**Service Application Form for Market Data End User Licence Agreement** (Form E3)

**This Form E3 must be completed and approved by HKEX Information Services Limited (HKEX-IS) prior to using HKEX-IS market data.**

**In addition, HKEX-IS may require:**

1. **Where applicable, detailed description of the service(s) demonstrating the use of HKEX-IS market data**
2. **Where applicable, screen dumps demonstrating the display of HKEX-IS market data**
3. **A network diagram overview**

**Please note that this Form E3 will not be processed until all information requested is duly completed in your submission. In addition, Applicants are only required to include NEW information when submitting this Form E3.**

(Please check all boxes that apply and provide further information when require.)

**Submission Date:­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

| **Name of the Applicant** |  |
| --- | --- |

**IMPORTANT NOTE:**

* **Applicants are required to read and comply with the details of guiding notes on the following categories which are applicable to your selection in Section A**
* **Reporting**
* **Use and Source of Market Data**
* **Service Arrangements**
* **Marketing Programmes**

**Please refer to** (<http://www.hkex.com.hk/eng/prod/dataprod/la/licagt/gn/GuidingNotes_MDVLA.htm>) **for the details of HKEX-IS’ guiding notes.**

* **Services refer to different types of data content. See Note 1 for details.**

**SECTION A: Details of Services**

1. **Continuous, Per Quote, Per Unit Time Access and Non-Display Usage**

|  |
| --- |
| **Securities Market Data** |
| **Continuous Access** | **Start Date** | **Per Quote Access** | **Start Date** | **Per Unit Time** | **Start Date** | **Non-Display Usage** | **Start Date** |
| [ ]  L1 ($120 per Individual User Unit per month)[ ]  L2 ($200 per Individual User Unit per month)[ ]  L2+One ($240 per Individual User Unit per month)[ ]  Full Book ($400 per Individual User Unit per month) |  | [ ]  L1 ($0.05 per quote)[ ]  L2 ($0.07 per quote)[ ]  L3 ($0.10 per quote)[ ]  L4 ($0.14 per quote)[ ]  With capping ($250 per Individual User Unit per month for L1, L2 & L3; $450 per Individual User Unit per month for L4) |  | [ ]  Up to 10 price levels with broker queue ($0.10 per minute (Min/Max: $50 / $250 per month))[ ]  Above 10 price levels with broker queue ($0.14 per minute (Min/Max: $70 / $450 per month)) |  | [ ]  Automated Trading Application ($20,000 per firm per month)[ ]  Derived Data (with Tradable Products) ($20,000 per firm per month)[ ]  Others ($400 per firm per month)[ ] *Complete the enclosed Information Sheet*[ ] *Check here to indicate you understand and agree to comply with the* ***Guiding Note on Non-Display Usage*** |  |

|  |
| --- |
| **Derivatives Market Data** |
| **Continuous Access** | **Start Date** | **Per Quote Access** | **Start Date** | **Per Unit Time** | **Start Date** | **Non-Display Usage** | **Start Date** |
| [ ]  5 Level Order Depth *(for OMD Derivatives Lite only)*[ ]  L1 ($25 per Individual User Unit per month)[ ]  L2 ($75 per Individual User Unit per month)[ ]  L2+One ($90 per Individual User Unit per month)[ ]  Full Book ($300 per Individual User Unit per month) |  | [ ]  L1 ($0.01 per quote)[ ]  L2 ($0.03 per quote)[ ]  L3 ($0.05 per quote)[ ]  With capping ($95 per Individual User Unit per month for L1&L2; $380 per Individual User Unit per month for L3) |  | [ ]  Up to 10 price levels ($0.03 per minute (Min/Max: $15 / $95 per month))[ ]  Above 10 price levels ($0.05 per minute (Min/Max: $25 / $380 per month)) |  | [ ]  Automated Trading Application ($10,000 per firm per month)[ ]  Derived Data (with Tradable Products) ($10,000 per firm per month)[ ]  Others ($150 per firm per month)[ ] *Complete the enclosed Information Sheet*[ ] *Check here to indicate you understand and agree to comply with the* ***Guiding Note on******Non-Display Usage*** |  |

