

GUIDELINE ON OPERATION OF THE DISCLOSURE RULES (DRs)

Section A

1. For the purpose of 2.3.2 of Part 2 – General Requirements of the DRs, where a Designated AI makes use of the option to provide detailed disclosures through the medium of a public internet website it should, at a minimum, make reference to the specimen disclosure templates set out at Attachments 1 to 3. Individual templates are applicable to the AIs as follows:

Attachment 1 – for annual disclosure by Designated Local AIs

Attachment 2 – for interim disclosure by Designated Local AIs

Attachment 3 – for half-yearly disclosure by Designated Foreign AIs

Section B

1. The following parts within section B are applicable for disclosure for the purpose of Part 3 – Annual and Interim Financial Disclosures Applicable to Designated Local AIs of the DRs:

B.1 Geographical Concentrations of Income, Profit or Loss, Assets, Liabilities and Off-Balance Sheet Items

The following illustrates disclosure of geographical concentrations of income, profit or loss, assets, liabilities and off-balance sheet items:

1. Individual countries or geographical segments should be shown if they constitute 10% or more of any of the relevant disclosure items. AIs may use the composition of geographical segments set out below or a different composition of geographical segments defined by management for internal reporting purposes.
2. Individual items should be allocated on the basis of the location of the principal operations of the subsidiary or, in the case of the AI itself, on the location of the branch responsible for reporting the results or booking the assets.

	Total operating income	Profit/loss before taxation	Total assets	Total liabilities	Contingent liabilities & commitments
As at [reporting date]					
1. Hong Kong	xx	xx	xx	xx	xx
2. Asia Pacific excluding Hong Kong	xx	xx	xx	xx	xx
of which country A	xx	xx	xx	xx	xx
3. North and Latin America	xx	xx	xx	xx	xx
of which country B	xx	xx	xx	xx	xx
4. Middle East and Africa	xx	xx	xx	xx	xx
of which country C	xx	xx	xx	xx	xx
5. Western and Eastern Europe	xx	xx	xx	xx	xx
of which country D	xx	xx	xx	xx	xx
As at [last reporting date]					
1. Hong Kong	xx	xx	xx	xx	xx
2. Asia Pacific excluding Hong Kong	xx	xx	xx	xx	xx
of which country A	xx	xx	xx	xx	xx
3. North and Latin America	xx	xx	xx	xx	xx
of which country B	xx	xx	xx	xx	xx
4. Middle East and Africa	xx	xx	xx	xx	xx
of which country C	xx	xx	xx	xx	xx
5. Western and Eastern Europe	xx	xx	xx	xx	xx
of which country D	xx	xx	xx	xx	xx

B.2 Maturity Classification

The following set out the guidance on maturity classification:

1. Where an item is repayable by instalments, the repayments should be reported according to each instalment payment date and amount.
2. Items of a revolving nature should be reported according to:
 - the earliest date the asset will mature – if the AI has no notice of any intention of renewal by the borrower;
 - the next maturity date – if notice has been received on renewal of the loan or debt securities upon maturity; and
 - the final maturity date of the credit line – if the asset is to be renewed automatically on each rollover date.
3. Report any assets such as loans and debt securities which have been overdue for not more than one month as “Repayable on demand” and an asset which is impaired or which is overdue for more than one month as “Undated”. Any loan which is repayable on demand (e.g. demand loans and overdrafts) should be treated as overdue where one or both of the following conditions are met:
 - (i) a demand for repayment has been served on the borrower but repayment has not been made in accordance with the instruction; or
 - (ii) the loan has remained continuously outside the approved limit that was advised to the borrower for more than the period in question (e.g. three months or six months).
4. In case of an asset which is repayable by different payments or instalments, only that portion of the asset which is actually overdue should be reported according to the method indicated above. Any part of the asset which is not due should continue to be reported according to the residual maturity unless the repayment of the asset is in doubt, in which case the amount should be reported as “Undated”.
5. Unless otherwise indicated, liabilities should be classified according to their earliest maturity. In relation to deposits, this means the first roll-over date or the shortest period of notice required to effect a withdrawal.
6. Report demand, savings and current account deposits of customers as “Repayable on demand”. Time, call and notice deposits of customers should be classified according to the earliest date on which these deposits may be withdrawn.
7. Negotiable debt instruments issued by the AI which are still outstanding and can be redeemed before maturity at the holder’s option should be classified in the appropriate maturity bands according to the earliest date for redemption. Perpetual instruments should be reported as “Undated”.

