

•境外经纪机构委托业务备案材料清单

Checklist & Forms for Futures Company Members for Overseas Broker



材料清单 Checklist

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1. 有权签署人签字的备案说明（附件1）， 境外经纪机构备案申请表（附件2）
1. A statement of filing signed by the person entitled to sign (Appendix 1);
A filing form (Appendix 2) for a Futures Company Member for an Overseas Broker;

附件1:
Appendix1:

境外经纪机构委托业务备案说明
Statement of Filing of Futures Company Member' s or
Overseas Special Brokerage Participant' s
Carrying-Brokerage Business for Overseas Broker

大连商品交易所:

Dalian Commodity Exchange (the Exchange),

本公司_____ (期货公司名称) 已根据大连商品交易所 (以下简称“大商所”) 业务规则对境外经纪机构的要求, 选择了

_____ (境外经纪机构名称), 并与其签订了委托业务协议。_____ (境外经纪机构名称) 将其客户参与大商所特定品种期货交易业务委托给本公司执行。

In accordance with the criteria on Overseas Brokers as prescribed by the Dalian Commodity Exchange (hereinafter referred to as the “the Exchange”), _____ (Futures Company Member' s Name) has entered into a written carrying-brokerage agreement with _____ (Overseas Broker' s Name), under which _____ (Overseas Broker' s Name) authorizes its Clients' trading orders of the specified futures contracts listed on the Exchange to our company for execution.

本公司现就接受_____ (境外经纪机构名称) 的委托业务向大商所进行备案。

We are now filing the carrying-brokerage service for _____ (Overseas Broker' s Name) to the Exchange. 本公司声明, 该境外经纪机构已经在_____ 完成相关委托业务备案, 备案号_____, 本公司保证所提交的备案材料复印件真实、完整——适用于已在境内其他期货交易所或者其他交易场所 (交易中心) 完成委托业务备案的情形

For the situation that the Overseas Broker have already completed the filing for carrying brokerage business at other futures exchange(s) in China' s mainland: We hereby certify that this Overseas Broker has already completed the filing for the relevant carrying brokerage business at _____, the filing number is _____, we hereby certify that the submitted photocopy of the filing materials are true and complete.

本公司已根据章程要求, 完成本次备案所需的内部程序。本公司承诺我公司处于正常运营状态, 具有良好的运营能力、诚信状况和社会声誉。我公司承认并遵守法律、行政法规、规章和大商所业务规则及各项规定和决定。保证公司经营和经纪业务持续符合大商所交易规则要求的交易业务资格条件。申请材料真实、准确、完整、合规, 不包含虚假或者误导性陈述, 并将按照规定办理相关手续。

We hereby certify that we are in normal operating conditions, with sound operational capacity, and are of good credit stand and reputation. We hereby acknowledge and covenant to abide by the laws, administrative regulations and ministerial rules, business rules and each of the provisions and decisions of the Exchange, and guarantee that the operation and brokerage business will satisfy the requirements as prescribed by the General Exchange Rules of the Exchange. All application materials are true, accurate, complete and valid, without any fraud and misleading statements.

公司: _____

Company: _____

法定代表人或授权代表人 (签章): _____

Legal Representative or Authorized Representative (signature/seal): _____

附件2:
Appendix 2:

境外经纪机构委托业务备案表
Filing Form of Futures Company Member' s
Carrying-Brokerage Business for Overseas Broker

业务备案基本信息Basic Information

期货公司会员 Futures Company Member	
中文名称 Chinese Name	
中文简称 Chinese abbreviation	
会员号 Membership No.	
境外经纪机构 Overseas Broker	
英文名称 English name	
中文名称 Chinese name	

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2. 境外经纪机构期货业务负责人和期货业务风控负责人的护照或大商所认可的其他有效身份证明复印件、简历（附件3）及签名印鉴卡（附件4））
2. Photocopies of passports or other valid IDs accepted by the Exchange, resumes (Appendix 3), and signature specimens (Appendix 4) of the person-in-charge of futures business and the chief risk control officer for futures

2. 说明Explanations:

有效身份证明文件以其境外的官方语言为准，律所或政府相关机构认证的中文翻译为辅。

Valid IDs in the official language of the country (region) of the applicant shall prevail, whereas the Chinese translation certified by a law firm or relevant government authority shall be taken as reference.

