

The Hongkong and Shanghai Banking Corporation Limited

NOTES RELATING TO THE RELATIONSHIP DECLARATION

1. “Relative” is defined under Part 8 of the Banking (Exposure Limits) Rules as:

- parent, grandparent or great grandparent;
- step-parent or adoptive parent;
- brother or sister;
- spouse;
- the other party to a union of concubinage;
- cohabitee;
- spouse’s parent, step-parent or adoptive parent;
- spouse’s brother or sister;
- son, step-son or adopted son;
- daughter, step-daughter or adopted daughter; and
- grandson, granddaughter, great grandson or great granddaughter.

For the purposes of this definition,

- “**union of concubinage**” means a union of concubinage entered into by a male partner and a female partner before 7 October 1971, under which union the female partner has, during the lifetime of the male partner, been accepted by his wife as his concubine and recognized as such by his family generally; and
- “**cohabitee**” means a person who is in a relationship between two persons (whether of the same sex or of the opposite sex) who live together as a couple in an intimate relationship.

2. “**Employee**” includes Permanent Full Time, Permanent Part-time, Fixed-Term Full Time, Fixed-Term Part-time staff and International Assignees.

3. A company is under the “**control**” of a person if such person is:

- (i) an indirect controller (i.e. any person in accordance with whose directions or instructions the directors of the company or of another company of which it is a subsidiary are accustomed to act, but does not include a Manager or Advisor appointed under Section 52 of the Banking Ordinance or any person in accordance with whose directions or instructions those directors are accustomed to act by reason only that they act on advice given by him in his professional capacity); or
- (ii) a majority shareholder controller (i.e. any person who, either alone or with any associate or associates, is entitled to exercise, or control the exercise of, more than 50% of the voting power at any general meeting of the company or of another company of which it is a subsidiary),

and “**controller**” as defined in the Banking Ordinance means either an “**indirect controller**” or a “**majority shareholder controller**”.

4. “**Minority shareholder controller**” in relation to a company, means any person who, either alone or with any associate or associates, is entitled to exercise, or control the exercise of, 10% or more, but not more than 50%, of the voting power at any general meeting of the company or of another company of which it is a subsidiary.

關係申報的注意事項

1. 「親屬」一詞依照《銀行業(風險承擔限度)規則》第8部的定義,指:

- 父母、祖父母或外祖父母、或曾祖父母或外曾祖父母;
- 繼父母或領養父母;
- 兄弟或姊妹;
- 配偶;
- 如該人是夫妻關係的一方 - 該關係中的另一方;
- 同居伴侶;
- 配偶的父母、繼父母或領養父母;
- 配偶的兄弟或姊妹;
- 子、繼子、女、繼女或領養子女;
- 孫或孫女、外孫或外孫女、曾孫或外曾孫、曾孫女或外曾孫女。

就這定義而言:

- 「**夫妻關係**」(union of concubinage)指由男方與女方在1971年10月7日前締結的夫妻關係,而在該關係下,女方於男方在生時已被其妻子接納為男方的妾,而男方家人亦普遍承認如此;
- 「**同居伴侶**」(cohabitee)就作為情侶在親密關係下共同生活2名自然人(不論同性或異性)之間的關係而言,指該關係中的一方。

2. 「僱員」包括永久全職,永久兼職,定期全職,定期兼職僱員及國際外派僱員。

3. 就任何公司而言,公司是受以下控權人「**控制**」:

(i) 間接控權人(indirect controller)指所發出的指示或指令獲得該公司的董事、或以該公司為附屬公司的另一間公司的董事慣常按照行事的任何人,但依據《銀行業條例》第52條委任的經理人或顧問不包括在內,又如所發出的指示或指令獲得該等董事慣常按照行事的任何人僅是因為該等董事按照該人以專業身分所提供的意見而行事者,則該人亦不包括在內;或

(ii) 大股東控權人(majority shareholder controller)指在該公司的任何大會上,或在以該公司為附屬公司的另一間公司的任何大會上,單獨或連同任何一名或多於一名相聯者有權行使超過50%表決權或有權控制超過50%表決權的行使的任何人,

及「**控權人**」一詞指《銀行業條例》所界定的「**間接控權人**」或「**大股東控權人**」。

4. 「**小股東控權人**」(minority shareholder controller)就任何公司而言,指在該公司的任何大會上,或在以該公司為附屬公司的另一間公司的任何大會上,單獨或連同任何一名或多於一名相聯者有權行使不少於10%但不超過50%表決權或有權控制不少於10%但不超過50%表決權的行使的任何人。

关系申报的注意事项

1. 「亲属」一词依照《银行业(风险承担限度)规则》第8部的定义,指:

- 父母、祖父母或外祖父母、或曾祖父母或外曾祖父母;
- 继父母或领养父母;
- 兄弟或姐妹;
- 配偶;
- 如该人是夫妻关系的一方—该关系中的另一方;
- 同居伴侣;
- 配偶的父母、继父母或领养父母;
- 配偶的兄弟或姐妹;
- 子、继子、女、继女或领养子女;
- 孙或孙女、外孙或外孙女、曾孙或外曾孙、或曾孙女或外曾孙女

就这定义而言:

- 「夫妻关系」(union of concubinage)指由男方与女方在1971年10月7日前缔结的夫妻关系,而在该关系下,女方于男方在生时已被其妻子接纳为男方的妾,而男方家人亦普遍承认如此;
- 「同居伴侣」(cohabitee)就作为情侣在亲密关系下共同生活2名自然人(不论同性或异性)之间的关系而言,指该关系中的一方。

2. 「雇员」包括永久全职,永久兼职,定期全职,定期兼职雇员及国际外派雇员。

3. 就任何公司而言,公司是受以下控权人「控制」:

- (i) 间接控权人(indirect controller)指所发出的指示或指令获得该公司的董事、或以该公司为附属公司的另一间公司的董事惯常按照行事的任何人,但依据《银行业条例》第52条委任经理人或顾问不包括在内,又如所发出的指示或指令获得该等董事惯常按照行事的任何人仅是因为该等董事按照该人以专业身分所提供的意见而行事者,则该人亦不包括在内;
- (ii) 大股东控权人(majority shareholder controller)指在该公司的任何大会上,或在以该公司为附属公司的另一间公司的任何大会上,单独或连同任何一名或多于一名相联者有权行使超过50%表决权或有权控制超过50%表决权的行使的任何人;

「控权人」一词指《银行业条例》所界定的间接控权人或大股东控权人。

4. 小股东控权人(minority shareholder controller)就任何公司而言,指在该公司的任何大会上,或在以该公司为附属公司的另一间公司的任何大会上,单独或连同任何一名或多于一名相联者有权行使不少于10%但不超过50%表决权或有权控制不少于10%但不超过50%表决权的行使的任何人。