Section C

1. The following parts within section C are applicable for disclosure for the purposes of Part 3 – Annual and Interim Financial Disclosures Applicable to Designated Local AIs and Part 7 – Half Yearly Disclosures by Designated Foreign AIs of the DRs:

C.1 General Basis of Segmental Reporting

The following set out the general basis of segmental reporting by geographical segments:

Geographical segments

1. Depending on both an AI's activities and the nature of the markets concerned, reportable geographical segments may be based on continents, other regional areas, whether compatible for geographical or economic reasons, and/or individual countries. An AI's operations within Hong Kong are considered to be a separate geographical segment.

Intra-group items

2. AIs will need to determine, in the light of their individual circumstances, whether it would be more meaningful to include or exclude intra-group items when preparing segmental information. Where the individual segmental analysis is shown inclusive of intra-group transactions, it will be necessary to show separately the aggregate of intra-group items deducted in order to reconcile with the consolidated totals for profits and assets.

General

3. Where an AI operates predominantly in one geographical segment, the AI needs only indicate the geographical segment in which the AI predominantly operates.
4. Where allocation of an item of revenue, expense, or assets cannot be made to segments on a reasonable basis, no allocation should be made and the unallocated amount should be adjusted against the revenue, expense or assets of all segments. The unallocated amounts should be disclosed. Where allocation of an item involves a material judgement, the basis of allocation should be clearly stated.
5. In the event that segments are redefined in subsequent years, an AI should disclose the nature, reason for and effects of such change, where the change has a material effect on the segment information.
6. When a particular segment is regarded as material and disclosed for the first time, comparative figures for the previous year should be provided. Conversely, when a segment falls below the material level in the year of reporting the segmental information should still be disclosed if the prior year comparatives were material and disclosed in the previous year.

C.2 Cross-border Claims

The following illustrates geographical disclosure of cross-border claims by types of counterparties:

1. An individual country or geographical segment should be reported if it constitutes 10% or more of the aggregate cross-border claims after taking into account any risk transfer. Risk transfer should be made if the claims are guaranteed by a party in a country which is different from that of the counterparty or if the claims are on an overseas branch of a bank whose head office is located in another country.
2. Claims arising between branches and subsidiaries of the AI should be excluded.
3. AIs may use the composition of geographical segments set out below or a different composition of geographical segments defined by management for internal reporting purposes.
4. AIs should refer to the table set out below on the types of counterparties in accordance with the definitions set out in Part 1 of the DRs for making the disclosure.

	Banks	Public Sector Entities	Others*	Total
As at [reporting date]				
1. Asia Pacific excluding Hong Kong of which country A	xx	xx	xx	xx
2. North and Latin America of which country B	xx	xx	xx	xx
3. Middle East and Africa of which country C	xx	xx	xx	xx
4. Western and Eastern Europe of which country D	xx	xx	xx	xx
As at [last reporting date]				
1. Asia Pacific excluding Hong Kong of which country A	xx	xx	xx	xx
2. North and Latin America of which country B	xx	xx	xx	xx
3. Middle East and Africa of which country C	xx	xx	xx	xx
4. Western and Eastern Europe of which country D	xx	xx	xx	xx

* includes Sovereign

C.3 Analysis of Loans and Advances to Customers by Industry Sectors

The following set out the guidance for the analysis of gross loans and advances to customers by major industry sectors:

1. AIs should disclose the breakdown of the gross amount of loans and advances to customers by major industry sectors in accordance with the industry categories as set out in the table below. The allocation of loans and advances to customers and the types of loans and advances that should be included in the respective categories should be in accordance with the definitions and the detailed descriptions in the Completion Instructions for the Return of “Quarterly Analysis of Loans and Advances and Provisions - MA(BS)2A”.
2. The relation between the industry sectors and the respective items in the Return is also set out in the table below.
3. While Part I of the Return deals only with the position of the Hong Kong office(s) of the AI, the analysis required in the DRs should cover all loans and advances to customers on a consolidated basis where applicable.