1. **Index Data**

|  |  |
| --- | --- |
| **Index Data** | **Start Date** |
| [ ]  |  |

**SECTION B: Service Facilitator(s)**

Please provide the name and address of each service facilitator that you wish to identify. Describe the functions performed on your behalf by each service facilitator in the processing of market data. (A service facilitator is a person or organization that assists the End-User Licensee in processing market data **but does not have to the right to disseminate the market data on its behalf**. For details, please refer to the **Guiding Note on Appointment of Service Facilitator** <http://www.hkex.com.hk/eng/prod/dataprod/dataprod.htm>). Please also note that Service Facilitators may not be exempted from HKEX-IS monthly subscriber fees for the access of market data.

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Service Facilitator(s)**(include full name, address and company website address) | **Function****(Technical Agent)** | **Start Date** |
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**SECTION C: Data Content**

[ ]  Check here to confirm that the data content you plan to include in each service is restricted to the permitted content (see Note 1).

**SECTION D: Use of Market Data**

***HKEX Hosting Service***

[ ]  Check here to indicate your understanding of and agreement to comply with the **Guiding Note for the Use of HKEX Market Data at HKEX Hosting Data Centre** (<http://www.hkex.com.hk/eng/prod/dataprod/la/licagt/gn/GuidingNotes_MDVLA.htm>).

**SECTION E: Reporting and Payment Requirements for Real-time Data Services**

To ensure the number of individual users with access to HKEX-IS real-time market data being reported each month is accurate, the End-User Licensee must ensure that proper entitlement and reporting systems are in place.

[ ]  Check here to indicate you understand and agree to comply with the **Guiding Note on Reporting and Payment Requirements for Real-time Data Services** (<http://www.hkex.com.hk/eng/prod/dataprod/la/licagt/gn/GuidingNotes_MDVLA.htm>).

[ ]  Check here to indicate you understand and agree to comply with the **Guiding Note on Service Update.**

**SECTION F: Per Quote/Usage Based Services and Quote Meter Requirements for Real-time Data Services**

End-User Licensees who want to access real-time data on per quote/per unit time basis must have proper quote meter to correctly identify and count real-time quote requests. Details of the quote meter and relevant reporting requirements are listed under **Guiding Note for Audit Metering System** and **Guiding Note on Reporting and Payment Requirements for Real-time Data Services** respectively (<http://www.hkex.com.hk/eng/prod/dataprod/la/licagt/gn/GuidingNotes_MDVLA.htm>).

[ ]  Check here to indicate you understand and agree to comply with both the **Guiding Notes for Audit Metering System** and **on Reporting and Payment Requirements for Real-time Data Services**.

