

**《外匯基金條例》
(第 66 章)
Exchange Fund Ordinance
(Cap. 66)**

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**經核證文本
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尚未實施的條文 / 修訂 ——

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Provisions / Amendments not yet in operation ——

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制定史

本為 1935 年第 54 號 (第 66 章, 1950 年版) —— 1936 年第 44 號, 1936 年第 57 號, 1937 年第 9 號, 1939 年第 21 號, 1946 年第 12 號, 1948 年第 20 號, 1951 年第 4 號, 1956 年第 54 號, 1958 年第 14 號, 1964 年第 6 號, 1968 年第 31 號, 1968 年第 47 號, 1970 年第 57 號, 1970 年第 90 號, 1971 年第 25 號, 1971 年第 150 號法律公告, 1972 年第 125 號法律公告, 1975 年第 8 號, 1978 年第 7 號, 1979 年第 17 號, 1980 年第 56 號法律公告, 1980 年第 173 號法律公告, 1980 年第 363 號法律公告, 1981 年第 388 號法律公告, 1983 年第 26 號, 1984 年第 16 號, 1984 年第 76 號, 1986 年第 27 號, 1987 年第 64 號法律公告, 1987 年第 64 號, 1987 年編正版, 1989 年第 333 號法律公告, 1992 年第 82 號, 1993 年第 58 號, 1994 年第 81 號, 1994 年第 (C)40 號法律公告 (中文真確本), 1995 年第 12 號, 1995 年第 98 號, 1997 年第 362 號法律公告, 1999 年第 68 號, 2019 年第 4 號編輯修訂紀錄

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《外匯基金條例》

(第 66 章)

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Exchange Fund Ordinance

(Cap. 66)

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本條例旨在就外匯基金的設立及管理，以及其資產在香港的運用，訂定條文。

(由 1948 年第 20 號第 4 條修訂；由 1979 年第 17 號第 2 條修訂)

[1935 年 12 月 6 日]

(格式變更——2019 年第 4 號編輯修訂紀錄)

1. 簡稱

本條例可引稱為《外匯基金條例》。

(由 1948 年第 20 號第 4 條修訂)

2. 釋義

在本條例中，除文意另有所指外——

可自由兌換 (freely convertible) 與貨幣有關時，指貨幣可在國際外匯市場交易；(由 1995 年第 12 號第 2 條增補)

外匯 (foreign exchange) 指港幣以外的所有其他可自由兌換的貨幣；(由 1995 年第 12 號第 2 條代替)

法定貨幣紙幣 (legal tender notes) ——

(a) 指——

(i) 由財政司司長依據《法定貨幣紙幣發行條例》(第 65 章) 第 3(1) 條在香港發行的紙幣；及 (由 1997 年第 362 號法律公告修訂)

(ii) 由根據該條例第 3(2) 條獲授權 (或當作根據該條獲授權) 的發鈔銀行按照規限有關授權的條款及條件 (如有的話)，在香港發行的銀行紙幣；及

(b) 包括依據在緊接《1995 年銀行紙幣發行 (修訂) 條例》(1995 年第 98 號) 生效 * 前該條例當時有效的版本，

To make provision for the establishment and management of an exchange fund and as to the employment of its assets in Hong Kong.

(Amended 20 of 1948 s. 4; 17 of 1979 s. 2)

[6 December 1935]

(Format changes—E.R. 4 of 2019)

1. Short title

This Ordinance may be cited as the Exchange Fund Ordinance.

