

# 郑州商品交易所指定存管银行管理办法

**Measures for the Administration of Depository Banks Designated by**

**Zhengzhou Commodity Exchange**

（郑州商品交易所第五届理事会：2013 年第十四次会议审议通过，自 2013 年 8 月 29 日施行）

(Approved after examination at the 14th Session of the Fifth Council of Zhengzhou Commodity Exchange and implemented since August 29, 2013)

# 第一章 总则

## Chapter 1 General Provisions

第一条 为规范郑州商品交易所（以下简称交易所）期货保证金存管业务，确保期货保证金存管安全和期货交易的平稳运行，促进期货市场健康发展，根据国家有关期货市场发展的法规、政策以及《郑州商品交易所交易规则》和《郑州商品交易所结算细则》等规定，结合交易所期货交易活动的实际需要，制定本办法。

Article 1 These measures are formulated subject to the actual needs of futures trading, State laws, regulations and policies that are applicable, Trading Rules of Zhengzhou Commodity Exchange and Detailed Rules for Futures Clearing of Zhengzhou Commodity Exchange for the purposes of standardizing the futures margin depository business of Zhengzhou Commodity Exchange (hereinafter referred to as ZCE), ensuring the safe custody of futures margin and the normal operation of futures trading, and promoting the healthy development of futures market.

第二条 期货保证金指定存管银行（以下简称存管银行）是指由交易所指定、为交易所会员单位和投资者提供期货保证金存管和出入金等服务的银行业金融机构。

Article 2 Designated futures margin depository banks (hereinafter referred to as depository bank) shall refer to financial institutions holding banking licenses appointed by ZCE which provide services including futures margin deposit and fund movement for ZCE members and investors.

第三条 交易所依据本办法对存管银行进行管理，交易所、存管银行及其有关业务人员应该遵守本办法。

Article 3 ZCE shall manage depository banks in accordance with these measures herein. ZCE, depository banks, and relevant staff shall comply with these measures.

## 第二章 资格申请

### Chapter 2 Qualification Application

第四条 银行业金融机构从事交易所期货保证金存管业务，应当向交易所提出申请。

Article 4 Financial institutions holding banking licenses shall apply to ZCE in order to be engaged in ZCE futures margin depository business.

申请期货保证金存管银行资格，应当具备下列条件：

A financial institution holding banking license applying for becoming a futures margin depository bank shall meet the following criteria:

（一）中华人民共和国境内设立的全国性商业银行法人；

(1) It shall be a national commercial bank with legal person status established within the territory of the People's Republic of China;

（二）注册资本达到 100 亿元人民币，总资产 15000 亿元人民币以上，净资产在 1000 亿元人民币以上，最近 3 个会计年度连续盈利；

(2) It shall have a registered capital of 10 billion yuan, with total assets exceeding 1500 billion RMB and net assets exceeding 100 billion yuan, and have been profitable in the last 3 consecutive fiscal years;

（三）分支机构在 600 个以上，且在期货交易所所在地设有可以办理期货保证金存管业务和资金结算相关业务的分支机构；

(3) It shall have more than 600 branches, with at least one branch in Zhengzhou that can handle businesses related to the deposit of futures margins and fund clearing;

（四）符合中国银行业监督管理委员会（以下简称中国银监会）对银行业金融机构资本充足率、流动性、资产负债比例等规定；

(4) It shall comply with the regulations stipulated by China Banking Regulatory Commission (hereinafter referred to as CBRC) such as capital adequacy ratio,

liquidity, and asset-liability ratios of financial institutions holding banking licenses;

(五) 具有良好的公司治理、风险管理体系和内部控制制度;

(5) It shall have proper corporate governance, risk management system and internal control policy;

(六) 具有符合开展期货保证金存管业务和配合期货保证金安全存管监控所需要的设施和技术水平, 具备先进、快速的异地资金划拨系统, 且最近 3 年系统运行稳定。拥有全国范围内的本行系统实时汇划系统, 以及服务良好的全国集中式银期转账系统;

(6) It shall be equipped with the facilities and technical competences required for the conduct of the futures margin depository business activities and the support for monitoring and safekeeping of futures margins, an inter-city fund transfer system which has operated efficiently and stably in the last 3 years, an internal real-time remittance system with a nation-wide coverage, and a sound centralized national system for transfer of funds;

(七) 具有健全的期货保证金管理制度、内部管理制度、业务操作流程以及发生技术和通讯系统故障等异常情况下的应急处理预案;

(7) It shall have sound futures margin management policy, internal management policy, operation procedures, as well as emergency plans in the event of abnormal situations such as the breakdown of technical and telecommunication systems.