**Note 1: Permitted Content**

| **Securities Market Data** | **Data Content** | **Derivatives Market Data** | **Data Content** |
| --- | --- | --- | --- |
| Continuous Access Level 1 (L1) | Bid/ask price and volume, high/low, last traded price, nominal, cumulative turnover/volume, opening/closing, IEV & IEP from auction trading session | Continuous Access Level 1 (L1) | Bid/ask price and volume, high/low, traded price, calculated opening price (COP) if any, trade volume, cumulative volume |
|  |  | Continuous Access 5 Level Order Depth *(for OMD Derivatives Lite only)* | L1 above plus order depth (aggregated no. and volume (shares) of orders in the best 5 bid/ask queues), previous transactions, freetext |
| Continuous Access Level 2 (L2) | L1 above plus order depth (aggregated no. and volume (shares) of orders in the best 10 bid/ask queues); broker queue, previous transactions, freetext | Continuous Access Level 2 (L2) | L1 above plus order depth (aggregated no. and volume (shares) of orders in the best 10 bid/ask queues), previous transactions, freetext |
| Continuous Access Level 2+One (L2+One) | L2 above plus aggregated no. and volume (shares) of all orders beyond10 level order depth  | Continuous Access Level 2+One (L2+One) | L2 above plus aggregated no. and volume (shares) of all orders beyond10 level order depth  |
| Continuous Access Full Book (Full Book) | L2 above plus all order information | Continuous Access Full Book (Full Book) | L2 above plus all order information |
| Per Quote Access Level 1 | Bid/ask price and volume, high/low, last traded price, nominal, cumulative turnover/volume, opening/closing, IEV & IEP from auction trading session | Per Quote Access Level 1 | Bid/ask price and volume, high/low, traded price, calculated opening price (COP) if any, trade volume, cumulative volume |
| Per Quote Access Level 2 | L1 plus order depth (aggregated no. and volume (shares) of orders in the best 10 bid/ask queues) | Per Quote Access Level 2 | L1 plus order depth (aggregated no. and volume (shares) of orders in the best 10 bid/ask queues) |
| Per Quote Access Level 3 | L2 plus broker queues, previous transactions and freetext | Per Quote Access Level 3 | L2 above plus aggregated no. and volume (shares) of all orders beyond10 level order depth  |
| Per Quote Access Level 4 | L3 above plus aggregated no. and volume (shares) of all orders beyond10 level order depth |  |  |
| Per Unit Time (Up to 10 level order depth with broker queue) | Same as Per Quote Access Level 3 | Per Unit Time (Up to 10 levels order depth) | Same as Per Quote Access Level 2 |
| Per Unit Time (Above 10 level order depth with broker queue) | Same as Per Quote Access Level 4 | Per Unit Time (Above 10 level order depth) | Same as Per Quote Access Level 3 |
| Non-Display Usage | For all Data Content.Non-display usage is defined as follows:1. Automated Trading Application - Any application that accesses HKEX real-time market data for automatic calculation, processing and analysis, and that process will determine the quantity, price and timing of order execution.
2. Derived Data (with Tradable Products) - Any work created using HKEX real-time market data to partly or wholly derive (i) the price of a tradable product, or (ii) the value of an underlying instrument of a tradable product.
3. Others - Any other non-display data usage that does not fall under Category (i) & (ii).
 | Non-Display Usage | For all Data Content.Non-display usage is defined as follows:1. Automated Trading Application - Any application that accesses HKEX real-time market data for automatic calculation, processing and analysis, and that process will determine the quantity, price and timing of order execution.
2. Derived Data (with Tradable Products) - Any work created using HKEX real-time market data to partly or wholly derive (i) the price of a tradable product, or (ii) the value of an underlying instrument of a tradable product.
3. Others - Any other non-display data usage that does not fall under Category (i) & (ii).
 |

**Information Sheet (Related to Non-Display Usage)**

All companies that access and use HKEX real-time market data via datafeed services for display and/or non-display usage are required to complete this Information Sheet#. (#Not applicable for 15-minutes delayed datafeed services)

If you are a Subscriber of Information Vendor’s (IV) datafeed services, please submit this Information Sheet through the IV that provides datafeed services to you.

If you access and use datafeed services from more than one IVs, you are required to submit this Information Sheet to each of your IVs. You are also required to indicate on this Information Sheet the designated IV for payment of the non-display usage Fees (the NDU Fees).

Please note that this is a one-off declaration but companies should submit an updated Information Sheet to each of the IVs should there be any subsequent changes.

For more details of the non-display usage, please refer to the Guiding Note on Non-Display Usage published on HKEX website

(link: <http://www.hkex.com.hk/eng/prod/dataprod/la/licagt/gn/GuidingNotes_MDVLA.htm> ).

|  |  |  |
| --- | --- | --- |
| (Please tick all relevant checkboxes & provide details where required.) | **Submission Date** |  |

**Part I: General Information**

**By returning this form, I also consent to the processing of my personal data in accordance with the Privacy Policy Statement**

