发后。

接收被告提出的和解方案时，CFTC 认可 OCC 在执法部门本次调查中给予的配合。CFTC 也认可了被告有关其补救措施的陈述。CFTC 以降低处罚的方式，认可了被告的合作以及所采取的适当补救措施。

### 平行民事诉讼

在一项平行诉讼中，美国证券交易委员会（SEC）签发了一项行政令，以处理 OCC 的违规行为。

## **CFTC Orders The Options Clearing Corporation to Pay a \$5 Million Penalty for Violations of Core Principles and Regulations Related to Operational Risk Management**

### **Second CFTC Action for Core Principle Violations (2023/2/16)**

The Commodity Futures Trading Commission today issued an order simultaneously filing and settling charges against The Options Clearing Corporation (OCC), a Chicago-based CFTC-registered derivatives clearing organization (DCO). The order finds the respondent failed to establish, implement, maintain and enforce certain policies and procedures reasonably designed to manage the operational risks related to its automated systems in violation of the Commodity Exchange Act (CEA) and related CFTC regulations.

Without admitting or denying the CFTC’s findings, OCC agreed to pay a \$5 million penalty for violations of the CEA and CFTC regulations and be subject to undertakings relating to remediation.

“DCOs play a critical role in U.S. futures and options markets and the CFTC requires full compliance with the DCO Core Principles,” said CFTC Acting Director of Enforcement Gretchen Lowe. “Today’s action shows that to fully comply with the

Principles, DCOs must not only establish policies and procedures designed to manage their risks, but also implement, maintain, and enforce those policies and procedures.”

### **Case Background**

The order finds that from October 2019 through May 17, 2021, OCC failed to comply with DCO Core Principles to establish, implement, maintain and enforce certain policies and procedures reasonably designed to manage its operational risks by identifying the plausible sources of operational risk and mitigating their impact through the use of appropriate systems, policies, procedures, and controls. Specifically, to address the impact of certain transaction-based costs associated with the cost of liquidating a Clearing Member’s portfolio, OCC implemented an add-on charge to better account for the cost of liquidating a defaulting Clearing Member’s portfolio (the “LC Charge”) in its STANS methodology used to calculate margin. However, OCC failed to make a corresponding change to incorporate the LC Charge in its Clearing Fund calculation in violation of OCC’s Comprehensive Stress Testing and Clearing Fund Methodology, and Liquidity Risk Management Description, which is an OCC rule.

As a result of deficiencies in certain internal controls, human errors, and oversight failures, OCC’s Clearing Fund was underfunded by between \$200 million to \$588 million at various times during October 2019 through May 17, 2021. OCC represents that, notwithstanding the underfunding, OCC’s Clearing Fund maintained sufficient financial resources to meet its obligations in the event of a default by the single member or participant creating the largest financial exposure in extreme but plausible market conditions, in accordance with CFTC requirements. Nonetheless, the order finds, OCC’s failures violated two DCO Core Principles and related implementing CFTC Regulations 7 U.S.C. § 7a-1(c)(2)(H), (I); 17 C.F.R. §§ 39.17(a)(1), 39.18(b)(1), (2) (2022).

In September 2019, the CFTC instituted an action against OCC, which ordered OCC to cease and desist from committing or causing any violations and any future

violations of certain DCO Core Principles and related CFTC regulations. [See CFTC Press Release No. 8000-19] This order included one Principle requiring system safeguards to identify and minimize sources of operational risk and the related CFTC regulation, and undertakings requiring that OCC establish and implement internal controls, and policies and procedures reasonably designed to comply with DCO Core Principles and the Regulations. The order states that, while the violations identified in this order differ in nature and scope, the CFTC notes its concern that OCC's failure to implement certain of its policies and procedures related to the LC Charge occurred after the 2019 order.

In accepting the respondent's offer, the CFTC recognizes OCC's cooperation with the Division of Enforcement's investigation of this matter. The CFTC also acknowledges the respondent's representations concerning its remediation. The CFTC's recognition of the respondent's cooperation and appropriate remediation is further reflected in the form of a reduced penalty.

#### **Parallel Civil Enforcement Action**

In a parallel action, the Securities and Exchange Commission (SEC) today issued an order resolving OCC's violations of their rules.

<https://www.cftc.gov/PressRoom/PressReleases/8661-23>

### **5. 美国证券交易委员会指控 Options Clearing Corporation 存在违规行为（2023年2月16日）**

美国证券交易委员会（SEC）宣布，The Options Clearing Corporation（OCC）将采取补救措施，并支付 1700 万美元的罚款，以了结 SEC 指控其在 2019 年 10 月至 2021 年 5 月的某些时间内未符合其经 SEC 批准的压力测试和清算资金方法（Stress Testing and Clearing Fund Methodology）规则。

根据 SEC 的行政令，位于芝加哥的 OCC 未能适当地建立、实施和执行旨在合理管理某些运营风险的书面政策和程序，导致其未能实施并遵守自己的规则。

行政令进一步查明，OCC 未能修改其综合压力测试系统，并且没有按照 SCI 规则的要求及时向 SEC 通报这一情况。SCI 规则要求某些实体对系统中断、系统合规问题和系统侵入采取纠正措施，并将此类事件通知 SEC。行政令还查明，OCC 未能遵守其保证金方法（margin methodology）、保证金政策，以及与特定错向风险和节假日保证金（holiday margin）有关的压力测试和清算资金方法。

SEC 主席 Gary Gensler 表示：“OCC 是美国境内交易所上市期权合约的唯一注册清算机构。SEC 此次行动强调了 OCC 遵守风险管理政策和程序的重要性，这些政策和程序旨在履行其对我们金融系统的义务。”

SEC 执法部主任 Gurbir S. Grewal 表示：“OCC 在我们的金融市场中发挥着关键作用，他们违反了旨在确保这些市场的稳定和效率的规则，这令人感到不安。行政令包括重大处罚并要求其作出重要保证，同时认可了 OCC 采取的补救努力和对纠正这些违法行为和防止未来违法行为的承诺。”

除了 1700 万美元的罚款之外，OCC 还采取了多项补救措施，包括修改其模型验证政策和程序；优化其风险数据管理方法；对其控制环境要素进行修改，包括流程、程序和控制；并就这些修改进行适当培训。

这是 SEC 对 OCC 采取的第二次执法行动。在 2019 年 9 月的和解行动中，SEC 指控 OCC 未能建立和实施涉及金融风险管理、运营要求和信息系统安全的政策和程序，并要求其采取了补救措施、处以 1500 万美元的罚款。

### **SEC Charges Options Clearing Corporation with Rule Failures (2023/2/16)**

The Securities and Exchange Commission today announced that The Options Clearing Corporation (OCC) will undertake remedial efforts and pay \$17 million in penalties to settle charges that it failed to comply with its SEC-approved Stress Testing and Clearing Fund Methodology rule during certain times between October 2019 and May 2021.