(八) 有专门部门或机构负责期货保证金存管业务。交易所指定的期货保证金存管网点中, 取得期货从业资格人员不得少于 3 名, 且交易所结算专柜人员应具有 5 年以上银行从业经验;

(8) It shall establish a designated department or institution in charge of the deposit of futures margins. In a designated futures margin depository branch, there shall be at least 3 staff holding qualifications of futures industry practitioners, and staff of clearing counter shall have more than 5 years of work experience in banking industry;

(九) 无严重影响其资信状况的未决诉讼和未清偿债务;

(9) It shall have no unsettled lawsuit or outstanding debt that can severely affect credit status;

(十) 最近 3 年无重大违法违规行为, 未发生过重大事故及未受到过监管机构的重大行政处罚;

(10) It shall have no serious violation of laws or regulations, no serious malfunctions,

and no serious administrative punishment imposed by regulatory authorities in the last 3 years;

(十一) 交易所规定的其他条件。

(11) Other conditions prescribed by ZCE.

与交易所上市品种密切相关的政策性银行，申请从事交易所期货保证金存管业务资格的，不适用本条第（一）至（三）项规定。

The policy banks which are closely associated with the products listed on ZCE are not subject to item (1) to (3) of this Article when applying to ZCE for futures margins depository qualification.

申请从事与符合规定条件的境外机构有关的保证金存管业务的银行，具体条件由交易所另行规定。

Banks applying for conducting futures margins depository business for qualified overseas institutions shall meet specific requirements prescribed by ZCE.

第五条 银行业金融机构申请期货保证金存管银行资格，应当向交易所提交下列预审材料：

Article 5 A financial institution holding banking license shall submit the following documents for review when applying for futures margins depository qualification:

(一) 申请开展期货保证金存管业务的申请表、申请报告、可行性报告及业务计划书；

(1) An application form for futures margin depository qualification, an application report, a feasibility report and a business plan;

(二) 分支机构、营业网点以及开展期货保证金存管业务所需设施的情况说明；

(2) An explanation on its branches, business outlets and the facilities needed for conducting the deposit of futures margins;

(三) 期货保证金存管制度、内部管理制度以及出现技术通讯故障等异常情况下的相关应急处理预案；

(3) Futures margin depository policy, internal management policy, and relevant emergency response plans for abnormal circumstances such as technical and telecommunication breakdown;

(四) 期货保证金存管业务部门的岗位设置、职责规定以及部门负责人和业务人员名单、履历;

(4) The position arrangement and responsibilities of futures margin depository department, and the name list and resumes of the department head and staff of this department;

(五) 遵守期货保证金安全存管监控规定的承诺书;

(5) A letter of commitment of compliance with the provisions on safekeeping and monitoring futures margin;

(六) 最新年检的《企业法人营业执照》复印件;

(6) A copy of Business License for Enterprise Legal Persons which has passed the latest annual inspection;

(七) 《金融业务许可证》复印件;

(7) A copy of Financial Business Operation License;

(八) 最近 3 年的审计报告以及内部控制评价报告;

(8) Audit reports and internal control assessment reports in the last 3 years

(九) 企业法人授权书 (授权书格式见附件 2) 及经办人员的身份证明文件;

(9) A Letter of Authorization for Enterprise Legal Persons (See the Appendix 2 for format) and the identity documents of handling persons;

(十) 交易所要求提供的其他文件。

(10) Other documents requested by ZCE.

第六条 银行业金融机构申请并通过交易所对其期货保证金存管银行资格预审后, 应当按照交易所及中国期货保证金监控中心 (以下简称监控中心) 的要求通过相关业务、技术、通讯设备等方面的测试, 并向交易所提供下列材料:

Article 6 After passing the pre-qualification examination of the ZCE, a financial institution holding banking license applying for being a futures margin depository bank shall pass the relevant tests regarding business operation, technical operation and communication devices according to the requirements of ZCE and China Futures Margin Monitoring Center (hereinafter referred to as CFMMC), and provide the following materials to ZCE:

(一) 通过监控中心存管业务数据报送系统测试的书面证明材料;

(1) A written supporting materials of having passed data reporting system test with respect to safe depository business of CFMMC;

(二) 与期货公司(或者其他期货市场参与者)进行全国集中式银期转账系统测试的报告;

(2) A report on having conducted centralized bank-futures transfer system test with futures companies or other futures market participants;

(三) 交易所指定的存管银行分支机构营业执照复印件;

(3) A photocopy of Business License of the branches of depository banks designated by of ZCE;

(四) 交易所要求提供的其他文件。

(4) Other documents requested by ZCE.