Industry classification	Advances included in the following item(s) of the Return (Part I)
<i>Loans and advances for use in Hong Kong</i>	
Industrial, commercial and financial:	
▪ Property development	Item B1e
▪ Property investment	Item B2e
▪ Financial concerns	Item H2e
▪ Stockbrokers	Item H3c
▪ Wholesale and retail trade	Item F
▪ Manufacturing	Items A10
▪ Transport and transport equipment	Item G6
▪ Recreational activities	Item D
▪ Information technology	Item E3
▪ Other	Items B3, C, H1, H4c, H5d and H6
Individuals	
▪ Loans for the purchase of flats in the Home Ownership Scheme, Private Sector Participation Scheme and Tenants Purchase Scheme	Item H5a
• Loans for the purchase of other residential properties	Item H5b
• Credit card advances	Item H5c
• Others	Item H5e
<i>Trade finance</i>	
<i>Loans and advances for use outside Hong Kong</i>	Item J
	Item K

C.4 Overdue and Rescheduled Assets

The following set out the criteria which are to be applied in determining overdue and rescheduled assets:

Overdue assets

1. The overdue status of the following assets are to be determined as follows:-
 - a) Loans with a specific expiry date (e.g. a term loan, inward bill loan, advance against trust receipt, packing loan and other loans of similar nature) - these loans should be treated as overdue where the principal or interest is overdue and remains unpaid as at the reporting date. (For multiple loans to a single borrower, e.g. where there are more than one trust receipt loans, report only the one overdue according to its overdue period.)
 - b) Consumer loans repayable by regular instalments (e.g. residential mortgage loans, hire purchase loans and personal loans) - these loans should be treated as overdue when an instalment payment is overdue and remains unpaid as at the reporting date.
 - c) Loans repayable on demand (e.g. demand loans and overdrafts)
- these loans should be treated as overdue where one or both of the following conditions are met:
 - i) a demand for repayment has been served on the borrower but repayment has not been made in accordance with the instruction; or
 - ii) the loan has remained continuously outside the approved limit that was advised to the borrower for more than the period in question (e.g. three months or six months).
 - d) Bankers acceptances are to be treated as overdue where either the principal or interest of the instruments are still in arrears after the due dates or maturity dates.
 - e) A bill payable at a determinable date (i.e. usance bill) should be treated as overdue if it remains in arrears after the maturity date. Sight bills/drafts in respect of goods exported from Hong Kong should normally be paid within one week from the date of presentation (or the arrival of carrying vessel if the buyer is not obliged to pay before the arrival of goods). However, to allow for unforeseeable delays in processing the documents or effecting payments, a grace period of one month will be allowed. These bills should therefore be regarded as overdue if payment is not made within one month after presentation or the arrival of carrying vessel, as the case may be.

2. The period of overdue of a loan which has a determinable due date should commence from the date following such due date. The whole amount of a loan is regarded as overdue even if part of it is not yet due and assessment should be made by reference to the earliest due date of such a loan. For example, if the longest overdue instalment of a loan repayable by monthly instalments has been overdue for six months as at the reporting date, the entire amount of the loan should be considered as overdue for six months.
3. Where partial repayment of an overdue loan repayable by monthly instalments is made, to the extent that it is not financed by a new loan extended by the AI for the purpose of repaying the overdue loan, the repayment should be offset against the earliest instalments due. In the previous example, if the borrower makes a partial repayment reducing the longest overdue instalment to five months, the entire loan may be considered as overdue for five months.
4. If an overdue loan is scheduled to be repaid by a lump sum payment, a partial repayment will not change the overdue status of the remaining loan balance, i.e. the outstanding balance should continue to be treated as overdue with reference to the original due date.
5. An AI should not extend a new loan to a borrower solely for the purpose of repaying an existing overdue loan with the AI. Where the repayment whether partial or whole is financed by a new loan extended by the AI, the overdue status of the initial loan should be considered as unchanged, i.e. as if the new loan and partial repayment had never been made.
6. It is recognised that AIs may decide to increase overdraft limits (or limits of similar facilities) to accommodate the increased financing needs of sound customers. In such cases, the loan would not be regarded as overdue under paragraph 1(c)(ii) above. However, this should only be done on the basis of a well-documented credit evaluation and after the appropriate internal approval have been obtained. An increase in the overdraft limit should not be sanctioned simply to avoid classifying the loan as overdue.