(Amended 20 of 1948 s. 4)

2. Interpretation

In this Ordinance, unless the context otherwise requires—

authorized institution (認可機構) means a bank, a restricted licence bank or a deposit-taking company licensed or registered under the Banking Ordinance (Cap. 155); (Added 12 of 1995 s. 2)

foreign exchange (外匯) means all freely convertible currencies other than Hong Kong currency; (Replaced 12 of 1995 s. 2)

freely convertible (可自由兌換) with respect to a currency means that it may be traded on the international foreign exchange markets; (Added 12 of 1995 s. 2)

legal tender notes (法定貨幣紙幣)——

(a) means—

(i) currency notes issued in Hong Kong by the Financial Secretary pursuant to section 3(1) of the Legal Tender Notes Issue Ordinance (Cap. 65); and

屬法定貨幣的任何銀行紙幣；(由 1995 年第 98 號第 6 條增補)

金融管理專員 (Monetary Authority) 指根據第 5A 條委任的金融管理專員；(由 1992 年第 82 號第 2 條增補)

發鈔銀行 (note-issuing bank) 具有《法定貨幣紙幣發行條例》(第 65 章) 第 2 條給予該詞的涵義；(由 1995 年第 98 號第 6 條代替)

認可機構 (authorized institution) 指根據《銀行業條例》(第 155 章) 獲發牌照或註冊的銀行、有限制牌照銀行或接受存款公司。(由 1995 年第 12 號第 2 條增補)

(由 1995 年第 98 號第 6 條修訂)

編輯附註：

* 生效日期：1996 年 6 月 3 日。

3. 外匯基金的設立、控制及管理

- (1) 現設立一項基金，名為“外匯基金”(the Exchange Fund)，由財政司司長掌有控制權，並須主要運用於財政司司長認為適當而直接或間接影響港幣匯價的目的，以及運用於其他附帶的目的。財政司司長在行使控制權時，須諮詢外匯基金諮詢委員會，該委員會由財政司司長出任當然主席，其他委員則由行政長官委任。(由 1946 年第 12 號第 2 條修訂；由 1983 年第 26 號第 2 條修訂；由 1992 年第 82 號第 3 條修訂；由 1999 年第 68 號第 3 條修訂)
- (1A) 財政司司長除為上述主要目的而運用外匯基金外，亦可為保持香港作為國際金融中心的地位，按其認為適當而

(ii) bank notes issued in Hong Kong by a note-issuing bank in accordance with the terms and conditions (if any) to which its authorization (or deemed authorization) under section 3(2) of that Ordinance is subject; and

(b) includes any bank notes which were legal tender pursuant to that Ordinance as in force immediately before the commencement* of the Bank Notes Issue (Amendment) Ordinance 1995 (98 of 1995); (Added 98 of 1995 s. 6)

Monetary Authority (金融管理專員) means the Monetary Authority appointed under section 5A; (Added 82 of 1992 s. 2)

note-issuing bank (發鈔銀行) has the meaning assigned to it by section 2 of the Legal Tender Notes Issue Ordinance (Cap. 65). (Replaced 98 of 1995 s. 6)

(Amended 98 of 1995 s. 6)

Editorial Note:

* Commencement date: 3 June 1996.

3. Establishment, control and management of Exchange Fund

- (1) There shall be established a fund to be called “the Exchange Fund” (外匯基金) which shall be under the control of the Financial Secretary and shall be used primarily for such purposes as the Financial Secretary thinks fit affecting, either directly or indirectly the exchange value of the currency of Hong Kong and for other purposes incidental thereto. The control of the Financial Secretary shall be exercised in consultation with an Exchange Fund Advisory Committee of which the Financial Secretary shall be ex officio chairman and of which the other members shall be appointed by the Chief Executive. (Amended 12 of 1946 s. 2; 26 of 1983 s. 2; 82 of 1992 s. 3; 68 of 1999 s. 3)