This Information Sheet is completed by:

| Name of the Company (Full Name) |  |
| --- | --- |

|  |  |  |
| --- | --- | --- |
| Contact Person and Correspondence Address: | Name & Title: |  |
| Email & Phone  |  |
| Correspondence Address: |  |
| Type of the Company:(Can check more than one boxes if appropriate) | [ ]  Licensed Information Vendor (IV)[ ]  Licensed End-User (EU)[ ]  Exchange Participant (EP)[ ]  SEHK EP ([ ]  With BSS connection): ID: [ ]  SEHK Options Trading EP: ID: \_\_\_\_\_\_\_\_[ ]  HKFE EP: ID: [ ]  Subscriber of IV’s datafeed services  |

This Information Sheet is submitted through the following IV:

|  |  |
| --- | --- |
| Name of IV |  |

**Part II: Datafeed Usage**

(Please tick all relevant check boxes)

|  |  |
| --- | --- |
| **Type of Market Data**  | **Datafeed Usage** |
| [ ] Securities Market Data | [ ] Display usage[ ] Non-display usage *(Note below)*[ ] i) Automated Trading Application[ ] ii) Derived Data (with Tradable Products)[ ] iii) Others  |
| [ ] Derivatives Market Data | [ ] Display usage[ ] Non-display usage *(Note below)*[ ] i) Automated Trading Application[ ] ii) Derived Data (with Tradable Products)[ ] iii) Others |

**Part III: Non-Display Usage Information**

**Applicable to companies that have non-display usage. Companies with display usage only do not need to fill in this Part.**

|  |  |  |
| --- | --- | --- |
| **Datafeed Source / Datafeed Service Provider (Name of IV)** | **Non-Display Usage Category\*** | **Designated IV\*\* for the NDU Fees Payment** |
| **Securities Market Data** |
| [ ] Direct connection/contract with HKEX | (i) / (ii) / (iii) | If you have direct connection/ contract with HKEX, the NDU Fees has to be paid directly to HKEX-IS  |
| [ ] Datafeed Service from  (name of IV) | (i) / (ii) / (iii) |[ ]
| [ ] Datafeed Service from  | (i) / (ii) / (iii) |[ ]
| [ ] Datafeed Service from  | (i) / (ii) / (iii) |[ ]
| **Derivatives Market Data** |
| [ ] Direct connection/contract with HKEX | (i) / (ii) / (iii) | If you have direct connection/ contract with HKEX, the NDU Fees has to be paid directly to HKEX-IS |
| [ ] Datafeed Service from  | (i) / (ii) / (iii) |[ ]
| [ ] Datafeed Service from  | (i) / (ii) / (iii) |[ ]
| [ ] Datafeed Service from  | (i) / (ii) / (iii) |[ ]

[ ]  Please check this box if you do not wish to disclose that you may have other data sources.

\* Please circle the non-display usage categories (refer to “Note” below for details):

1. Automated Trading Application
2. Derived Data (with Tradable Products)
3. Others

\*\* Companies can use multiple sources of datafeed services subscribed from HKEX or from different IVs/ ASPs and they only need to pay for the respective NDU Fees once. As such, you should indicate on this Information Sheet which IV you intend to pay the NDU Fees to (i.e. the designated IV). Companies that have direct contract with HKEX-IS, i.e. IV or EU, should pay the respective NDU Fees directly to HKEX-IS.

(Note to IV: If your client indicates that you are the designated IV for the NDU Fees payment, you should collect the NDU Fees on behalf of HKEX-IS.)

(Note to IV / EU: The NDU Fees shall be charged from 1 January 2013. If the services start after January 2013, please indicate the service start date as (date).)

**Note:**

Non-Display Usage includes:

1. Automated Trading Application - Any application that accesses HKEX real-time market data for automatic calculation, processing and analysis, and that application will determine the quantity, price and timing of order execution, will be regarded as the Automated Trading Application. The NDU Fees is HK$20,000 and HK$10,000 per firm per month for securities market data and derivatives market data respectively.
2. Derived Data (with Tradable Products) - Any work created using HKEX real-time market data to partly or wholly derive the price of a tradable product or value of the underlying instrument of a tradable product. The NDU Fees is HK$20,000 and HK$10,000 per firm per month for securities market data and derivatives market data respectively.
3. Others - Any other non-display data usage that does not fall under Categories (i) & (ii) which is HK$400 and HK$150 per firm per month for securities market data and derivatives market data respectively. EPs are exempted from this “Others” fee category as follows:
* EPs of The Stock Exchange of Hong Kong Limited (SEHK EPs) are exempted from this “Others” fee category for securities market data;
* EPs of The Hong Kong Futures Exchange Limited (HKFE EPs) and/or EPs of The SEHK trading Stock Options (SEHK Options Trading EPs) are exempted from this “Others” fee category for derivatives market data.