According to the SEC' s order, Chicago-based OCC' s failure to implement and comply with its own rule was the result of its failure to properly establish, implement, and enforce written policies and procedures reasonably designed to manage certain

operational risks. The SEC' s order further finds that OCC failed to modify its Comprehensive Stress Testing System and did not provide timely notification to the SEC of this failure as required by Regulation SCI. Regulation SCI requires certain entities to take corrective action with respect to systems disruptions, systems compliance issues, and systems intrusions and to notify the Commission of such events. The SEC' s order also finds that OCC failed to comply with its margin methodology, margin policy, and stress testing and clearing fund methodology relating to specific wrong way risk and holiday margin.

“OCC is the sole registered clearing agency for exchange listed option contracts in the United States,” said Chair Gary Gensler. “Today' s action by the SEC reinforces the importance of OCC' s compliance with risk management policies and procedures designed to meet its obligations to our financial system.”

“OCC plays a critical role in our financial markets, and the fact that they violated the very rules designed to ensure the stability and efficiency of those markets is, in a word, troubling,” said Gurbir S. Grewal, Director of the SEC' s Division of Enforcement. “The SEC' s order includes a substantial penalty and imposes important undertakings while recognizing OCC' s remedial efforts and commitment to both redressing these violations and preventing future ones.”

In addition to the \$17 million penalty, OCC has undertaken several remedial measures, including to revise its model validation policies and procedures; enhance its approach to risk data governance; implement changes to elements of its control environment, including processes, procedures, and controls; and conduct appropriate training on the changes.

This is the SEC' s second enforcement action against OCC. In a September 2019 settled action, the SEC charged OCC with failing to establish and enforce policies and procedures involving financial risk management, operational requirements, and information-systems security, and imposed remedial measures and a \$15 million penalty.



<https://www.sec.gov/news/press-release/2023-31>

## 6. 美国商品期货交易委员会宣布推迟发布每周交易者持仓报告（2023年2月16日）

美国商品期货交易委员会（CFTC）清算和风险部、市场参与者部、数据部和市场监管部的工作人员发布声明，向公众通报 ION Cleared Derivatives（ION Markets 的子公司）因网络相关事件导致报告延迟的情况，ION Cleared Derivatives 是一家第三方服务提供商，从事清算衍生品订单管理、订单执行、交易和交易处理等业务活动。

“ION 网络相关事件发生后，具有报告义务的公司仍无法向 CFTC 提交及时、准确的数据。因此，通常应于 2 月 17 日（星期五）发布的每周交易者持仓报告（Commitments of Traders, CoT）将被推迟。”

“CFTC 工作人员计划最早在 2023 年 2 月 24 日（星期五）恢复发布该报告，并将从原定于 2023 年 2 月 3 日（星期五）发布的 CoT 报告开始发布。此后，工作人员计划在具有报告义务的公司提交准确和完整数据的情况下，迅速依次发布被推迟的 CoT 报告。工作人员预计，待具有报告义务的公司向 CFTC 及时、准确和完整地提交积压的数据后，这些被推迟的报告将于 3 月中旬完成发布。随后，CoT 报告发布将按每周计划表照常进行。”

### **CFTC Announces Postponement of Commitments of Traders Report (2023/2/16)**

Staff of the Commodity Futures Trading Commission Divisions of Clearing and Risk, Market Participants, Data, and Market Oversight today released the following statement to update the public on reporting delays due to the cyber-related incident at ION Cleared Derivatives (a subsidiary of ION Markets), a third-party service provider of cleared derivatives order management, order execution, trading, and trade processing:

“Following the ION cyber-related incident, reporting firms are continuing to experience some issues submitting timely and accurate data to the CFTC. As a result,

the weekly Commitments of Traders (CoT) report that normally would have been published on Friday, February 17, will be postponed.

“CFTC staff intends to resume publishing the CoT report as early as Friday, February 24, 2023. Staff will begin with the CoT report that was originally scheduled to be published on Friday, February 3, 2023. Thereafter, staff intends to sequentially issue the missed CoT reports in an expedited manner, subject to reporting firms submitting accurate and complete data. Staff anticipates that, pending the timely, accurate and complete submission of backlogged data by reporting firms to the CFTC, these missed CoT reports will be published by mid-March. After that, CoT report publication will resume its usual weekly schedule.”

<https://www.cftc.gov/PressRoom/PressReleases/8662-23>

### 7. 美国商品期货交易委员会为互换交易的记录保存和报告指定唯一产品识别码（2023年2月16日）

美国商品期货交易委员会（CFTC）发布行政令，指定用于互换记录保存和报告的唯一产品识别码和产品分类制度。

CFTC 已确定，衍生品服务局（DSB）发布的信用、股票、外汇和利率资产类别互换的唯一产品识别码（UPIs）符合 CFTC 对 UPI 和产品分类制度的要求。

根据该行政令，CFTC 将 2024 年 1 月 29 日设定为注册实体和互换交易对手方使用 DSB 发布的信用、股票、外汇和利率资产类别互换的唯一产品识别码的合规日期，以符合 CFTC 某些互换交易记录保存和报告要求。

如该行政令所述，CFTC 预计，唯一产品识别码的使用将提高互换市场透明度，使 CFTC 能够履行其监管职责，并协助互换交易和定价数据的实时公开报告。

CFTC 市场监督部主任 Vince McGonagle 表示：“该行政令是 CFTC 长期以来努力使 CFTC 监管规定所要求报告的互换数据要素与其他司法管辖区监管机构要求报告的互换数据要素相协调和统一的又一重要里程碑。”

近期，CFTC 工作人员将在 CFTC 网站上公布对《美国联邦法规》第 17 编第 43 部分和第 45 部分技术规范的中关于唯一产品识别码的修改。

### **CFTC Designates Unique Product Identifier for Swaps Recordkeeping and Reporting (2023/2/16)**

The Commodity Futures Trading Commission today issued an order to designate a unique product identifier and product classification system to be used in swap recordkeeping and reporting.

The Commission has determined the unique product identifiers (UPIs) the Derivatives Service Bureau Limited (DSB) issues for swaps in the credit, equity, foreign exchange, and interest rate asset classes comply with the Commission's requirements for a UPI and product classification system.

In the order, the Commission sets January 29, 2024 as the compliance date for registered entities and swap counterparties to use the DSB UPIs for swaps in the credit, equity, foreign exchange, and interest rate asset classes to comply with certain Commission swap recordkeeping and reporting requirements.

As detailed in the order, the Commission expects the use of UPIs will increase transparency in the swaps market, enabling the Commission to fulfill its regulatory responsibilities and assist in the real-time public reporting of swap transaction and pricing data.

“The order represents another important milestone in the Commission's long running efforts to harmonize and standardize the swaps data elements required to be reported under the Commission's regulations with those required to be reported by authorities in other jurisdictions,” said Vince McGonagle, Director of the Division of Market Oversight.

Commission staff will publish UPI-related modifications to Parts 43 and 45 Technical Specification in the near future on the Commission's website here.