- 運用外匯基金以保持香港貨幣金融體系的穩定健全。(由 1992 年第 82 號第 3 條增補)
- (1B) 財政司司長為第 (1A) 款所指明的目的而運用外匯基金時，須顧及外匯基金的主要目的。(由 1992 年第 82 號第 3 條增補)
- (2) 外匯基金或其任何部分，可以港幣、外匯、黃金或白銀持有，或由財政司司長投資於他在諮詢外匯基金諮詢委員會後認為合適的證券或其他資產；財政司司長據此可為外匯基金的帳戶——(由 1971 年第 25 號第 2 條代替。由 1975 年第 8 號第 2 條修訂；由 1983 年第 26 號第 2 條修訂；由 1995 年第 12 號第 3 條修訂)
- (a) 買賣上述貨幣、外匯、黃金、白銀、證券或資產；及 (由 1995 年第 12 號第 3 條增補)
- (b) 在諮詢外匯基金諮詢委員會後，訂立他認為對審慎管理外匯基金而言為合適的任何財務安排。(由 1995 年第 12 號第 3 條增補)
- (3) 在以不限制財政司司長在第 (1) 及 (1A) 款下的權力的概括性為原則下，並在符合第 (4) 款的規定下，財政司司長可以政府一般收入作為抵押，為外匯基金的帳戶而在香港或其他地方借入款項。(由 1995 年第 12 號第 3 條代替)
- (3A) 以下價值均須撥入外匯基金——
- (a) 根據或憑藉《硬幣條例》(第 454 章) 發行的任何硬幣的價值；
- (b) **法定貨幣紙幣**定義的 (a)(i) 段所提述的任何法定貨幣紙幣的價值；
- (c) 不再是法定貨幣的硬幣在賣出後所得收益的價值。(由 1995 年第 98 號第 7 條代替)
- (4) 除第 (5) 款另有規定外，根據第 (3) 款借入而尚未清還的款項總額，在任何時間均不得超過 \$500 億，如以外匯持有，則在任何時間均不得超過以當時匯率計算的相等款額。(由 1971 年第 25 號第 2 條增補。由 1971 年第 150

- (1A) In addition to using the Fund for its primary purpose, the Financial Secretary may, with a view to maintaining Hong Kong as an international financial centre, use the Fund as he thinks fit to maintain the stability and the integrity of the monetary and financial systems of Hong Kong. (Added 82 of 1992 s. 3)
- (1B) The Financial Secretary, in using the Fund for the purpose specified in subsection (1A), shall have regard to the primary purpose of the Fund. (Added 82 of 1992 s. 3)
- (2) The Fund, or any part of it, may be held in Hong Kong currency or in foreign exchange or in gold or silver or may be invested by the Financial Secretary in such securities or other assets as he, after having consulted the Exchange Fund Advisory Committee, considers appropriate; and the Financial Secretary may for the account of the Fund— (Replaced 25 of 1971 s. 2. Amended 8 of 1975 s. 2; 26 of 1983 s. 2; 12 of 1995 s. 3)
- (a) buy or sell such currency, foreign exchange, gold, silver, securities or assets accordingly; and (Added 12 of 1995 s. 3)
- (b) after having consulted the Exchange Fund Advisory Committee, enter into any financial arrangement that he considers appropriate for the prudent management of the Fund. (Added 12 of 1995 s. 3)
- (3) Without restricting the generality of the powers of the Financial Secretary under subsections (1) and (1A) but subject to subsection (4), the Financial Secretary may borrow for the account of the Fund either in Hong Kong or elsewhere, on the security of the general revenue. (Replaced 12 of 1995 s. 3)
- (3A) There shall be credited to the Fund the value of—
- (a) any coinage issued under or by virtue of the Coinage Ordinance (Cap. 454);

號法律公告修訂；由 1972 年第 125 號法律公告修訂；由 1980 年第 56 號法律公告修訂；由 1980 年第 173 號法律公告修訂；由 1980 年第 363 號法律公告修訂；由 1981 年第 388 號法律公告修訂；由 1987 年第 64 號法律公告修訂；由 1995 年第 12 號第 3 條修訂)

- (5) 立法會可不時藉着經行政長官會同行政會議批准，並由一名經行政長官規定及指示為該目的而列席立法會會議的指明公職人員所建議的決議，決定其他款額為該等未清還借款在任何時間均不得超過的總額。(由 1971 年第 25 號第 2 條增補。由 1984 年第 16 號第 2 條修訂；由 1995 年第 12 號第 3 條修訂；由 1999 年第 68 號第 3 條修訂)
- (由 1997 年第 362 號法律公告修訂)