Rescheduled assets

7. Rescheduled assets refer to loans and other assets that have been restructured and renegotiated between the AI and the borrower because of a deterioration in the financial position of the borrower or of the inability of the borrower to meet the original repayment schedule and for which the revised repayment terms, either of interest or of repayment period, are 'non-commercial' to the AI. A rescheduled asset will normally require an adverse classification under the loan classification system (i.e. substandard or doubtful).
8. The following assets are not regarded as rescheduled even if their repayment terms have been revised:

- a) Assets rescheduled in response to the changes in market conditions provided that at the time of rescheduling, the assets have been serviced normally, the ability of borrowers to service the assets according to the revised repayment terms is not in doubt and the rescheduled assets are priced at interest rates equal to the current market interest rates for new assets with similar risks.
 - b) Rescheduled assets whose revised repayment terms are, or become, commercial to the AI and where there is reasonable assurance that the borrowers will be able to service all future principal and interest payments on the assets in accordance with the revised repayment terms and the borrowers have serviced all principal and interest payments on the assets in accordance with the revised repayment terms continuously for a reasonable period. The reasonable period of continuing repayments for rescheduled assets with monthly payments (including both interest and principal) is 6 months. For other rescheduled assets, a period of continuing repayment of 12 months would be considered as reasonable.
9. If a rescheduled asset is taken up by a new obligor, the AI may regard it as a new asset (i.e. no longer a rescheduled asset) and classify it according to the creditworthiness of the new obligor provided that :
- a) it is restructured with the new obligor on commercial terms;
 - b) the agreed haircut, if any, has been fully written off upon completion of restructuring; and
 - c) it is a genuine restructuring and not merely a transfer of an overdue loan among the borrower's group companies. The AI must be satisfied with the creditworthiness and repayment ability of the new obligor (e.g. the new obligor must have sufficient assets that can generate adequate funds to repay the outstanding debt) before entering into the restructuring.
10. A rescheduled asset may be upgraded to "special mention" if: i) the agreed haircut has been fully written off and all the potential losses have been fully provided upon completion of restructuring; and ii) the AI is satisfied that the borrower will be able to service all future principal and interest payments in accordance with the revised repayment terms. Such asset will however continue to be regarded as rescheduled until the borrowers have serviced all principal and interest payments on the assets in accordance with the revised repayment terms continuously for a reasonable period (see paragraph 8 above).

C.5 Disclosure of Value of Collateral Held Against Overdue Loans

The following illustrates how AIs should disclose the collateral value of their overdue loans and the split between the portion of the overdue loans covered by credit protection (covered portion) and the remaining portion (uncovered portion):

HK\$ million

Overdue loans	Outstanding loan amount (Note 1)	Current market value of collateral (Note 2)	Covered portion	Uncovered portion
A	10	15	10	-
B	10	7	7	3
C	10	-	-	10
Total	30	22	17	13

Note 1 – Outstanding loan amount will be principal amount, net of specific provisions if any, and the application of haircut if comprehensive approach is used in capital treatment for the use of collateral as recognized credit risk mitigation.

Note 2 – The current market value of collateral has to take into account haircut as applicable. For instance, haircut for currency risk will be applied to the collateral when the overdue loans and the collateral are denominated in different currencies.

Minimum information to be disclosed by the AI:

Current market value of collateral held against the covered portion of overdue loans	HK\$ 22 million
Covered portion of overdue loans	HK\$ 17 million
Uncovered portion of overdue loans	HK\$ 13 million

2. The AI should provide sufficient explanation on any material difference between the disclosure amount and the accounting, although line by line reconciliation is not required.
3. Where multiple loans extended to one borrower are in aggregate secured partially by the same collateral, and one of the loans has been overdue for more than 3 months, the proportion of the value of the collateral held against the overdue loan disclosed should be the same as the proportion of the value of the collateral held against the different loans in aggregate. For example, if the different loans to one borrower are in aggregate 80% secured by the same collateral, it is assumed that each of the loans, including the overdue loans, should also be 80% secured. The AI should therefore disclose as the value of the collateral held against the overdue loan 80% of the outstanding amount of the overdue loan. If, however, the current market value of the collateral has

fallen to below 80% of the aggregate outstanding amount of the loans, the value of the collateral held against the overdue loan should also be adjusted accordingly.