<https://www.cftc.gov/PressRoom/PressReleases/8659-23>

## 境外资讯——英国

### 8. 英格兰银行和英国金融行为监管局有关市场基础设施监管谅解备忘录的最新进展（2023年2月24日）

英格兰银行和英国金融行为监管局在金融市场基础设施（FMIs）监管方面开展合作。为评估双方关于监管合作框架所达成的谅解备忘录（MoU），英格兰银行和英国金融行为监管局向金融市场基础设施征求意见，以评估双方2021年在金融市场基础设施监管方面所进行的合作。

监管机构认为，谅解备忘录项下的合作安排仍然是有效的，并重申了他们在国内和国际上开展合作的承诺。

#### **Update on the Bank of England and FCA Memorandum of Understanding for supervision of market infrastructure (2023/2/24)**

The Bank of England and the FCA co-operate on the supervision of financial market infrastructures (FMIs). To review the memorandum of understanding (MoU) which provides the framework for supervisory co-operation the Bank and FCA held a consultation with FMIs to review their co-operation regarding market infrastructure in 2021.

The authorities concluded that the MoU's arrangements for co-operation remain effective and have re-affirmed their commitment to co-operate domestically and internationally.

<https://www.fca.org.uk/news/statements/update-bank-england-and-fca-memorandum-understanding-supervision-market-infrastructure>

## 境外资讯——新加坡

### 9. 文莱中央银行和新加坡金融管理局深化金融监管合作（2023年2月3日）

文莱中央银行（BDCB）和新加坡金融管理局（MAS）在第四届 BDCB-MAS 双边圆桌会议上重申了两国主管机构之间的密切联系，并就新的合作领域进行讨论。

在圆桌会议上，BDCB 董事总经理 Rokia Bakar 和 MAS 董事总经理 Ravi Menon 签署了一份谅解备忘录（MoU），以深化银行和保险监管方面的合作。谅解备忘录将通过信息交换和跨境现场检查等方式，促进对两个司法管辖区内运营的银行和保险公司的有效监管。

BDCB 和 MAS 还就近期经济和金融发展、旨在促进东盟缓解和适应气候变化的可持续金融合作，以及中央银行数字货币和跨境支付的发展交换了意见。

### **Brunei Darussalam Central Bank and Monetary Authority of Singapore Deepen Cooperation in Financial Supervision (2023/2/3)**

The Brunei Darussalam Central Bank (BDCB) and Monetary Authority of Singapore (MAS) reaffirmed the close ties between the two authorities at the fourth BDCB-MAS Bilateral Roundtable, and discussed new areas of collaboration.

At the Roundtable, BDCB Managing Director, Rokiah Bakar and MAS Managing Director, Ravi Menon signed a Memorandum of Understanding (MoU) to deepen cooperation in banking and insurance supervision. The MoU will facilitate the effective supervision of banks and insurers operating across the two jurisdictions, including through information exchange and cross border on-site inspections.

BDCB and MAS also exchanged views on recent economic and financial developments, cooperation in sustainable finance to accelerate climate change mitigation and adaptation in ASEAN, as well as developments in Central Bank Digital Currencies and cross-border payments.

<https://www.mas.gov.sg/news/media-releases/2023/brunei-darussalam-central-bank-a>

[nd-mas-deepen-cooperation-in-financial-supervision](#)

10. 新加坡金融管理局关于打击跨境洗钱问题的书面答复（2023年2月23日）

问题：

请问总理，新加坡金融管理局是如何与国际伙伴及金融机构合作，打击跨境洗钱。

主管新加坡金融管理局（MAS）的高级部长 **Tharman Shanmugaratnam** 先生答复：

正如和所有主要金融中心一样，新加坡作为大额全球资金流的中间通道，也面临着跨境洗钱和恐怖主义融资（“ML/TF”）风险。近年来，由于犯罪集团利用技术手段隐藏其行踪，全球范围内的洗钱/恐怖主义融资计划变得越来越复杂，越来越难以发现。因此，需要与行业及国际伙伴合作，对这些活动进行密切监视以应对此类风险。

MAS 利用各类信息来源以识别可疑的金融活动，包括金融机构（“FIs”）提交的报告和来自海外同行的情报。数据分析技术（例如，网络链接分析）被用于筛查异常活动模式，从而使 MAS 能够更迅速地识别并降低所发生的风险。

有关反洗钱和恐怖主义融资（“AML/CFT”）积极合作的例子是 AML/CFT 行业伙伴关系（AML/CFT Industry Partnership, ACIP）。ACIP 由 MAS 和新加坡警察局商业事务部共同主持，带动主要金融机构一起分享新出现的洗钱和恐怖主义融资风险的分析及具体案件信息。这些积极的努力推动了对可疑账户和活动的识别与调查。ACIP 已发布提示说明和最佳实践文件，以帮助改进整个行业的 AML/CFT 实践，加强集体防御能力。

MAS 还与国际同行密切合作，打击跨境犯罪活动。新加坡已备有法律框架和信息共享机制，与金融行动特别工作组（FATF）制定的国际标准相一致。MAS 积极主动地与国际同行交换相关信息，以发现可疑的跨境资金流动和活动，从而采取适当的风险缓释措施。

**Written Reply to Parliamentary Question on Tackling Cross-border Money Laundering (2023/2/23)**

**Question**

To ask the Prime Minister how is MAS working with international partners and financial institutions to tackle cross-border money laundering.

**Answer by Mr Tharman Shanmugaratnam, Senior Minister and Minister in charge of MAS:**

As with all major financial centres, Singapore intermediates sizeable global fund flows and is exposed to similar risks of cross-border money laundering and terrorist financing (“ML/TF”). In recent years, ML/TF schemes have also become increasingly complex and difficult to detect globally, as criminal syndicates exploit technology to hide their tracks. Tackling these risks therefore requires close surveillance in partnership with the industry and international partners.

MAS taps on information from a wide range of sources to detect suspicious financial activities, including reports filed by financial institutions (“FIs”) and intelligence from our overseas counterparts. Data analytics techniques such as network link analysis are deployed to sift out unusual patterns of activity, thereby allowing us to more swiftly identify and mitigate emerging risks.

An example of active collaboration on anti-money laundering and countering the financing of terrorism (“AML/CFT”) is the AML/CFT Industry Partnership (“ACIP”). ACIP is co-chaired by MAS and the Singapore Police Force’s Commercial Affairs Department and brings together key FIs to share analyses of emerging ML/TF risks as well as information on specific cases. These proactive efforts have led to the identification and investigation of suspicious accounts and activities. ACIP has issued advisory notes and best practices papers to help improve AML/CFT practices across the industry to strengthen collective defences.

MAS also collaborates closely with our international counterparts to combat cross-border crime. Singapore has in place a legal framework and information sharing mechanisms that are in line with international standards set out by the Financial Action Task Force (FATF). MAS proactively exchanges relevant information with its international counterparts to surface suspicious cross-border flows and activities so that it can take the appropriate mitigating measures.