3A. 規定開立、維持及運作戶口的權力

- (1) 財政司司長可藉向認可機構送達通知書，規定該機構於金融管理專員開立一個戶口，在外匯基金記帳，並可規定該機構按財政司司長在顧及根據第 3(1) 及 (1A) 條須運用或可運用外匯基金的目的後認為合適的條款及條件，維持和運作該戶口。(由 1997 年第 362 號法律公告修訂)
- (2) 財政司司長可隨時藉向認可機構送達通知書，以任何方式增補或更改根據第 (1) 款施加的條款或條件，該等增補或更改須與達致根據第 3(1) 或 (1A) 條須運用或可運用外匯基金的目的並無抵觸。(由 1997 年第 362 號法律公告修訂)

- (b) any legal tender note referred to in paragraph (a)(i) of the definition of **legal tender notes**;
- (c) any proceeds of sale of such coinage after it has ceased to be legal tender. (*Replaced 98 of 1995 s. 7*)
- (4) The aggregate amount of borrowing under subsection (3) outstanding at any one time shall, subject to subsection (5), not exceed \$50 billion, or, if held in foreign exchange, the equivalent at the current rate of exchange. (*Added 25 of 1971 s. 2. Amended L.N. 150 of 1971; L.N. 125 of 1972; L.N. 56 of 1980; L.N. 173 of 1980; L.N. 363 of 1980; L.N. 388 of 1981; L.N. 64 of 1987; 12 of 1995 s. 3; E.R. 4 of 2019*)
- (5) The Legislative Council may from time to time, by resolution proposed, with the approval of the Chief Executive in Council, by a designated public officer required and directed by the Chief Executive to attend a sitting of the Legislative Council for that purpose, determine some other amount to be the amount which the aggregate amount of such borrowings outstanding at any one time shall not exceed. (*Added 25 of 1971 s. 2. Amended 16 of 1984 s. 2; 12 of 1995 s. 3; 68 of 1999 s. 3*)

3A. Power to require accounts to be opened, maintained and operated

- (1) The Financial Secretary may by notice in writing served on an authorized institution require that institution to open an account with the Monetary Authority for the account of the Exchange Fund and to maintain and operate such account on such terms and conditions as he considers appropriate having regard to the purposes for which the Exchange Fund is required to be or may be used under section 3(1) and (1A).
- (2) The Financial Secretary may at any time by notice in writing served on an authorized institution add to or vary the terms or conditions imposed on it under subsection (1), in any manner

- (3) 任何認可機構如因根據第 (1) 款施加的任何規定或因根據第 (2) 款作出的任何增補或更改而感到受屈，可向行政長官會同行政會議上訴以反對該規定、增補或更改。(由 1999 年第 68 號第 3 條修訂)
- (4) 行政長官會同行政會議可藉對該宗上訴所反對的規定、增補或更改事宜予以確認、更改或推翻的方式，裁定根據本條提出的上訴。(由 1999 年第 68 號第 3 條修訂)
- (5) 根據本條送達的通知書，可藉留在或以郵遞方式寄往認可機構在香港的主要營業地址的方式，送達該認可機構。
(由 1995 年第 12 號第 4 條增補)