附件3：境外经纪机构期货业务风控负责人简历
Appendix 4: Resume template of the management of futures business

境外经纪机构期货业务风控负责人简历
Resume Template of Chief Risk Control Officer of Overseas Broker

公司名称 Company name			
称谓Title	先生 Mr. □女士 Ms.□		照片/Photo
名 First name			
姓 Family name			
国籍 Nationality			
联系地址 Mailing address			
邮政编码 Postal code		电话 Tel.	
电子邮箱 Email address			
护照号码 Passport number		到期日期 Date of expiry	

大连商品交易所印鉴卡
Signature Specimen at Dalian Commodity Exchange

公司名称Company		联系电话 Tel.		
职位 Position ⁶	姓名Full Name (SURNAME FIRST, then GIVEN NAME)		预留签名 Signature Specimen	
首席执行官 CEO				
期货业务负责人 Person-in-charge of Futures Business				
期货业务风控负责人 Chief Risk Control Officer				
授权签署人 Authorized Signatory				
大商所填写 Exchange Use ONLY	接收日期 Date Received	注销日期 Date Cancelled	经办人 Operator	复核人 Reviewer

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3. 经公证和依法认证的境外经纪机构合法成立的资料，如《公司注册证》的复印件；
3. Notarized and legally certified materials on the legal establishment of the Overseas Broker, such as a copy of Certificate of Incorporation;

3. 1 说明Explanations:

1. 公证：经申请者所在国家（地区）公证机构出具证明。认证：经中国驻该国（地区）使领馆出具证明；
 - ◆ 中国香港地区：先通过委托公证人出具有关公证文书，再将该文书经中国法律服务（香港）有限公司审核并加盖转递章转递；
 - ◆ 中国台湾地区：先经台湾当地公证机构公证，再经海基会将公证书副本转寄境内中国公证员协会或有关省、自治区、直辖市公证员协会。
1. Notarization shall be endorsed at the notaries of the applicant' s residence country (region); and certification shall be endorsed by the Chinese embassies or consulates to this country (region);
 - ◆ Hong Kong: Documents shall first be attested by a China-Appointed Attesting Officer, and then be sent to the “China Legal Service (H.K.) Limited” for “Sealing and Transfer Delivery” ;
 - ◆ Taiwan: Documents shall first be notarized at a Taiwan notary, and then be transferred to the China Notary Association through the Strait Exchange Foundation (SEF) or the notary associations in relevant provinces, autonomous regions or municipalities directly under the Central Government.

3. 2说明Explanations:

2. 若《公司注册证》、《商业登记证》复印件等文件非中文版本，申请人需提供原件复印件与中文翻译件。并需签名盖章保证翻译内容真实、准确。
2. If photocopies of Certificate of Incorporation, Business Registration Certificate or other documents are in other language than Chinese, the applicant shall provide the Chinese translation together with the copy of the original to the Exchange. The translation shall be signed and/or sealed to guarantee it is true and accurate.

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- 4. 境外经纪机构具有所在国（地区）经纪资格的证明文件，如《期货经纪业务许可证》的复印件；
- 4. Photocopies of supporting documents proving that the Overseas Broker has a brokerage license in its country or region of residence, such as a copy of Futures Brokerage Business License;

4. 说明Explanations:

若原文件非中文版本，申请人需提供原件复印件与中文翻译件。并需签名盖章保证翻译内容真实、准确。

If the original document is in other language than Chinese, the applicant shall provide the Chinese translation together with a copy of the original document to the Exchange. The translation shall be signed and/or sealed to guarantee it is true and accurate.

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5. 期货公司会员委托业务制度、内部控制制度和风险管理制度的材料；

5. Policies of the carrying brokerage business, internal control and risk management of the Futures Company Member;

5. 说明 Explanations:

若原文件非中文版本，大商所可以要求申请人提供中文摘要说明以及完整英文版本文件。

If the submitted statements are in other language than Chinese, the applicant shall, with the consent of the Exchange, submit the whole set of documents in English together with the Chinese abstracts.