C.6 Non-bank Mainland Exposures

The following illustrates the disclosure of the aggregate non-bank Mainland exposures to non-bank counterparties where such exposures are material:

1. For the categories of non-bank counterparties and the type of direct exposures to be disclosed, AIs should make reference to the Completion Instructions for Note (6) of the Return of "Quarterly Analysis of Loans and Advances and Provisions - MA(BS)2A".
2. While Note (6) of the Return deals only with the position of the Hong Kong office(s) of the AI, the analysis required in the DRs should cover all non-bank Mainland exposures to non-bank counterparties on a consolidated basis where applicable.

HK\$ million

Types of Counterparties	<i>Referred items in the Return Note (6)</i>	[A] On-balance sheet exposure <i>i.e. column (2) in the Return Note (6)</i>	[B] Off-balance sheet exposure <i>i.e. sum of column (3) to (5) in the Return Note (6)</i>	[A] + [B]	Total	Specific provisions
Mainland entities	<i>Aggregate of Item (a) to (d) of column (1)</i>					
Other entities incorporated or established in Mainland	<i>Item (e) of column (1)</i>					
Companies and individuals outside Mainland where the credit is granted for use in Mainland	<i>Item (f) of column (1)</i>					
Other counterparties where the exposure is considered by the AI to be non-bank Mainland exposure	<i>Item (g) of column (1)</i>					
Total						

C.7 Currency Risk

The following illustrates the disclosure of currency risk including exposures arising from option positions and structural positions:

1. AIs should disclose foreign currency exposures arising from trading, non-trading and structural positions.
2. An individual currency should be reported if its net position (in absolute terms) constitutes 10% or more of the AI's total net position in all foreign currencies. Similarly, for disclosure of the net structural position (assets less liabilities), an individual currency should be reported if its net structural position (in absolute terms) constitutes 10% or more of the AI's total net structural position in all foreign currencies.
3. AIs may calculate the net options position using either the Delta Equivalent Approach by referring to the definition in Part 1 of the DRs or using the AI's internal reporting method provided that the basis of calculation is clearly stated.
4. For the types of foreign currency positions and the amount to be reported, AIs should make reference to the Completion Instructions for the Return of "Foreign Currency Position – MA(BS)6".

Equivalent in millions of HK\$	US\$	Euro	Japanese Yen	Total
a. Spot assets	200	150	500	850
b. Spot liabilities	(100)	(50)	(100)	(250)
c. Forward purchases	350	100	100	550
d. Forward sales	(550)	(400)	(350)	(1,300)
e. Net option position	(100)	(200)	(80)	(380)
f. Net long (short) position (i.e. sum of (a) to (e))	(200)	(400)	70	(530)
	US\$	Can\$	Euro	Total
Net structural position	180	(15)	(40)	125

Section D

1. The following part within section D is applicable for disclosure for the purpose of Part 7 – Half Yearly Disclosures by Designated Foreign AIs of the DRs:

D.1 Mapping the Profit and Loss Information required in the DRs to the Banking Return

The following illustrates the mapping of profit and loss information as required to be disclosed in the DRs to the Return of “Current Year’s Profit and Loss Account – MA(BS)1C”:

Name of Return: Current Year’s Profit and Loss Account

Disclosure Statement		Banking Return	
Item	Description	Item	Description
(i)	Interest income	I.1.1	Interest income
(ii)	Interest expense	I.1.2	Interest expense
(iii)	Other operating income		
	- Gains less losses arising from dealing in foreign currencies	I.2.1A	Gains less losses arising from trading in foreign currencies
	- Gains less losses on securities held for dealing purposes	I.2.1B	Gains less losses arising from non-trading activities in foreign currencies
	- Gains less losses from other dealing activities	I.3.1	Investments held for trading
	- Net fees and commission income	I.2.2	Gains less losses arising from trading in interest rate derivatives
	- Others	I.2.3	Gains less losses arising from trading in other derivatives
		I.4	Income from fees and commissions (item I.4) less fees and commission expenses
		I.3.2	Dividend from subsidiary/associated companies and other equity investments
		I.3.3	Income from non-trading investments
		I.6	Other income