4. 負債證明書

- (1) 財政司司長現獲授權向任何發鈔銀行發出符合附表所載格式的負債證明書。證明書須由發鈔銀行持有，作為法定貨幣紙幣(不屬**法定貨幣紙幣**定義的(a)(i)段所提述的紙幣)的保證。財政司司長並獲授權要求發鈔銀行為外匯基金的帳戶而向財政司司長支付如此發行的紙幣的面值款項，或相等價值的外匯(而外匯的貨幣及匯率則由財政司司長決定)，並由外匯基金持有該等款項或外匯，主要作為贖回該等紙幣之用，如任何發鈔銀行在香港或其他地方清盤，則該等款項或外匯亦可作該等用途。(由 1951 年第 4 號附表代替。由 1983 年第 26 號第 3 條修訂；由 1984 年第 16 號第 3 條修訂；由 1993 年第 58 號第 3 條修訂；由 1995 年第 98 號第 8 條修訂)
- (2) 財政司司長可運用按照第 (1) 款向其支付的款項，按照第 3(2) 條的條文買入外匯或黃金或作出其他投資，或為減

- which is not inconsistent with the fulfillment of the purposes for which the Exchange Fund is required to be or may be used under section 3(1) or (1A).
- (3) Any authorized institution aggrieved by any requirement imposed on it under subsection (1) or by any addition or variation made under subsection (2) may appeal to the Chief Executive in Council against such requirement, addition or variation. (Amended 68 of 1999 s. 3)
- (4) The Chief Executive in Council may determine an appeal under this section by confirming, varying or reversing the requirement, addition or variation against which the appeal was lodged. (Amended 68 of 1999 s. 3)
- (5) A notice under this section may be served on an authorized institution by leaving it at or sending it by post to its principal place of business in Hong Kong.

(Added 12 of 1995 s. 4)

4. Certificates of indebtedness

- (1) The Financial Secretary is authorized to issue to any note-issuing bank, to be held as cover for legal tender notes (other than such notes referred to in paragraph (a)(i) of the definition of **legal tender notes**), a certificate of indebtedness in the form in the Schedule and to require such bank to pay to him for the account of the Fund the face value of the notes so issued, or the equivalent in such foreign exchange and at such rate of exchange as may be determined by the Financial Secretary, to be held by the Fund principally for the redemption of such notes and may be used for such purposes in the event of a note-issuing bank being wound up in Hong Kong or elsewhere. (Replaced 4 of 1951 Schedule. Amended 26 of 1983 s. 3; 16 of 1984 s. 3; 58 of 1993 s. 3; 98 of 1995 s. 8)

- 少金融管理專員根據第 (4) 款備存的登記冊所記錄的政府負債款額，而以港幣或相等價值的外匯付款（外匯的貨幣及匯率由財政司司長決定）。(由 1951 年第 4 號附表代替。由 1984 年第 16 號第 3 條修訂)
- (3) 財政司司長可將按照第 3(2) 條賣出外匯或黃金套取港幣所得的收益運用，以減少金融管理專員根據第 (4) 款備存的登記冊所記錄的政府負債款額。(由 1946 年第 12 號第 2 條修訂)
- (4) 金融管理專員須設立及備存一份登記冊，以記錄由財政司司長發出的所有負債證明書、依據第 (1) 款向財政司司長作出的所有付款及由財政司司長依據第 (2) 或 (3) 款為減少政府負債款額而作出的所有付款。(由 1995 年第 12 號第 5 條增補)
- (5) 一份看來是由金融管理專員根據第 (4) 款備存的登記冊（或其任何部分）的副本的文件，或（如該登記冊以可閱讀形式以外的形式備存但能夠以可閱讀形式複製）一份看來是如此的複製本（或其任何部分的複製本）並看來是由金融管理專員簽署的文件，在沒有相反證據的情況下，可在任何司法程序中獲接納及須被當作經金融管理專員簽署，而文件上所記錄的事實在沒有相反證據的情況下須當作已確立。(由 1995 年第 12 號第 5 條增補)
- (由 1995 年第 12 號第 5 條修訂；由 1997 年第 362 號法律公告修訂)