<https://www.mas.gov.sg/news/parliamentary-replies/2023/written-reply-to-parliamentary-question-on-tackling-cross-border-money-laundering>



## 境外资讯——中国香港

### 11. 香港证监会谴责金瑞期货（香港）有限公司违反监管规定并处以罚款 480 万元和对其负责人员进行处罚（2023 年 2 月 7 日）

香港证券及期货事务监察委员会（SFC）谴责金瑞期货（香港）有限公司（金瑞期货）并处以罚款 480 万元，原因是该公司在 2015 年 4 月至 2018 年 6 月期间未遵守反洗钱及反恐融资规定和其他监管规定（注 1）。

SFC 同时禁止金瑞期货的前执行董事兼负责人员沈纯（男）进入行业六个月，自 2023 年 2 月 6 日起至 2023 年 8 月 5 日止（注 2）。

金瑞期货的另一名负责人员蒋晓晴（女）被暂停执业，为期五个月，自 2023 年 2 月 6 日起至 2023 年 7 月 5 日止（注 3）。

SFC 的调查发现，金瑞期货在关键时间容许 258 名客户使用客户自设系统发出交易指令，但却没有对该等客户自设系统进行充分的尽职审查。因此，金瑞期货未能妥善评估并管理与其客户使用该等客户自设系统相关的洗钱及恐怖主义融资风险和其他风险（注 4 及 5）。

此外，SFC 识别到存入四名客户帐户内的部分存款属异常及 / 或可疑且与客户申报的资产净值不符。虽然金瑞期货对该等客户进行了若干核查，但有关核查并不足够，未能很好解释该等可疑交易。

SFC 进一步发现，金瑞期货没有遵守其开户程序，当中规定其职员须在开户前对客户进行反洗钱调查，包括识别客户是否为政治人物或名列现有的恐怖分子及制裁名单。

SFC 认为，金瑞期货的行为违反了《反洗钱及反恐融资条例》、《反洗钱及反恐融资指引》及《操守准则》的规定（注 6 及 7）。

SFC 认为，金瑞期货的缺失部分可归因于沈及蒋没有履行他们作为该公司的负责人员及高级管理层的职责。

SFC 在决定对金瑞期货、沈及蒋采取上述纪律处分时，已考虑到：

- 金瑞期货未勤勉尽责地监控其客户的活动，以及没有设立充足而有效的反洗钱 / 反恐融资制度和监控措施，乃属严重缺失，因为这可能会损害公众对市场的信心和破坏市场的廉洁稳健；
- 有需要向市场传递具有威慑力的强烈讯息，以示有关缺失不可接受；
- 金瑞期货、沈及蒋与证监会合作解决其提出的关注事项；及
- 金瑞期货、沈及蒋过往并无遭受证监会纪律处分的记录。

注：

1. 金瑞期货根据《证券及期货条例》获发牌进行第 2 类（期货合约交易）受监管活动。
2. 沈在 2008 年 9 月至 2018 年 5 月期间隶属金瑞期货，并获核准就第 2 类（期货合约交易）受监管活动担任其负责人员。沈现时并非证监会持牌人。在 2008 年 9 月至 2018 年 5 月期间，沈是金瑞期货负责整体管理监督职能的核心职能主管。
3. 蒋自 2009 年 6 月起隶属金瑞期货，并获核准就第 2 类（期货合约交易）受监管活动担任其负责人员。自 2016 年 3 月起及在 2016 年 3 月至 2019 年 7 月期间，蒋分别是金瑞期货负责(i)营运监控与检讨及反洗钱 / 反恐融资职能，以及(ii)合规职能的核心职能主管。
4. 客户自设系统是由客户开发及 / 或指定的交易软件，以便他们能够透过互联网、移动电话及其他电子途径进行电子交易。
5. 客户自设系统透过应用程序界面连接至金瑞期货的经纪自设系统。应用程序界面提供一系列功能，让不同应用程序能读取数据并与外部软件组件或操作系统互动。经纪自设系统是由交易所参与者或供应商开发的交易设施，以便交易所参与者能够通过互联网、移动电话及其他电子途径向投资者提供电子交易服务。
6. 《证券及期货事务监察委员会持牌人或注册人操守准则》。

**SFC Reprimands and Fines Jinrui Futures (Hong Kong) Limited \$4.8 Million**

**and Sanctions Its Responsible Officers for Regulatory Breaches (2023/2/7)**

The Securities and Futures Commission (SFC) has reprimanded and fined Jinrui Futures (Hong Kong) Limited (Jinrui Futures) \$4.8 million for failures in complying with anti-money laundering and counter-terrorist financing (AML/CFT) and other regulatory requirements between April 2015 and June 2018 (Note 1).

The SFC has also banned Shen Chun, a former executive director and responsible officer of Jinrui Futures, from re-entering the industry for six months from 6 February 2023 to 5 August 2023 (Note 2).

Jiang Xiaoqing, another responsible officer of Jinrui Futures, has been suspended for five months from 6 February 2023 to 5 July 2023 (Note 3).

The SFC's investigation found that Jinrui Futures, which permitted 258 clients to use customer supplied systems (CSSs) for placing orders during the material time, had failed to conduct adequate due diligence on the CSSs. As a result, Jinrui Futures was not in a position to properly assess and manage the money laundering and terrorist financing and other risks associated with the use of such CSSs by its clients (Notes 4 & 5).

In addition, the SFC identified that some of the deposits made into four clients' accounts were unusual and/or suspicious and inconsistent with the clients' declared net worth. Although Jinrui Futures performed certain enquiries on these clients, they were inadequate and did not satisfactorily explain the suspicious transactions.

The SFC further found that Jinrui Futures failed to comply with its account opening procedures which require its staff to conduct AML investigations on its clients before account opening, including identifying whether the clients were politically exposed persons or under existing terrorist and sanction lists.

The SFC is of the view that Jinrui Futures' conduct was in breach of the Anti-Money Laundering and Counter-Terrorist Financing Ordinance, the Guideline

on Anti-Money Laundering and Counter-Terrorist Financing and the Code of Conduct (Notes 6 & 7).

The SFC considers that Jinrui Futures' failures were partly attributable to the failures of Shen and Jiang in discharging their duties as the firm's responsible officers and senior management.

In deciding the disciplinary sanctions against Jinrui Futures, Shen and Jiang, the SFC took into account that:

- Jinrui Futures' failures to diligently monitor its clients' activities and put in place adequate and effective AML/CFT systems and controls are serious as they could undermine public confidence in, and damage the integrity of, the market;
- a strong deterrent message needs to be sent to the market that such failures are not acceptable;
- Jinrui Futures, Shen and Jiang cooperated with the SFC in resolving the SFC's concerns; and
- Jinrui Futures, Shen and Jiang have otherwise clean disciplinary records with the SFC.

Notes:

1. Jinrui Futures is licensed under the Securities and Futures Ordinance to carry on Type 2 (dealing in futures contracts) regulated activity.
2. Shen was accredited to Jinrui Futures and approved to act as its responsible officer for Type 2 (dealing in futures contracts) regulated activity from September 2008 to May 2018. Shen is currently not licensed by the SFC. Shen was Jinrui Futures' Manager-In-Charge (MIC) of the Overall Management Oversight function from September 2008 to May 2018.