Disclosure Statement		Banking Return	
Item	Description	Item	Description
(iv)	Operating expenses	I.8 I.9 I.11	Staff and rental expenses Other expenses less fees and commission expenses Net charge for other provisions
(v)	Impairment losses and provisions for impaired loans and receivables	I.10	Net charge/(credit) for debt provision
(vi)	Gains less losses from disposal of property, plant and equipment; and investment properties	I.5	Profit/(loss) on sale of fixed assets
(vii)	Profit before taxation	I.13	Profit/(loss) before tax
(viii)	Tax expense or tax income	I.14	Net charge for tax provision
(ix)	Profit after taxation	I.17	Profit/(loss) for the period

Disclosure Template For Designated Local AIs (Annual Disclosure)

Attachment 1

Description	Disclosures Specific to Designated Local AIs Using the					
	Basic Approach		Standardised Approach		Foundation or Advanced IRB Approach	
	Qualitative	Quantitative	Qualitative	Quantitative	Qualitative	Quantitative
GENERAL DISCLOSURE						
Scope of Consolidation						
Principal Accounting Policies						
Financial Accounts Information		e.g. attach a link to website or a file				
Supplementary Disclosures						
(a) Capital Structure and Adequacy						
(b) Credit Risk: General Disclosures						
(c) Non-bank Mainland Exposures						
(d) Currency Risk						
(e) Liquidity						
(f) Corporate Governance						
SPECIFIC DISCLOSURE						
Capital Adequacy						
General Qualitative Disclosures						
Credit Risk :						
- specific disclosures						
- portfolios subject to Supervisory Estimates in the IRB						
Counterparty Credit Risk-related Exposures						
- general disclosures						
Credit Risk Mitigation						
Asset Securitisation						
Market risk						
Operational Risk						
Equities : Disclosures for Banking Book Positions						
Interest Rate Risk in the Banking Book						

(represents "not applicable")

Disclosure Template For Designated Local AIs (Interim Disclosure)

Description	Disclosures Specific to Designated Local AIs for All Credit Risk Approach
GENERAL DISCLOSURE	
Scope of Consolidation	
Financial Accounts Information	e.g. attach a link to website or a file
Supplementary Disclosures	
(a) Capital Structure and Adequacy	
(b) Credit Risk: General Disclosures	
(c) Non-bank Mainland Exposures	
(d) Currency Risk	
(e) Liquidity	

Disclosure Template For Designated Foreign AIs

Description	
BRANCH LEVEL	
General Information	
Financial Accounts Information	e.g. attach a link to website or a file
Supplementary Disclosures	
(a) Credit Risk: General Disclosures	
(b) Non-bank Mainland Exposures	
(c) Currency Risk	
(d) Liquidity	
CONSOLIDATED GROUP LEVEL	
General Information	
Capital and Capital Adequacy	
- Capital adequacy ratio	
- Basis of computation	
- Aggregate amount of shareholders' funds	
Other Financial Information	
- Total Assets	
- Total Liabilities	
- Total Loans and Advances	
- Total Customer Deposits (or total deposits)	
- Pre-tax profit	

(represents "not applicable")

Disclosure template for items 5.4.5, 5.4.6 and 5.4.7 of Part 5

Portfolios	Total Exposures*	Exposures after Recognized Credit Risk Mitigation		Risk-weighted Amounts	Risk-weighted Amounts	Total Risk-weighted Amounts
		Rated	Unrated			
A. On-balance Sheet						
1. Sovereigns						
2. Public Sector Entities						
3. Multilateral Development Banks						
4. Banks						
5. Securities Firms						
6. Corporates						
7. Cash Items						
8. Regulatory Retail Exposures						
9. Residential Mortgage Loans						
10. Other Assets which are not Past Due Exposures						
11. Past Due Exposures						
B. Off-balance Sheet						
1. Off-balance sheet exposures other than OTC derivative transactions or credit derivative contracts						
2. OTC derivative transactions						
3. Credit derivative contracts						
4. Other off-balance sheet exposures not elsewhere specified						
Exposures deducted from Capital Base						

* principal amount or credit equivalent amount, as applicable, net of specific provisions

Disclosure for item 5.4.5

Disclosure for item 5.4.6

Disclosure for item 5.4.7