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6. 承诺函；

6. An undertaking letter;

6. 说明Explanations:

内容包括境外经纪机构具有健全的治理机构（应至少具备含有合规和首席风险官等职务的经营管理层结构、公司股东权利义务规定、费用及利润分配制度、公司破产清算程序、管辖法律和争议的解决办法）和完善的内部控制制度（应至少包括组织结构、业务、资金管理、清算系统、会计系统、信息技术系统、人力资源、内部稽核、合规和反洗钱的内部控制管理办法），经营行为规范（至少应包括交易业务、结算业务、风险管理、投资者权益保护、档案管理、公司岗位责任、信息公示和从业资格的制度规范），以及其业务设施和技术系统符合相关技术规范且运行状况良好；

in which the Overseas Broker shall undertake that it has a sound corporate governance structure (including but not limited to a management team with compliance and chief risk control officer, rights and obligations of its shareholders, rules on expenditure and profit distribution, bankruptcy liquidation procedures, governing laws and dispute resolutions), a complete internal control system (including but not limited to internal rules on corporate structure, business scope, fund management, clearing system, accounting system, IT system, human resource, internal auditing, compliance and anti-money laundering), duly operated businesses (including but not limited to rules on trading, clearing, risk control, investor protection, archives management, duties and responsibilities, information disclosure and futures business qualification), as well as its business facilities and IT infrastructure conforming to the relevant technical standards and in sound operation;

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7.1 境外经纪机构净资本不低于3000万元人民币或等值外币的证明文件

7.1 Photocopies of supporting documents of the Overseas Broker' s net capital of no less than RMB thirty million (¥30,000,000) or its equivalent in foreign currency

7.1 说明Explanations:

1. 公司最近期的财务报表(需要翻译, 当地公正, 报表前面总结和后面三大报表)或其他来源。
2. 若原文件非中文版本, 大商所可以要求申请人提供原件复印件与中文翻译件, 并签名盖章保证翻译内容真实、准确。

1. Latest financial statement or other sources.
2. If the original is in other language than Chinese, the applicant shall provide the Chinese translation together with a copy of the original to the Exchange. The translation shall be signed and/or sealed to guarantee it is true and accurate.

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7.2 持续经营1年以上的证明文件

7.2 Supporting documents proving that the applicant has been operating consecutively for over one (1) years

7.2 说明Explanations:

1. 如营业执照、年报等;
 2. 若原文件非中文版本，大商所可以要求申请人提供原件复印件与中文翻译件，并签名盖章保证翻译内容真实、准确。
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1. Such as business license, annual report, etc.
 2. If the original is in other language than Chinese, the applicant shall provide the Chinese translation together with a copy of the original to the Exchange. The translation shall be signed and/or sealed to guarantee it is true and accurate.

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8. 境外经纪机构与期货公司会员签订的委托业务协议；

8. A carrying-brokerage agreement between the Futures Company Member and the Overseas Broker;

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9. 涉及委托授权签署人签字的应提供授权委托书；

9. Powers of Attorney (POA) where documents are signed by authorized signatories;

9. 说明Explanations:

若原文件非中文版本，申请人需提供原件复印件与中文翻译件。

If the original is in other language than Chinese, the applicant shall provide the Chinese translation together with a copy of the original to the Exchange.

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10. 大商所或申请人认为需要提供的其他材料；

10. Any other documents the Exchange or the applicant deems necessary;



注意 Note

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1. 所有书面材料中，单页文件加盖公章或签名；多页文件首页、尾页加盖公章或签名，并加盖骑缝章或签名；
2. 除大商所认可的情形外，书面材料均应当有中文版本，并以中文版本为准（人名、机构名和地址除外）。

1. All single-page materials must be sealed or signed, and all multi-page materials must be signed or sealed on the first page and last page, and cross-page sealed or signed;
2. Unless otherwise recognized by the Exchange, each application document submitted to the Exchange shall have a corresponding Chinese version, except for the addresses and the names of persons or entities. In the event of any discrepancy, the Chinese version shall prevail.

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Thanks