3. Jiang has been accredited to Jinrui Futures and approved to act as its responsible officer for Type 2 (dealing in futures contracts) regulated activity since June 2009. Jiang has been Jinrui Futures' MIC of the (i) Operational Control and Review and AML/CFT functions since March 2016, and (ii) Compliance function from March 2016 to July 2019.
4. CSSs are trading software developed and/or designated by the clients that enable them to conduct electronic trading through the internet, mobile phones and other electronic channels.
5. The CSSs were connected to Jinrui Futures' broker supplied system (BSS) through application programming interface (a set of functions that allows applications to access data and interact with external software components or operating systems). BSSs are trading facilities developed by exchange participants or vendors that enable the exchange participants to provide electronic trading services to investors through the internet, mobile phones and other electronic channels.
6. Code of Conduct for Persons Licensed by or Registered with the Securities and Futures Commission.

## 境内资讯

### ➤ 法律与监管 **Laws and Regulations**

#### 1. 证监会发布《证券公司场外业务资金服务接口》等4项金融行业标准（2023年2月10日）

近日，证监会发布《证券公司场外业务资金服务接口》《证券期货业机构内部接口 账户管理》《证券期货业机构内部接口 资讯数据》《证券期货业信息系统渗透测试指南》4项金融行业标准，自公布之日起施行。

下一步，证监会将继续推进资本市场信息化建设，着力做好基础标准制定工作，促进行业信息交换、信息安全等领域标准研制，不断夯实科技监管基础。

#### **China Securities Regulatory Commission Issued Four Financial Industry Standards Including *Over-the-counter capital service interface for securities companies* (2023/2/10)**

Recently, China Securities Regulatory Commission issued four financial industry standards, including *Over-the-counter capital service interface for securities companies*, *Security and futures interior interface—Account system*, *Interior interface for securities and futures industry—Information data*, and *Guidelines for penetration testing of information systems in the securities and futures industry* which shall come into effect from the date of publication.

In the future, the CSRC will continue to promote the construction of capital market information technology, focus on the development of basic standards, promote industry information exchange, information security and other areas of standard development, and will continue to strengthen the foundation of scientific and technological supervision.

<http://www.csrc.gov.cn/csrc/c100028/c7088360/content.shtml>

### 2. 中国人民银行召开 2023 年金融市场工作会议（2023 年 2 月 15 日）

2 月 10 日，人民银行召开 2023 年金融市场工作会议。

会议要求，要系统性研究推进金融市场体系建设，加快完善金融市场法制和基础性制度，有序推进金融市场双向开放，提升服务实体经济和防范化解风险的能力。强化债券承销、做市、投资者合格性等市场机制建设，加快多层次市场体系发展，完善金融债券宏观管理，提升债券市场韧性和市场化定价能力。促进货币市场平稳运行，持续规范票据市场发展，加强黄金市场监督管理，推动人民币衍生品市场和资产支持证券市场稳健发展。健全金融基础设施统筹监管框架，深入推进债券市场、衍生品市场等对外开放。推进大型平台企业金融业务全面完成整改，加强常态化监管，支持平台企业健康规范发展。推动出台公司债券管理条例、修订票据法。

### **The People's Bank of China Held 2023 Financial Market Work Conference (2023/2/15)**

On February 10, the People's Bank of China held its 2023 Financial Market Work Conference.

The conference called for a systematic study to promote the construction of the financial market system, to accelerate the improvement of the legal system and structure of the financial market, to orderly promote the two-way opening of the financial market, and to enhance the ability to serve the real economy and prevent and resolve risks. Furthermore, the conference called for the strengthening of bond underwriting, market-making, investor eligibility and other market mechanisms, the acceleration of the development of multi-level market system, the improvement of the macro management of financial bonds, and the enhancement of bond market resilience and market-based pricing capabilities. The conference also called for the smooth operation of the money market and expected continued regulation of the development of the bill market, strengthening of the supervision and management of

the gold market, and promotion of steady development of the RMB derivatives market and the asset-backed securities market. In addition, the conference called for the strengthen of an integrated regulatory framework for financial infrastructure, and further promotion of the opening up of the bond market and derivatives market. The conference also called for promoting the complete rectification of the financial business of large platform enterprises, strengthening regular supervision, and supporting for the healthy and orderly development of platform enterprises. Lastly, the conference called for the introduction of corporate bond management regulations and the revision of the Law of the People's Republic of China on Negotiable Instruments.

<http://www.pbc.gov.cn/goutongjiaoliu/113456/113469/4795114/index.html>

**3. 中国人民银行就《内地与香港利率互换市场互联互通合作管理暂行办法（征求意见稿）》公开征求意见（2023年2月17日）**

为规范开展内地与香港利率互换市场互联互通合作相关业务，保护境内外投资者合法权益，维护利率互换市场秩序，中国人民银行起草了《内地与香港利率互换市场互联互通合作管理暂行办法（征求意见稿）》，现向社会公开征求意见。

***The People's Bank of China Solicits Public Comments on the Interim Measures for the Administration of the Mutual Access Between the Mainland and Hong Kong Interest Rate Swap Markets (Draft for Public Comments) (2023/2/17)***

For regulating the business related to the mutual access between the Hong Kong and Mainland interest rate swap markets, protecting the legitimate rights and interests of domestic and foreign investors, and maintaining the order of the interest rate swap market, the People's Bank of China has drafted the *Interim Measures for the Administration of the Mutual Access Between the Mainland and Hong Kong Interest Rate Swap Markets (Draft for Public Comments)*, which is now open for public comments.



<http://www.pbc.gov.cn/tiaofasi/144941/144979/3941920/4797472/index.html>

#### 4. 中国证监会发布实施全面实行股票发行注册制制度规则（2023年2月17日）

2023年2月17日，中国证监会发布全面实行股票发行注册制相关制度规则，自公布之日起施行。证券交易所、全国股转公司、中国结算、中证金融、证券业协会配套制度规则同步发布实施。此次发布的制度规则共165部，其中证监会发布的制度规则57部，证券交易所、全国股转公司、中国结算等发布的配套制度规则108部。内容涵盖发行条件、注册程序、保荐承销、重大资产重组、监管执法、投资者保护等各个方面。主要内容包括：一是精简优化发行上市条件。坚持以信息披露为核心，将核准制下的发行条件尽可能转化为信息披露要求。各市场板块设置多元包容的上市条件。二是完善审核注册程序。坚持证券交易所审核和证监会注册各有侧重、相互衔接的基本架构，进一步明晰证券交易所和证监会的职责分工，提高审核注册效率和可预期性。证券交易所审核过程中发现重大敏感事项、重大无先例情况、重大舆情、重大违法线索的，及时向证监会请示报告。证监会同步关注发行人是否符合国家产业政策和板块定位。同时，取消证监会发行审核委员会和上市公司并购重组审核委员会。三是优化发行承销制度。对新股发行价格、规模等不设任何行政性限制，完善以机构投资者为参与主体的询价、定价、配售等机制。四是完善上市公司重大资产重组制度。各市场板块上市公司发行股份购买资产统一实行注册制，完善重组认定标准和定价机制，强化对重组活动的事中事后监管。五是强化监管执法和投资者保护。依法从严打击证券发行、保荐承销等过程中的违法行为。细化责令回购制度安排。此外，全国股转公司注册制有关安排与证券交易所总体一致，并基于中小企业特点作出差异化安排。

#### **China Securities Regulatory Commission Releases Rules on the Full Implementation of the Registration System for Stock Issuance (2023/2/17)**

On February 17, 2023, China Securities Regulatory Commission releases rules on the full implementation of the registration system for stock issuance, effective as of the date of publication.