第七条 交易所对申请银行提交的申请材料与系统测试结果进行审核,并将审核结果报中国证监会备案。5个工作日后,交易所书面通知经核准具有存管银行资格的银行业金融机构,并在交易所网站上公告。获得指定存管银行资格的银行业金融机构应当在获得资格3日内向银行业监管部门报告。

Article 7 ZCE shall review and submit the results of application materials and system test of applicant banks to CSRC. After 5 working days, ZCE shall inform financial institutions holding banking licenses that they have been approved as depository banks in written form and release announcement on ZCE website. Financial institutions holding banking licenses shall report to banking regulators within 3 days as soon as obtaining the qualifications of designated futures margin depository banks.

第八条 存管银行在开展期货保证金存管业务前,应当就期货保证金存管业务与交易所签订协议,明确双方权利和义务。

Article 8 Before embarking on futures margin depository business, a depository bank shall sign an agreement with ZCE on rights and obligations when dealing with futures margin depository business.

## 第三章 业务要求

### Chapter 3 Business Requirements

第九条 存管银行设置分支机构应当在交易所指定的距离范围内，分支机构内应当设置期货业务专柜。

Article 9 Depository banks shall locate branches within the area specified by ZCE, and the branches shall have special counters for futures business.

第十条 存管银行应当保证交易所指定营业网点的业务稳定和人员稳定，定期组织业务人员培训，积极参加交易所组织的业务培训，保证业务人员熟练掌握期货保证金存管业务的流程及交易所关于期货保证金存管等结算业务的规则和要求。

Article 10 Depository banks shall ensure the stable operation of futures margin depository business and the stability of staff in business outlets designated by ZCE, organize business personnel training on a periodic basis, actively participate in the business training activities organized by ZCE, and ensure that the staff are familiar with the process of futures margin depository business and the rules and requirements of clearing business with respect to the deposit of futures margin prescribed by ZCE.

第十一条 根据交易所申请，存管银行应当为交易所开立专用结算账户等专用存款账户，账户名称应当体现业务性质。

Article 11 Depository banks shall open special deposit accounts including special clearing accounts for ZCE, and the account names shall reflect the business nature.

第十二条 存管银行应当凭交易所签发的专用通知书，为会员办理开立、变更或者注销专用资金账户业务。交易所与会员之间期货业务资金的往来通过交易所专用结算账户和会员专用资金账户办理。

Article 12 Depository banks shall open, change or cancel the special fund accounts for members based on special notices issued by ZCE. The transfer of funds for the futures business between ZCE and members shall be conducted through the special clearing accounts of ZCE and the special fund accounts of the members.

第十三条 存管银行应当按照期货保证金安全存管有关规定通过转账方式办理期货保证金存取业务，对期货保证金实行封闭运行。



Article 13 Depository banks shall, according to the relevant regulations governing the safe deposit of futures margins, handle the deposit and withdrawal of futures margins by bank transfer, and manage futures margins in a segregated environment.

第十四条 存管银行应当为交易所及其会员提供安全、准确、迅捷的期货保证金存管、划转服务。

Article 14 Depository banks shall provide the deposit and transfer service of futures margin in a safe, accurate, and swift way for ZCE and its members.

第十五条 存管银行应当早于交易所开市前 30 分钟开始当日营业。交易闭市后，期货结算时间确需延迟的，存管银行应当相应延迟其营业时间。

Article 15 Depository banks shall start business 30 minutes prior to the market open of ZCE. After the market is closed, depository banks shall prolong business hours if the futures clearing has to be delayed.

第十六条 当有款项划入交易所专用结算账户时，存管银行应当在资金到账后，立即记入交易所账户，并实时通知交易所。

Article 16 When funds are transferred to special clearing accounts of ZCE, depository banks shall debit the accounts of ZCE and inform ZCE upon receipt of the funds.

第十七条 存管银行按照交易所的电子划款指令或书面划款指令办理划款业务时，应当遵守以下规定：

Article 17 Depository banks shall comply with the following rules when handling fund transfer business in accordance with the electronic fund transfer order or fund transfer order in written form.