- (2) The Financial Secretary may employ the funds paid to him in accordance with subsection (1), for the purchase of foreign exchange or gold or otherwise in accordance with the provisions of section 3(2) or for the reduction of the amount of the indebtedness of the Government as recorded in the register maintained by the Monetary Authority under subsection (4) by payments either in Hong Kong dollars or the equivalent in such foreign exchange and at such rate of exchange as may be determined by the Financial Secretary. (Replaced 4 of 1951 Schedule. Amended 16 of 1984 s. 3)
- (3) The Financial Secretary may apply the proceeds of the sale of foreign exchange or gold for Hong Kong currency in accordance with section 3(2) to the reduction of the amount of the indebtedness of the Government as recorded in the register maintained by the Monetary Authority under subsection (4). (Amended 12 of 1946 s. 2)
- (4) The Monetary Authority shall establish and maintain a register of all certificates of indebtedness issued by the Financial Secretary and of all payments made to the Financial Secretary pursuant to subsection (1) and all payments made by the Financial Secretary for the reduction of the amount of the indebtedness of the Government pursuant to subsection (2) or (3). (Added 12 of 1995 s. 5)
- (5) A document purporting to be a copy of a register maintained by the Monetary Authority under subsection (4) (or any part thereof) or, where such register is maintained otherwise than in a legible form but is capable of being reproduced in a legible form, a document purporting to be such a reproduction (or a reproduction of any part thereof) and purporting to be signed by the Monetary Authority shall be admissible in any judicial proceedings and shall be deemed to have been signed by the Monetary Authority and the facts recorded thereon

4A. (由 1987 年第 64 號第 31 條廢除)

5. 紙幣的發行限額須予維持

如有任何規限紙幣發行的條例或章程對紙幣的發行訂定最高限額，本條例並不賦權任何發鈔銀行發行超過該限額的紙幣，而財政司司長根據第 4 條發出證明書時，須顧及該等限額。

(由 1951 年第 4 號附表代替。由 1978 年第 7 號第 3 條修訂；
由 1995 年第 12 號第 6 條修訂；由 1997 年第 362 號法律公告
修訂)

5A. 金融管理專員的委任

- (1) 財政司司長須按其認為適當的條款及條件，委任一名人士為金融管理專員。
- (2) 金融管理專員須——
 - (a) 協助財政司司長執行其根據本條例獲授予的職能；
 - (b) 執行財政司司長所指示的職能；及
 - (c) 執行任何其他條例委予或指派予金融管理專員的職能。
- (3) 財政司司長可按其認為適當的條款及條件，委任其他人協助金融管理專員執行第(2)款指明的金融管理專員職能。
- (4) 儘管有第(2)(b)及(c)款的規定，金融管理專員及根據第(3)款獲委任以協助金融管理專員的人，就所有目的而言，須視作為外匯基金事宜而受僱用。
- (5) 在本條中，**職能** (functions) 包括權力與職責。

(由 1992 年第 82 號第 4 條增補。由 1997 年第 362 號法律公告
修訂)

shall be deemed to be established, in the absence of evidence to the contrary. (Added 12 of 1995 s. 5)

(Amended 12 of 1995 s. 5)

4A. (Repealed 64 of 1987 s. 31)

5. Preservation of limits on note issue

Nothing in this Ordinance shall empower any note-issuing bank to issue notes in excess of any maximum limit laid down in any Ordinance or charter governing the issue of such notes, and in issuing certificates under section 4 the Financial Secretary shall take into account such maximum limits.

(Replaced 4 of 1951 Schedule. Amended 7 of 1978 s. 3; 12 of 1995 s. 6)

5A. Appointment of Monetary Authority

- (1) The Financial Secretary shall appoint a person to be the Monetary Authority on such terms and conditions as he thinks fit.
- (2) The Monetary Authority shall—
 - (a) assist the Financial Secretary in the performance of his functions under this Ordinance;
 - (b) perform such functions as the Financial Secretary may direct; and
 - (c) perform functions imposed on or assigned to the Monetary Authority by any other Ordinance.
- (3) The Financial Secretary may appoint, on such terms and conditions as he thinks fit, persons to assist the Monetary Authority in the performance of the functions of the Monetary Authority specified in subsection (2).