The supplemental rules for the stock exchanges, The National Equities Exchange and Quotations (NEEQ), China Securities Depository and Clearing Corporation Limited (CSDC), China Securities Finance Co., Ltd. (CSF), and Securities Association of China (SAC) are released and implemented simultaneously. 165 titles of regulations in all are released; 108 titles are issued by stock exchanges, NEEQ, and China Clearing, etc and 57 titles are released by the CSRC. The released regulations cover all aspects of issuance conditions, registration procedures, sponsorship and underwriting, major asset reorganization, supervision and enforcement, and investor protection. Main contents of the regulations include the followings:

Firstly, to streamline and to optimize the issuance and listing conditions. The regulations ensure that information disclosure is of pivotal importance and convert the issuance conditions under the approval system into information disclosure requirements as far as possible. Each market segment shall be diversified and inclusive in regards to listing conditions.

Secondly, to improve the examination and registration procedures. The regulations shall adhere to the basic structure that the stock exchange examination and the CSRC registration have their own focuses and interface, and will further clarify the division of responsibilities between the stock exchange and the CSRC while improving the efficiency and predictability of the examination and registration. Should the stock exchange examination process find major sensitive matters, major unprecedented circumstances, major public opinions or clues to major illegal activities, the CSRC shall be informed and reported in a timely manner. The CSRC pays simultaneous attention to whether the issuer is in line with the national industrial policy and the positioning of the board. At the same time, the public offering review committee and listed company merger and reorganization examination committee of CSRC will be abolished.

Thirdly, to optimize the issuance underwriting system. There shall be no administrative restrictions on the price and scale of new issues, and the mechanism of

inquiry, pricing and placement with institutional investors as the main participants will be improved.

Fourthly, to improve the system of major asset reorganization of listed companies. The unified registration system shall be implemented for listed companies issuing shares to purchase assets in all market segments. The regulations shall also improve the reorganization recognition criteria and pricing mechanism, and strengthen the supervision of reorganization activities during and after the event.

Fifthly, to strengthen supervision and enforcement and investor protection. The regulations shall crack down hard illegal acts in the process of securities issuance, sponsorship and underwriting in accordance with the law. The regulations shall also refine the arrangement of the system of ordering buyback.

In addition, the arrangements related to the registration system of NEEQ will be generally consistent with those of the stock exchanges, with differentiated arrangements based on the characteristics of small and medium enterprises (SMEs).

<http://www.csrc.gov.cn/csrc/c100028/c7123213/content.shtml>

## 5. 中国证监会发布境外上市备案管理相关制度规则（2023年2月17日）

2023年2月17日，经国务院批准，中国证监会发布境外上市备案管理相关制度规则，自2023年3月31日起实施。

此次发布的制度规则共6项，包括《境内企业境外发行证券和上市管理试行办法》（以下简称《管理试行办法》）和5项配套指引。

《管理试行办法》共六章三十五条，主要内容：一是完善监管制度。对境内企业直接和间接境外上市活动统一实施备案管理，明确境内企业直接和间接境外发行上市证券的适用情形。二是明确备案要求。明确备案主体、备案时点、备案程序等要求。三是加强监管协同。建立境内企业境外发行上市监管协调机制，完善跨境证券监管合作安排，建立备案信息通报等机制。四是明确法律责任。明确

未履行备案程序、备案材料造假等违法违规行为的法律责任,提高违法违规成本。五是增强制度包容性。结合资本市场扩大对外开放实际和市场需求,放宽直接境外发行上市在特定情形下的发行对象限制;进一步便利“全流通”;放宽境外募集资金、派发股利币种的限制,满足企业在境外募集人民币的需求。配套指引内容涵盖监管规则适用、备案材料内容和格式、报告内容、备案沟通、境外证券公司备案等方面,进一步明确和细化备案要求。

国家扩大资本市场对外开放的方向不会改变,境外上市备案管理制度规则的发布实施,将更好支持企业依法合规到境外上市,利用两个市场、两种资源实现规范健康发展。

### **China Securities Regulatory Commission Releases New Regulations for Filing-based Administration of Overseas Offering and Listing (2023/2/17)**

Approved by the State Council, China Securities Regulatory Commission (“CSRC”) released new regulations for the filing-based administration of overseas securities offering and listing by domestic companies on 17th February 2023. The regulations will come into effect on 31st March 2023.

The newly released set of regulations consists of 6 documents, including the *Trial Administrative Measures of Overseas Securities Offering and Listing by Domestic Companies* (the “Trial Measures”) and 5 supporting guidelines.

Composed of 6 chapters with 35 articles, the Trial Measures mainly covers the following contents: Firstly, refining the regulatory system by subjecting both direct and indirect overseas offering and listing activities to the filing-based administration, and clearly defining the circumstances where provisions for direct and indirect overseas offering and listing apply. Secondly, providing clarity on the filing process by specifying requirements on filing entities, time points and procedures. Thirdly, strengthening regulatory synergy by establishing the regulatory coordination mechanism, improving cross-border regulatory cooperation arrangements and creating a filing information sharing mechanism. Fourthly, defining legal liabilities for failing to fulfill filing procedures, fabricating filing documents or other violations, and

heightening the cost for offenders. Last but not least, strengthening institutional inclusiveness. Giving consideration to the practice of and market demands for enhancing capital markets opening-up, the Trial Measures relaxes investor eligibility restrictions when domestic companies directly list or offer securities in overseas markets under certain circumstances in order to facilitate “full circulation” arrangements. The Trial Measures eases currency restriction for overseas fund raising and dividend payment, with a view to meeting demands to raise RMB funds overseas. The supporting guidelines cover topics such as application of regulations, content and format of filing documents, content required for reporting, communications around filing, and filing by overseas securities companies, providing further clarity and granularity on filing procedures.

China stays committed to further opening up its capital markets. The Trial Measures will provide stronger support for domestic companies to list and offer securities on overseas markets, and make lawful use of both domestic and overseas market resources for regulated and sound growth.

<http://www.csrc.gov.cn/csrc/c100028/c7124479/content.shtml>

### 6. 中国证监会 中国人民银行联合发布《重要货币市场基金监管暂行规定》(2023年2月17日)

近日,为强化重要货币市场基金监管,证监会联合中国人民银行共同发布《重要货币市场基金监管暂行规定》(以下简称《暂行规定》)。

《暂行规定》共五章二十条,主要内容包括:一是明确重要货币市场基金的定义及评估条件、标准、程序,有效识别重要货币市场基金;二是明确重要货币市场基金的特别监管要求,增强基金管理人及产品抗风险能力;三是明确重要货币市场基金的风险防控和处置机制。

**China Securities Regulatory Commission and the People's Bank of China Jointly Issued the *Interim Provisions on the Supervision of Important Money Market Funds* (2023/2/17)**

Recently, to strengthen the supervision of important money market funds, the China Securities Regulatory Commission jointly issued the *Interim Provisions on the Supervision of Important Money Market Funds* (hereinafter referred to as the Interim Provisions) with the People's Bank of China.

