

**No. S 177**

**SECURITIES AND FUTURES ACT  
(CHAPTER 289)**

**SECURITIES AND FUTURES  
(CLEARING FACILITIES) (AMENDMENT)  
REGULATIONS 2010**

In exercise of the powers conferred by sections 71(2), 81S(1A) and 341 of the Securities and Futures Act, the Monetary Authority of Singapore hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Securities and Futures (Clearing Facilities) (Amendment) Regulations 2010 and shall come into operation on 29<sup>th</sup> of March 2010.

**Deletion and substitution of regulation 15**

2. Regulation 15 of the Securities and Futures (Clearing Houses) Regulations 2005 (G.N. No. S 366/2005) (referred to in these Regulations and the principal Regulations) is deleted and the following regulation substituted therefor:

**“Determination of position limits**

**15.**—(1) For the purposes of determining whether a person has exceeded any position limit established or varied by a designated clearing house under section 61 of the Act in respect of a futures contract, the designated clearing house shall reckon —

- (a) any position held by any other person directly or indirectly controlled by the first-mentioned person;
- (b) any position held by any other person acting, pursuant to an express or implied agreement or understanding, as if such position were held by the first-mentioned person; and
- (c) any position held in respect of options on the futures contract, calculated on a futures equivalent basis.

(2) A designated clearing house shall require —

- (a) a person who has exceeded any position limit established or varied by the designated clearing house; or

- (b) any other person whose position has been reckoned under paragraph (1)(a) or (b) in determining that the limit has been exceeded,

or both, to trade under such conditions and restrictions as the designated clearing house considers necessary to ensure compliance with that position limit, including (if it considers it necessary for that purpose) requiring him or them to take one or more of the following actions:

- (i) cease any further increase in his or their positions;
- (ii) liquidate his or their positions to comply with the position limit within such time as may be determined by the clearing house;
- (iii) be subject to higher margin requirements in respect of his or their positions.

(3) In paragraph (1)(c), “futures equivalent basis” means the basis by which an option is adjusted by the risk factor or delta coefficient of that option, such risk factor or delta coefficient being calculated at the close of trading on the last day on which that option was traded or at such other time as the designated clearing house may determine.”.

### **Amendment of regulation 22**

3. Regulation 22 of the principal Regulations is amended —

- (a) by deleting the word “, subject” in paragraph (1) and substituting the words “and subject”; and
- (b) by deleting the words “or co-relation of any market contract” in paragraph (7) and substituting the words “of any market contract, or co-relation between market contracts”.

### **Amendment of regulation 28**

4. Regulation 28(1) of the principal Regulations is amended by deleting the words “15(1) or (3)(a)” and substituting the words “15(1) or (2)”.

*[G.N. Nos. S 79/2006; S 60/2007]*

Made this 23rd day of March 2010.

HENG SWEE KEAT  
*Managing Director,*  
*Monetary Authority of Singapore.*

[CMD/MCP/03/2009; AG/LEG/SL/289/2005/6 Vol. 1]