

Circular on Releasing the Guidelines for Bond Account Data Inquiry

(CCDC[2015] No. 47)

To market participants:

To regulate the operating procedures for investors' inquiry about bond account data and issuers' application for the bondholder register, and protect the legitimate rights and interests of all parties, we have formulated the *Guidelines for Bond Account Data Inquiry* (see Appendix), which is hereby issued and implemented from the date of issue.

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The Circular is hereby released.

Appendix: Guidelines for Bond Account Data Inquiry

China Central Depository & Clearing Co., Ltd.

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Appendix

Guidelines for Bond Account Data Inquiry

Chapter One General Provisions

Article 1 To regulate the operating procedures for investors' inquiry about their bond account balance and issuers' application for the bondholder register, and protect the legitimate rights and interests of all parties, we have formulated the *Guidelines for Bond Account Data Inquiry* (hereinafter referred to as the "Guidelines") according to relevant requirements for depositories on customer data protection in the *Interim Administrative Measures of the People's Republic of China for Registration and Custody of Government Bonds* and the *Administrative Measures for Bond Registration, Custody and Settlement in the Inter-bank Bond Market*.

Article 2 This Guidelines applies to investors who have opened bond accounts with China Central Depository & Clearing Co., Ltd. (hereinafter referred to as "CCDC") for inquiry about their bond account balance, and to issuers with bonds under CCDC's registration and depository for applying for the bondholder register .

Chapter Two Bond Account Balance Inquiry

Article 3 Bond account balance inquiry happens when an investor or the third party entrusted by the investor inquires about the amount of bonds held by the investor and its changes in the bond account opened with CCDC.

Article 4 An investor may apply to CCDC for inquiry about its bond account balance under any of the following circumstances:

(1) The investor inquires about its own bond account;

(2) The accounting firm or a third-party auditor engaged by the investor conducts auditing of the investor's bond account; or

(3) Other circumstances as specified in relevant laws and regulations.

Article 5 An investor, when applying for inquiry about the bond account balance, shall submit to CCDC one original copy of the *Letter of Inquiry* (see Appendix 1).

Article 6 Upon receipt and verification of the *Letter of Inquiry*, CCDC will provide the applicant with the bond account balance data.

Article 7 Where the state judicial authority (e.g. the people's court, the people's procuratorate and public security organ) or the state auditing authority inquires about investor account data in accordance with legal procedures, CCDC will provide assistance based on legal procedures.

Article 8 Where relevant regulatory authority performs its supervisory duties to inquire about bond account data, CCDC will provide assistance according to relevant regulations.

Article 9 Except as provided in Articles 4, 7 and 8 herein, CCDC will not provide any bond account data inquiry service to any institution or individual.

Chapter Three Application for the Register of Bondholders

Article 10 A bond issuer or a convener of the bondholder meeting may apply to CCDC for the register of bondholders under any of the following circumstances:

(1) A bondholder meeting is to be held;

(2) The bond issuer needs to communicate with bondholders before the exercise of options embedded in the bond;

Option-embedded bonds include but are not limited to bonds embedded with such options as put option, call option, bond substitution, targeted transfer, bond consolidation and deferred redemption.

(3) The issuer needs to communicate with bondholders, as the default on principal and interest payment is likely to occur; or

(4) Other circumstances where the register of bondholders is required according to laws and regulations.

Article 11 Requirements on application for the register of bondholders:

(1) If a bondholder meeting is to be held, the issuer shall publish an announcement on holding a bondholder meeting in the media designated by competent authorities before the meeting;

(2) If communication on option-embedded bonds is to be conducted in advance, the issuer may apply to CCDC for the register of bondholders within one month prior to the exercise date as specified in the offering document; or

(3) If communication is to be conducted with respect to the possible default on principal and interest payment, the issuer shall publish a market announcement in the media designated by competent authorities, as a risk warning.

Article 12 The following materials shall be provided in terms of the application for the register of bondholders:

(1) The original copy of Application for the Register of Bondholders (see Appendix 2);

(2) If a bondholder meeting is to be held, the announcement proving the holding of bondholder meeting shall be provided, such as the announcement on holding a bondholder meeting published in the media

designated by competent authorities or the official approval of competent authorities on the holding of bondholder meeting;

(3) If communication is to be conducted with respect to the possible default risk in connection with principal and interest payment, the market announcement published by the issuer in the media designated by competent authorities or relevant documents as required by competent authorities shall also be provided; and,

(4) Under other circumstances that requires the register of bondholders according to laws and regulations, relevant proof materials are required for the application.

Article 13 Upon receipt and verification of the above-mentioned materials, CCDC will provide the register of bondholders for the applicant.

Article 14 The applicant for the register of bondholders shall assume the obligation of confidentiality for bondholder's information. It shall neither disclose such information to any third party other than the corresponding bondholder, nor use it for purposes irrelevant to the matters specified in the application. Besides, it shall assume corresponding legal responsibilities.

Article 15 Where relevant regulatory authorities perform their supervisory duties to inquire about the register of bondholders, CCDC will provide assistance according to relevant regulations.

Article 16 Except as provided in Articles 10 and 15 herein, CCDC will not provide the bondholder register inquiry service to any other institution or individual, nor will it accept entrustment by the issuer to provide such service to any third party.

Chapter Four Supplementary Provisions

Article 17 CCDC is responsible the interpretation and revision of the Guidelines.

Article 18 The Guidelines will be implemented from the date of issuance. The *Circular on Relevant Matters Concerning the Application for the Register of Bondholders* (CCDC [2012] No. 39) will be annulled as of the same date.

Annex 1

Letter of Inquiry

To China Central Depository & Clearing Co., Ltd.,

We hereby apply for inquiring about the bond account balance. Please provide the *Statement of Bond Account* and send it to the designated

No.	Bond Account Name	Bond Account No.	Date of Inquiry
1	(adding rows is allowed)		
2			

address. The detailed information for inquiry is as follows:

Reasons for application:

- ☐ The investor inquires about its own bond account
- ☐ _____ (name of the accounting firm) is engaged to conduct an auditing over our company
- ☐ Others _____ (please specify)

Mailing Address:

Institution of the Recipient: _____

Address: _____

Recipient: _____

Mobile Phone: _____

Postal Code: _____

Contact Person:

Tel:

Official Seal of Applicant:

Date: (YYYY/MM/DD)

Annex 2

Application for the Register of Bondholders

To China Central Depository & Clearing Co., Ltd.,

We hereby apply to your company for the bondholder register for _____ (*full name of bond*).

Bond Abbreviation:

Bond Code:

Record Date of the Bondholder Register:

Reasons for Application:

- ☐ Holding of Bondholder Meeting
- ☐ Exercise of an Embedded Option (Exercise Date: (YYYY/MM/DD))
- ☐ Possible Default on Principal and Interest Payment
- ☐ Others _____

The applicant undertakes that: it shall assume the obligation of confidentiality for the register of bondholders. The register shall be used for the above reason only and not for any other purposes irrelevant to the above-mentioned matters. Besides, it shall assume corresponding legal responsibilities.

The application is hereby filed.

Contact Person:

Tel:

(name and seal of issuer)

Date:(YYYY/MM/DD)