The Interim Provisions consist of 5 chapters and 20 articles, To summarize, the Interim Provisions are to clarify the definition of important money market funds and the assessment conditions, criteria and procedures to effectively identify important money market funds, to clarify the special regulatory requirements for important money market funds to enhance the risk resistance of fund managers and products, and to clarify the risk prevention, control and disposal mechanisms for important money market funds.

<http://www.csrc.gov.cn/csrc/c100028/c7124479/content.shtml>

**7. 上海金融法院公开宣告全球首例中央对手方金融测试案例司法意见（2023年2月22日）**

**Shanghai Financial Court Publishes the Judicial Opinion on the First Central Counterparty Financial Test Case in the World (2023/2/22)**

[https://www.shclearing.com.cn/gywm/xwdt/202302/t20230222\\_1190395.html](https://www.shclearing.com.cn/gywm/xwdt/202302/t20230222_1190395.html)

**8. 中国人民银行 银保监会 证监会 外汇局 广东省人民政府联合发布金融支持横琴粤澳深度合作区和前海深港现代服务业合作区建设意见(2023年2月23日)**

2023年2月，中国人民银行会同银保监会、证监会、外汇局、广东省人民政府联合印发《关于金融支持横琴粤澳深度合作区建设的意见》和《关于金融支持前海深港现代服务业合作区全面深化改革开放的意见》，各提出三十条金融改革创新举措，内容涵盖民生金融、金融市场互联互通、现代金融产业发展、促进跨境贸易和投融资便利化、加强金融监管合作等方面。

**The People's Bank of China, China Banking and Insurance Regulatory Commission, China Securities Regulatory Commission, State Administration of Foreign Exchange, and People's Government of Guangdong Province Jointly Issued *Opinions on Financial Support for the Construction of the Guangdong-Macao In-Depth Cooperation Zone in Hengqin and the Qianhai Shenzhen-Hong Kong Modern Service Industry Cooperation Zone* (2023/2/23)**

In February 2023, the People's Bank of China, together with China Banking and Insurance Regulatory Commission, China Securities Regulatory Commission, State Administration of Foreign Exchange, and People's Government of Guangdong Province jointly issued the *Opinions on Financial Support for the Construction of the Guangdong-Macao In-Depth Cooperation Zone in Hengqin* and the *Opinions on Financial Support for the Comprehensive Deepening of Reform and Opening-up of the Qianhai Shenzhen-Hong Kong Modern Service Industry Cooperation Zone*, with each opinion proposing 30 financial reforms and innovation initiatives covering livelihood finance, the interconnectivity of financial markets, the development of a modern financial industry, the promotion of cross-border trade and investment and financing facilitation, and the strengthening of financial regulatory cooperation.

<http://www.pbc.gov.cn/goutongjiaoliu/113456/113469/4802388/index.html>

9. 境外上市备案管理制度配套保密和档案管理规则修订发布（2023年2月24日）

为支持企业依法依规境外上市，配套《境内企业境外发行证券和上市管理试行办法》（以下简称《管理试行办法》），证监会联合财政部、国家保密局、国家档案局对《关于加强在境外发行证券与上市相关保密和档案管理工作的规定》（证监会公告〔2009〕29号）进行修订，形成了《关于加强境内企业境外发行证券和上市相关保密和档案管理工作的规定》（以下简称《规定》），自2023年3月31日起与《管理试行办法》同步施行。

本次修订主要包括：一是调整适用范围，衔接《管理试行办法》，明确适用于企业直接和间接境外上市。二是为相关主体在境外上市活动中保密和档案管理工作提供更清晰明确的指引。三是完善跨境监管合作安排，为安全高效开展跨境监管合作提供制度保障。从公开征求意见情况看，市场各方积极支持《规定》修订，认为有利于促进境外上市活动健康有序发展。

证监会将持续推进资本市场高水平制度型开放，积极拓展现有跨境监管合作机制的有益成果，营造良好的境外上市监管环境，支持企业依法依规境外上市。

### **Release of the Revised Provisions on Confidentiality and Archives Administration as Supplement to CSRC Regulations on Filing-based Administration of Overseas Offering and Listing (2023/2/24)**

In order to support domestic companies' overseas securities offering and listing pursuant to laws and regulations, as a supplement to the Trial Administrative Measures of Overseas Securities Offering and Listing by Domestic Companies (hereinafter referred to as the Trial Measures), China Securities Regulatory Commission (the CSRC), Ministry of Finance of the People's Republic of China, National Administration of State Secrets Protection, and National Archives Administration of China, have jointly revised the Provisions on Strengthening Confidentiality and Archives Administration for Overseas Securities Offering and Listing (Announcement No.29 [2009] of the CSRC, hereinafter referred to as the Provisions). The revised Provisions is issued under the title the Provisions on Strengthening Confidentiality and Archives Administration of Overseas Securities



Offering and Listing by Domestic Companies, and will come into effect on 31 March 2023 with the Trial Measures.

Major revisions to the Provisions include: First, expanding its application to cover both direct and indirect overseas offering and listing, as is consistent with the Trial Measures. Second, setting clear guidance to relevant entities regarding confidentiality and archives administration concerning overseas securities offering and listing. Third, improving relevant arrangements to lay a solid institutional foundation for secure and efficient cross-border regulatory cooperation. Public comments have shown that the market welcomes the revised Provisions and recognizes that it will promote healthy and orderly development of such overseas listing activities.

The CSRC stays committed to promoting high-level institutional opening-up of China's capital markets and expanding the achievements from the cross-border regulatory cooperative mechanisms in place, in a bid to foster a sound regulatory environment in support of companies' overseas listing activities in compliance with laws and regulations.