**Contact Information:** Email: NonDisplay@hkex.com.hk

**Privacy Policy Statement**

Hong Kong Exchanges and Clearing Limited, and from time to time, its subsidiaries (together the "**Group**") (and each being "**HKEX**", "**we**", "**us**" or "**member of the Group**" for the purposes of this Privacy Policy Statement as appropriate) recognise their responsibilities in relation to the collection, holding, processing, use and/or transfer of personal data under the Personal Data (Privacy) Ordinance (Cap. 486) ("**PDPO**"). Personal data will be collected only for lawful and relevant purposes and all practicable steps will be taken to ensure that personal data held by us is accurate. We will use your personal data which we may from time to time collect in accordance with this Privacy Policy Statement.

We regularly review this Privacy Policy Statement and may from time to time revise it or add specific instructions, policies and terms. Where any changes to this Privacy Policy Statement are material, we will notify you using the contact details you have provided us with and, where required by the PDPO, give you the opportunity to opt out of these changes by means notified to you at that time. Otherwise, in relation to personal data supplied to us through the HKEX website or otherwise, continued use by you of the HKEX website or your continued relationship with us shall be deemed to be your acceptance of and consent to this Privacy Policy Statement, as amended from time to time.

If you have any questions about this Privacy Policy Statement or how we use your personal data, please contact us through one of the communication channels set out in the "Contact Us" section below.

We will take all practicable steps to ensure the security of the personal data and to avoid unauthorised or accidental access, erasure or other use. This includes physical, technical and procedural security methods, where appropriate, to ensure that the personal data may only be accessed by authorised personnel.

Please note that if you do not provide us with your personal data (or relevant personal data relating to persons appointed by you to act on your behalf) we may not be able to provide the information, products or services you have asked for or process your requests, applications, subscriptions or registrations, and may not be able to perform or discharge the Regulatory Functions (defined below).

**Purpose**
From time to time we may collect your personal data including but not limited to your name, mailing address, telephone number, email address, date of birth and login name for the following purposes:

1. to process your applications, subscriptions and registration for our products and services;
2. to perform or discharge the functions of HKEX and any company of which HKEX is the recognised exchange controller (as defined in the Securities and Futures Ordinance (Cap. 571)) ("Regulatory Functions");
3. to provide you with our products and services and administer your account in relation to such products and services;
4. to conduct research and statistical analysis;
5. to process your application for employment or engagement within HKEX to assess your suitability as a candidate for such position and to conduct reference checks with your previous employers; and
6. other purposes directly relating to any of the above.

**Direct marketing**
Where you have given your consent and have not subsequently opted out, we may also use your name, mailing address, telephone number and email address to send promotional materials to you and conduct direct marketing activities in relation to HKEX financial services and information services, and financial services and information services offered by other members of the Group.

If you do not wish to receive any promotional and direct marketing materials from us or do not wish to receive particular types of promotional and direct marketing materials or do not wish to receive such materials through any particular means of communication, please contact us through one of the communication channels set out in the "Contact Us" section below. To ensure that your request can be processed quickly please provide your full name, email address, log in name and details of the product and/or service you have subscribed.

**Identity Card Number**
We may also collect your identity card number and process this as required under applicable law or regulation, as required by any regulator having authority over us and, subject to the PDPO, for the purpose of identifying you where it is reasonable for your identity card number to be used for this purpose.

**Transfers of personal data for direct marketing purposes**
Except to the extent you have already opted out we may transfer your name, mailing address, telephone number and email address to other members of the Group for the purpose of enabling those members of the Group to send promotional materials to you and conduct direct marketing activities in relation to their financial services and information services.

