

## 境外中介机构委托代理业务备案材料清单

Checklist & Forms for Futures Firm Members or Overseas Special  
Brokerage Participant Filing for Overseas Intermediaries

序号 No.	材料清单 Checklist	说明 Explanations	公司确 认（包含 请打√） Confirme d by the applicant （“√”）	INE 确认 （包含 请打√） Confirme d by the INE （“√”）
1	<p>有权签署人签字的备案说明（<a href="#">附件 1</a>），境外中介机构备案申请表（<a href="#">附件 2</a>）；</p> <p>A statement of filing signed by the person entitled to sign (Appendix 1);</p> <p>A filing form (Appendix 2) for a Futures Firm Member or Overseas Special Brokerage Participant filing for an Overseas Intermediary;</p>			
2	<p>境外中介机构期货业务负责人和期货业务风控负责人的护照或能源中心认可的其他有效身份证明复印件、简历（<a href="#">附件 3</a>）及签名印鉴卡（<a href="#">附件 4</a>）；</p> <p>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 business of the Overseas Intermediary;</p>	<p>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。</p> <p>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.</p>		
3	<p>经公证和依法认证的境外中介机构合法成立的资料，如《公司注册证》的复印件；</p>	<p>1) 公证：经申请者所在国家（地区）公证机构出具证明。认证：</p>		

	<p>Notarized and legally certified materials on the legal establishment of the Overseas Intermediary, such as a copy of Certificate of Incorporation;</p>	<p>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。</p> <p>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</p>		
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		<p>Association through the Strait Exchange Foundation (SEF) or the notary associations in relevant provinces, autonomous regions or municipalities directly under the Central Government.</p> <p>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。</p> <p>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.</p>		
4	<p>境外中介机构具有所在国（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；</p>	<p>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。</p>		

	<p>Photocopies of supporting documents proving that the Overseas Intermediary has a brokerage license in its country or region of residence, such as a copy of <i>Futures Brokerage Business License</i>;</p>	<p>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.</p>		
5	<p>期货公司会员（或境外特殊经纪参与者）委托代理业务制度、内部控制制度和风险管理制度的材料<sup>1</sup>； Policies of the carrying brokerage business, internal control and risk management of the Futures Firm Member (or Overseas Special Brokerage Participant);</p>	<p>1) 如期货公司会员（或境外特殊经纪参与者）在申请会员资格时已提交相关材料，不需要重复提交； 1) Relevant documents that have been submitted by the Futures Firm Member (or Overseas Special Brokerage Participant) in its application for membership or OSP qualification may be exempted. 2) 若原文件非中文版本，经能源中心同意后，申请人需提供中文摘要说明以及完整英文版本文件。 2) If the submitted statements are in</p>		

		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.		
6	<p>承诺函</p> <p>内容包括境外中介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；</p> <p>A undertaking letter, in which the Overseas Intermediary 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</p>	<p>经能源中心认定的必要情况，需提供相应的补充证明材料</p> <p>Supporting documents shall be provided if the Exchange deems necessary.</p>		

	<p>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;</p>			
7	<p>1)境外中介机构净资本不低于 3000 万元人民币或等值外币的证明文件</p> <p>1) Photocopies of supporting documents of the Overseas Intermediary's net capital of no less than RMB thirty million (¥30,000,000) or its equivalent in foreign currency</p>	<p>1)公司最近期的财务报表或其他来源</p> <p>1) Latest financial statement or other sources.</p> <p>2)若原文件非中文版本，经能源中心同意后，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。</p> <p>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.</p>		

	<p>2)持续经营 2 年以上的证明文件</p> <p>2) Supporting documents proving that the applicant has been operating consecutively for over two (2) years</p>	<p>1)如营业执照、年报等 1) Such as business license, annual report, etc.</p> <p>2)若原文件非中文版本，经能源中心同意后，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 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.</p>		
8	<p>境外中介机构与期货公司会员（或境外特殊经纪参与者）签订的委托代理业务协议；</p> <p>A carrying-brokerage agreement between the Futures Firm Member (or Overseas Special Brokerage Participant) and the Overseas Intermediary;</p>			
9	<p>涉及委托授权签署人签字的应提供授权委托书；</p> <p>Powers of Attorney (POA) where documents are signed by authorized signatories;</p>	<p>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.</p>		

10	<p>能源中心或申请人认为需要提供的其他材料；</p> <p>Any other documents the Exchange or the applicant deems necessary;</p>			
11	<p>申请材料的电子光盘。包括所有前述书面申请材料的电子文档（使用 word 格式，复印件和审计报告可使用 pdf 格式，文档名的编写规则为“材料名称（XXX 公司）.doc/pdf”，电子光盘封面模版见 <a href="#">附件 5</a>），并与纸质材料一并以邮寄方式发送至能源中心<sup>2</sup>。若纸质申请材料与电子文档有出入，能源中心将以纸质申请材料为准。</p> <p>An electronic CD for all application materials in digital file format (In WORD format except photocopies and financial statements in PDF format. Each file shall be named as “Document Name (XXX company). doc/pdf”. Appendix 5 (the template for the CD cover) shall be posted to the Exchange together with paper documents<sup>4</sup>. In the event of any discrepancy, the paper copy shall prevail.</p>			

<sup>2</sup>若无法以邮寄方式寄发电子申请材料，备案人得向能源中心确认其他可采用的发送方式。  
If the electronic application materials cannot be posted, the applicant shall check with the Exchange for other available delivery method.



注 Note:

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;

All single-page materials must be sealed or signed, and all multi-page materials must be cross-page sealed or signed;

2. 除能源中心认可的情形外, 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)。

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.