（一）对于本行系统内账户的资金划拨，存管银行在收到交易所划款指令后，应实时将资金汇划至交易所指定的会员专用资金账户；

(1) As to intra-bank fund transfer, depository banks shall transfer the funds to special clearing accounts of members designated by ZCE on a real-time basis upon receipt of transfer order from ZCE;

（二）对于跨行的资金划拨，存管银行收到交易所划款指令后，应以最快捷的方式划出款项，并保证该款项及时到达交易所指定的收款账户开户银行。遇到特殊情况，应在当日下午 4 时前到达交易所指定的收款账户开户银行。

(2) As to inter-bank fund transfer, depository banks shall transfer the funds in the swiftest way after receiving the fund transfer order from ZCE. In the case of abnormal circumstances, the funds shall be transferred to the designated receipt accounts before

4 p.m. on the same day.

第十八条 存管银行应当每日按照以下规定与交易所进行专用结算账户账务核对：

Article 18 Depository banks shall reconcile the special clearing accounts on a daily basis in accordance with the following rules:

(一) 每日结算资金业务终了后进行对账，或应交易所的需要随时对账；

(1) Accounts shall be reconciled after clearing business is completed each day or at any time as requested by ZCE;

(二) 在存管银行营业时间内，交易所可随时查询专用结算账户余额及变动情况，存管银行应当实时回送查询结果；

(2) ZCE can inquire the balance and the changes in special clearing accounts at any time during the business hours of depository banks, and depository banks shall respond to the inquiries on a real-time basis.

(三) 在结算业务发生后当日，存管银行应当将交易所进账单、收付款明细清单等业务凭证送达交易所；

(3) Depository banks shall deliver the business vouchers such as the deposit receipts and detailed lists of the receipts and payments to ZCE on the day of clearing;

(四) 存管银行应当按交易所的要求及时提供资金结算账户对账单。

(4) Depository banks shall timely provide clearing account statements in accordance with ZCE's requirements.

第十九条 存管银行应当按照期货保证金安全存管监控的规定，通过网络专线在规定的时间内向监控中心报送在该行开设的全部期货保证金账户前 1 交易日的账户余额、变动明细等相关信息。

Article 19 Depository banks shall report to CFMMC about relevant information such as the balance and detailed data of changes of all futures margin accounts opened with their banks on the previous trading day through dedicated network within a specified time period in accordance with the provisions on monitoring the safekeeping of futures margins.

第二十条 存管银行应当向交易所提供交易所会员专用资金账户的余额及变动情况，实时回送查询结果。

Article 20 Depository banks shall inform ZCE of the balance and the changes of ZCE members' special accounts, and send back inquiry results on a real-time basis.

第二十一条 存管银行应当采取有效措施，减少资金的流动性风险；未经交易所书面同意，不得限制会员公司出入金；为测试保证金存款的安全性，交易所可随时对存管的保证金进行跨行调拨。

Article 21 Depository banks shall take effective measures to reduce the liquidity risk of funds; depository banks shall not restrict member firms' withdrawal and deposit of funds without written permission from ZCE; ZCE can make inter-bank transfer of margins to test the security of margin funds at any time.

第二十二条 存管银行应当按照与交易所协商确定的存款利率向交易所支付利息。

Article 22 Depository banks shall pay interests to ZCE according to the agreed deposit interest rates determined by both parties.

第二十三条 当交易所的资金结算系统出现流动性等需求时，应交易所申请，存管银行必须给予相应的资金支持。

Article 23 In case that ZCE fund clearing system is faced with such needs as liquidity, depository banks shall give financial support in response to ZCE's application.

第二十四条 存管银行不得协助期货公司在期货保证金账户上设定担保；不得挪用客户保证金偿还期货公司及交易所债务。

Article 24 Clearing banks shall not assist futures companies in providing guarantee on futures margin accounts and misappropriate clients' futures margins to repay futures company's and ZCE's debts.

第二十五条 存管银行应当拒绝任何其他单位或个人对交易所专用结算账户内资金进行非法冻结、扣划；如有其他单位拟对会员专用资金账户采取冻结等影响保证金存管业务的措施时，存管银行应当及时通知交易所。

Article 25 Depository banks shall reject the freeze or transfer of the funds in ZCE special clearing accounts illegally by any other entities or individuals; depository banks shall notify ZCE timely if other entities plan to take measures against members' special fund accounts which would affect clearing service such as freezing the members special fund accounts.

## 第四章 技术要求

### Chapter 4 Technology Requirements

第二十六条 存管银行应按照交易所相关资金划转系统接口规范完成资金划转系统建设，通过交易所的功能测试和性能测试，满足交易所相关技术规范要求。

Article 26 A depository bank shall complete the construction of fund transfer system in accordance with the relevant rules of fund transfer system ports specified by ZCE.