5B. 向金融管理專員作出轉授

- (1) 財政司司長可將根據本條例賦予或委予財政司司長的權力與職責，轉授予金融管理專員。
- (2) 根據本條作出的轉授或再轉授——
 - (a) 不妨礙財政司司長行使該權力或執行該職責；
 - (b) 如財政司司長認為適當，可予以附加條件、約制或限制；
 - (c) 可對當其時執行金融管理專員職能的人作出；及
 - (d) 可由財政司司長加以修訂。
- (3) 財政司司長可在根據本條作出的轉授中，加入一項再轉授的權力，以將所轉授的權力與職責按其指明的條款再轉授予其指明的人或其指明的任何界別或種類的人。

(由 1992 年第 82 號第 4 條增補。由 1997 年第 362 號法律公告
修訂)

6. 須由外匯基金支付的費用

以下開支須由外匯基金支付——

- (a) 為外匯基金事宜（包括為該基金作出投資）而僱用的人員所支取的薪酬，以及與這些人員有關的其他職

- (4) Notwithstanding subsection (2)(b) and (c), the Monetary Authority and persons appointed to assist him under subsection (3) shall be regarded, for all purposes, as employed in connection with the purposes of the Fund.
- (5) In this section, **functions** (職能) includes powers and duties.
(Amended E.R. 4 of 2019)

(Added 82 of 1992 s. 4)

5B. Delegation to Monetary Authority

- (1) The Financial Secretary may delegate to the Monetary Authority the powers and duties conferred or imposed on the Financial Secretary under this Ordinance.
- (2) A delegation or a subdelegation under this section—
 - (a) shall not preclude the Financial Secretary from exercising the power or performing the duty;
 - (b) may be conditional, qualified or limited as the Financial Secretary thinks fit;
 - (c) may be to a person performing the functions of the Monetary Authority for the time being; and
 - (d) may be amended by the Financial Secretary.
- (3) The Financial Secretary may include in a delegation under this section power to subdelegate the powers and duties delegated on such terms and to such person or to any person of a class or description, as may be specified by him.

(Added 82 of 1992 s. 4)

6. Charges on Fund

There shall be charged to the Fund—

- (a) the emoluments payable to, and other staff costs relating to, the persons employed in connection with

員費用，包括以處理外匯基金事宜為其部分職責的受僱公職人員所提供服務的薪酬或職員費用的適當部分：

但委任該等職員的數目及其薪酬須已獲財政司司長批准；(由 1983 年第 26 號第 4 條代替)

- (aa) 根據或憑藉《硬幣條例》(第 454 章)而發行的硬幣，其發行及維持流通所招致的任何開支；及 (由 1983 年第 26 號第 4 條增補。由 1994 年第 81 號第 7 條修訂)
- (b) 行政長官所批准的任何附帶開支，而該等開支是財政司司長及諮詢委員會為適當地執行其與基金的運作有關連的職責而需要者。(由 1936 年第 44 號第 3 條代替。由 1946 年第 12 號第 2 條修訂；由 1948 年第 20 號第 4 條修訂；由 1999 年第 68 號第 3 條修訂)
(由 1997 年第 362 號法律公告修訂)

7. 外匯基金的審計

外匯基金所有交易的帳目，須於行政長官不時指定的時間，依行政長官不時指定的方式審計。

(由 1936 年第 44 號第 3 條修訂；由 1983 年第 26 號第 5 條修訂；
由 1999 年第 68 號第 3 條修訂)

8. 從外匯基金轉撥款項

凡財政司司長信納從外匯基金如下述般轉撥款項，相當不可能對其達致根據第 3(1) 或 (1A) 條須運用或可運用外匯基金的目的的能力有不利影響，則他在諮詢外匯基金諮詢委員會後並在行政長官會同行政會議事先批准下，可將超出用以維持外匯基金資產在當其時尚未履行的各項責任總和的 105% 之數的任何款項或其部分，從外匯基金轉撥入政府一般收入或轉

the purposes of the Fund, including the investment thereof, and also including any appropriate share of such emoluments or staff costs in respect of the services of public officers so employed as part of their duties:

Provided that the number of appointments and the emoluments of such staff have been approved by the Financial Secretary; (Replaced 26 of 1983 s. 4)

- (aa) any expenses incurred in the issue and maintenance in circulation of any coinage issued under or by virtue of the Coinage Ordinance (Cap. 454); and (Added 26 of 1983 s. 4. Amended 81 of 1994 s. 7)
- (b) any incidental expenditure which the Chief Executive may approve as necessary for the due performance of the duties laid upon the Financial Secretary and the Advisory Committee in connection with the operation of the fund. (Replaced 44 of 1936 s. 3. Amended 12 of 1946 s. 2; 20 of 1948 s. 4; 68 of 1999 s. 3)

7. Audit of Fund

The accounts of all transactions of the Fund shall be audited at such times and in such manner as the Chief Executive may from time to time direct.

(Amended 44 of 1936 s. 3; 26 of 1983 s. 5; 68 of 1999 s. 3)

8. Transfer from the Fund

Where the Financial Secretary is satisfied that such transfer is not likely to affect adversely his ability to fulfill any purpose for which the Exchange Fund is required to be or may be used under section 3(1) or (1A), he may, after consulting the Exchange Fund Advisory Committee, and with the prior approval of the Chief Executive in Council, transfer from the Fund to the general revenue or to such other fund or funds of the Government as may be authorized by the

撥入由行政長官會同行政會議所核准的政府其他基金，並可為該轉撥而將外匯基金的任何資產變現。

(由 1995 年第 12 號第 7 條代替。由 1997 年第 362 號法律公告修訂；由 1999 年第 68 號第 3 條修訂)

Chief Executive in Council any sum or part of any sum in excess of the amount required to maintain the assets of the Fund at 105% of the total obligations of the Fund for the time being outstanding and may for the purpose of any such transfer realize any of the assets of the Fund.

(Replaced 12 of 1995 s. 7. Amended 68 of 1999 s. 3)

S-1
第 66 章

附表

Schedule

S-2
Cap. 66**附表**

[第 4(1) 條]

香港

外匯基金條例

(第 66 章)

負債證明書

本證明書是根據《外匯基金條例》(第 66 章) 發出，表示香港政府欠.....
一筆相當於金融管理專員根據第 4(4) 條備存的登記冊上所顯示款額的無息債款；並可由財政司司長選擇按本證明書的面值或相等價值的外匯 (而外匯的貨幣及匯率由財政司司長決定) 在任何時間予以贖回。

本證明書以上述款額為限，可持有作為在香港合法發行的銀行紙幣的保證。

香港

19..... 年..... 月..... 日

金融管理專員

(由 1983 年第 26 號第 6 條代替。由 1984 年第 16 號第 4 條修訂；由 1992 年第 82 號第 5 條修訂；由 1995 年第 12 號第 8 條修訂；由 1997 年第 362 號法律公告修訂)

Schedule

[s. 4(1)]

HONG KONG

EXCHANGE FUND ORDINANCE

(Chapter 66)

Certificate of Indebtedness

This certificate issued under the Exchange Fund Ordinance (Chapter 66) represents indebtedness of the Hong Kong Government without interest to
for the amount shown as such in the register of the Monetary Authority maintained under section 4(4) and is redeemable at any time at the option of the Financial Secretary at its face value or the equivalent in such foreign exchange and at such rate of exchange as may be determined by the Financial Secretary.

This certificate may be held up to the above-mentioned amount as cover for bank notes lawfully issued in Hong Kong.

HONG KONG,

..... 19

Monetary Authority

(Replaced 26 of 1983 s. 6. Amended 16 of 1984 s. 4; 82 of 1992 s. 5; 12 of 1995 s. 8; E.R. 4 of 2019)