<http://www.csrc.gov.cn/csrc/c100028/c7162449/content.shtml>

➤ 交易所 Exchange

10. 郑州商品交易所关于 2023 年 2 月期货品种做市合约和重点合约的公告(2023 年 1 月 31 日)

**Announcement of Zhengzhou Commodity Exchange on Market-making Contracts and Main Contracts of Futures Products in February 2023 (2023/1/31)**

<http://www.czce.com.cn/cn/gyjys/jysdt/ggytz/webinfo/2023/01/1655834767548093.htm>

11. 大连商品交易所发布关于 2023 年 1 月异常和违规交易行为查处情况的通告  
(2023 年 2 月 2 日)

**Announcement of Dalian Commodity Exchange on the Investigation and Penalties of Abnormal Trading Behaviors and Violations for January 2023 (2023/2/2)**

<http://www.dce.com.cn/dalianshangpin/fgfz/zljg/6110258/8530856/index.html>

12. 郑州商品交易所发布 2023 年 1 月自律监管统计信息 (2023 年 2 月 2 日)

**Zhengzhou Commodity Exchange Issues Self-regulatory Statistics for January 2023 (2023/2/2)**

<http://www.czce.com.cn/cn/flfg/tjsj/webinfo/2023/02/1655834950459627.htm>

13. 中国金融期货交易所关于 2023 年 1 月采取自律监管措施情况的公告 (2023 年 2 月 6 日)

**Announcement of China Financial Futures Exchange on Self-regulatory Cases for January 2023 (2023/2/6)**

<http://www.cffex.com.cn/zljggzdt/20230206/31462.html>

14. 广州期货交易所发布关于公布工业硅期货做市商名单的公告 (2023 年 2 月 6 日)

**Announcement of Guangzhou Futures Exchange on Publishing the List of**

**Market Makers for Silicon Metal Futures (2023/2/6)**

<http://www.gfex.com.cn/gfex/tzts/202302/6e2efc18b7914d1ab2dc158fd28b95f5.shtm>

l

15. 上海期货交易所关于 2023 年 1 月查处违法违规行情况的公告 (2023 年 2 月 7 日)

**Announcement of Shanghai Futures Exchange on Investigation and Penalties for Violations of Relevant Rules and Regulations in January 2023 (2023/2/7)**

<https://www.shfe.com.cn/news/notice/911402498.html>

16. 上海国际能源交易中心关于 2023 年 1 月查处违法违规行情况的公告 (2023 年 2 月 7 日)

**Announcement of Shanghai International Energy Exchange on Investigation and Penalties for Violations of Relevant Rules and Regulations in January 2023 (2023/2/7)**

<https://www.ine.cn/news/notice/129543.html>

17. 郑州商品交易所关于增设指定棉花交割仓库的公告 (2023 年 2 月 7 日)

**Announcement of Zhengzhou Commodity Exchange on Opening New Designated Delivery Warehouses for Cotton (2023/2/7)**

<http://www.czce.com.cn/cn/gyjys/jysdt/ggytz/webinfo/2023/02/1655835372145890.htm>

18. 郑州商品交易所关于动力煤期货 2402 合约有关事项的公告（2023 年 2 月 7 日）

**Announcement of Zhengzhou Commodity Exchange on Matters Regarding the Thermal Coal Futures 2402 Contract (2023/2/7)**

<http://www.czce.com.cn/cn/gyjys/jysdt/ggytz/webinfo/2023/02/1655835372204008.htm>

19. 上海期货交易所关于调整锡期货品种相关合约交易手续费的通知（2023 年 2 月 8 日）

**Notice of Shanghai Futures Exchange on Adjusting Processing Fees for Tin Futures-Related Contracts (2023/2/8)**

<https://www.shfe.com.cn/news/notice/911402513.html>

20. 中国金融期货交易所关于提示股指期货和股指期权合约交割相关事项的通知（2023 年 2 月 10 日）

**Notice of China Financial Futures Exchange on Reminding the Matters Related to the Delivery of Equity Index Futures and Options Contracts (2023/2/10)**

<http://www.cffex.com.cn/jystz/20230210/31482.html>

21. 大连商品交易所发布市场风险提示公告（2023 年 2 月 17 日）

**Dalian Commodity Exchange Issues Warning Notice on Market Risk (2023/2/17)**

<http://www.dce.com.cn/dalianshangpin/ywfw/jystz/ywtz/8533018/index.html>

22. 大连商品交易所关于调整铁矿石期货部分合约交易限额的通知 (2023 年 2 月 21 日)

**Notice of Dalian Commodity Exchange on Adjusting Trading Limit on Certain Iron Ore Futures Contracts (2023/2/21)**

<http://www.dce.com.cn/dalianshangpin/ywfw/jystz/ywtz/8533230/index.html>

➤ 行业协会 Association

23. 中国期货业协会发布 2023 年 1 月全国期货市场交易情况简报 (2023 年 2 月 2 日)

**China Futures Association Releases the Brief on National Futures Markets Tradings for January 2023 (2023/2/2)**

<http://www.cfachina.org/aboutassociation/associationannouncement/202302/P020230201386204526048.pdf>

24. 中国期货业协会发布《2022 年度期货市场发展概述》 (2023 年 2 月 21 日)

**China Futures Association Issues the 2022 Summary of Futures Market Development (2023/2/21)**

[http://www.cfachina.org/aboutassociation/associationannouncement/202302/t20230221\\_36601.html](http://www.cfachina.org/aboutassociation/associationannouncement/202302/t20230221_36601.html)

25. 中国银行间市场交易商协会发布《中国银行间市场信用风险缓释工具交易信用事项决定规程》（2023年2月24日）

**National Association of Financial Market Institutional Investors Issues the *Rules on Credit Matters Determination of Interbank Market Credit Risk Mitigation Instrument* (2023/2/24)**

[https://www.nafmii.org.cn/cpxl/xyfxhsgjcrm/ywgz/202208/t20220815\\_284251.html](https://www.nafmii.org.cn/cpxl/xyfxhsgjcrm/ywgz/202208/t20220815_284251.html)

➤ **结算机构 Clearing House**

26. 银行间市场清算所股份有限公司关于发布《担保品处置业务实施细则》和《担保品拍卖处置业务实施细则》的通知（2023年2月8日）

**Notice of Shanghai Clearing House on the Issuance of *Implementation Rules for Collateral Disposal and Implementation Rules for Collateral Auction Disposal* (2023/2/8)**

[https://www.shclearing.com.cn/cpyyw/tzgg/detail\\_38.html?productDocClient/detail/40285281861b632f0186395185713cd7](https://www.shclearing.com.cn/cpyyw/tzgg/detail_38.html?productDocClient/detail/40285281861b632f0186395185713cd7)

## 声明

本监管动态中的资讯来源均已标明出处，读者可自行点击链接查看原文，资讯内容仅供行业学习参考，不代表中国期货业协会及合作方立场。我们力求保证本监管动态的内容质量，但不对其准确性、完整性等作出任何保证，亦不对因使用本监管动态内容而引发的损失承担任何责任。本监管动态不构成任何投资和法律建议。中国期货业协会对本监管动态享有著作权，未经许可，不得用于任何商业目的。

## DISCLAIMER

All the information in this Newsletter is properly denoted with the original source, which can be accessed through the embedded link. The information featured are for references and informational purposes only and do not represent the position of CFA or its associates. While we make every effort to ensure the quality of the Newsletter, we make no guarantee in regard to the comprehensiveness and accuracy of the information featured, nor assume any liability for any damage associated with the use of the information in this Newsletter. The content of this Newsletter does not constitute legal or investment advice. China Futures Association is the copyright owner of this Newsletter, and no commercial use of this Newsletter is permitted without CFA's authorization.

欢迎批评指正，如有改进建议，请联系我们：

联系方式：010-88086957

反馈邮箱：yijianfankui@cfachina.org

Should you have any questions and suggestions,  
please do not hesitate to contact us:

Phone: +86 10 88086957

Email: yijianfankui@cfachina.org