**Other transfers of your personal data**
For one or more of the purposes specified above, your personal data may be:

1. transferred to other members of the Group and made available to appropriate persons in the Group, in Hong Kong or elsewhere and in this regard you consent to the transfer of your data outside of Hong Kong;
2. supplied to any agent, contractor or third party who provides administrative, telecommunications, computer, payment, debt collection, data processing or other services to HKEX and/or any of other member of the Group in Hong Kong or elsewhere; and
3. other parties as notified to you at the time of collection.

**How we use cookies**
If you access our information or services through the HKEX website, you should be aware that cookies are used. Cookies are data files stored on your browser. The HKEX website automatically installs and uses cookies on your browser when you access it. Two kinds of cookies are used on the HKEX website:

***Session Cookies:*** temporary cookies that only remain in your browser until the time you leave the HKEX website, which are used to obtain and store configuration information and administer the HKEX website, including carrying information from one page to another as you browse the site so as to, for example, avoid you having to re-enter information on each page that you visit. Session cookies are also used to compile anonymous statistics about the use of the HKEX website.

***Persistent Cookies:*** cookies that remain in your browser for a longer period of time for the purpose of compiling anonymous statistics about the use of the HKEX website or to track and record user preferences.

The cookies used in connection with the HKEX website do not contain personal data. You may refuse to accept cookies on your browser by modifying the settings in your browser or internet security software. However, if you do so you may not be able to utilise or activate certain functions available on the HKEX website.

**Compliance with laws and regulations**
HKEX and other members of the Group may be required to retain, process and/or disclose your personal data in order to comply with applicable laws and regulations or in order to comply with a court order, subpoena or other legal process (whether in Hong Kong or elsewhere), or to comply with a request by a government authority, law enforcement agency or similar body (whether situated in Hong Kong or elsewhere) or to perform or discharge the Regulatory Functions. HKEX and other members of the Group may need to disclose your personal data in order to enforce any agreement with you, protect our rights, property or safety, or the rights, property or safety of our employees, or to perform or discharge the Regulatory Functions.

**Corporate reorganisation**
As we continue to develop our business, we may reorganise our group structure, undergo a change of control or business combination. In these circumstances it may be the case that your personal data is transferred to a third party who will continue to operate our business or a similar service under either this Privacy Policy Statement or a different privacy policy statement which will be notified to you. Such a third party may be located, and use of your personal data may be made, outside of Hong Kong in connection with such acquisition or reorganisation.

**Access and correction of personal data**
Under the PDPO, you have the right to ascertain whether we hold your personal data, to obtain a copy of the data, and to correct any data that is inaccurate. You may also request us to inform you of the type of personal data held by us. All data access requests shall be made using the form prescribed by the Privacy Commissioner for Personal Data ("**Privacy Commissioner**") which may be found on the official website of the Office of the Privacy Commissioner or via this link
<https://www.pcpd.org.hk/english/publications/files/Dforme.pdf>

Requests for access and correction of personal data or for information regarding policies and practices and kinds of data held by us should be addressed in writing and sent by post to us (see the "Contact Us" section below).

A reasonable fee may be charged to offset our administrative and actual costs incurred in complying with your data access requests.

**Termination or cancellation**
Should your account or relationship with us be cancelled or terminated at any time, we shall cease processing your personal data as soon as reasonably practicable following such cancellation or termination, provided that we may keep copies of your data as is reasonably required for archival purposes, for use in relation to any actual or potential dispute, for the purpose of compliance with applicable laws and regulations and for the purpose of enforcing any agreement we have with you, for protecting our rights, property or safety, or the rights, property or safety of our employees, and for performing or discharging our functions, obligations and responsibilities.

**General**
If there is any inconsistency or conflict between the English and Chinese versions of this Privacy Policy Statement, the English version shall prevail.

**Contact us**
By Post:
Personal Data Privacy Officer
Hong Kong Exchanges and Clearing Limited
8th Floor, Two Exchange Square
8 Connaught Place
Central
Hong Kong

By Email:
DataPrivacy@HKEX.COM.HK