第二十七条 存管银行的全国集中式银期转账系统应当能够支持期货公司系统多点接入，满足期货公司银期转账系统灾备和冗余的要求。

Article 27 The national centralized bank-futures fund transfer system provided by depository banks shall support the multipoint accesses to futures brokerage companies, satisfy the system backup for disaster recovery, and fulfill other redundant requirements.

第二十八条 存管银行负责申请与交易所的主备通讯链路，相关网络参数由交易所统一分配。

Article 28 A depository bank shall take charge of the application for links to ZCE host and backup communication system. Relevant network parameters shall be allocated by ZCE.

第二十九条 存管银行应将资金划转系统纳入技术系统的统一运维管理流程，对资金划转系统、数据链路和软硬件平台进行实时监控。

Article 29 A depository bank shall include the fund transfer system into the operation and maintenance process of technical system, and implement the real time monitoring to the fund transfer system, data links, and software platforms.

第三十条 资金划转系统应用或网络系统变更，存管银行应提前 5 个工作日通知交易所技术运维部门，并提前做好系统测试工作。

Article 30 A depository bank shall notify the technology and maintenance department of ZCE five working days before any changes in the fund transfer system applications or network system. The corresponding system test shall be executed in advance as well.

第三十一条 存管银行应积极参与交易所组织的应急演练和联合测试。

Article 31 A depository bank shall participate the emergency drill and joint test organized by ZCE.

第三十二条 存管银行应设立 7×24 小时的技术应急联系人，技术应急联系人发生变更时应及时向交易所技术运维部门进行报备。

Article 32 A depository bank shall designate at least one 7×24 contact person for technical emergencies. Report shall be made to ZCE without delay in the event of any change of the contacts.

## 第五章 应急处理

### Chapter 5 Emergency Response

第三十三条 存管银行应建立、完善《期货保证金存管银行网络与信息安全事故应急预案》，做到职责明确、措施到位、反应快速、处置及时。

Article 33 A depository bank shall establish sound Emergency Response Plan of Futures Margin Depository Bank Networks and Information Securities. The bank shall achieve clarity of duty, full implementation of policies, fast reaction, and in-time disposal.

第三十四条 交易所或者存管银行发生可能影响期货资金结算业务的业务操作失误或技术系统故障时，应当立即通知对方，并积极采取行动进行补救。

Article 34 ZCE or the depository bank shall inform the other side and make remedy at once when encountering business operation fault, the system failure or malfunction which is possibly affect the clearing.

第三十五条 资金划转系统发生故障时，发现方应当立即通知对方，双方应当积极配合并对各自系统进行检查，以确定原因、排除故障、明确责任。必要时，立即启动应急措施。

Article 35 The party who primarily discovers any breakdown of the fund transfer system shall inform the other side at once. Both parties shall respectively check their systems and cooperate with each other to confirm the cause, clear errors, and make a clarity of responsibility. The emergency response shall be implemented without delay if necessary.

第三十六条 存管银行发生影响期货保证金存管业务运行稳定和安全情况时，应当立即启动应急预案，尽快恢复正常运行，并将相关情况报告交易所和监控中心。

Article 36 When the situation which threatens the operation stability and security of margin depository business occurs to a depository bank, the depository bank shall implement the emergency response plan at once, recover normal operation as soon as possible, and report relevant information to ZCE as well as the monitoring center.

## 第六章 监督管理

### Chapter 6 Supervision and Administration

第三十七条 存管银行期货业务部门岗位设置、职责规定、部门负责人、业务联系人等发生变更时，应当于3个工作日内书面报告交易所和监控中心。

Article 37 Where there is any change involving position setting, provision of responsibility, department head or contact person of futures department in a depository bank, it shall make a written report to ZCE as well as the monitoring center within three working days.

第三十八条 存管银行出现影响该行资信状况的重大业务风险或损失时，应当于3个工作日内向交易所和监控中心报告，并提交该业务风险或损失对该行保证金

存管业务的影响分析及应对措施。

Article 38 Where a serious risk of credit or a great loss depository bank that would affect its credit standing, a depository bank shall report to ZCE as well as the monitoring center within three working days, and submit a report on the analysis of the risk or loss and the corresponding countermeasures at the same time.

第三十九条 存管银行实施系统升级改造或者实施其他可能影响期货保证金存管业务的措施前,应当提前 5 个工作日书面通知交易所、监控中心和相关期货公司,做好信息披露和系统测试工作,并制定针对性应急预案。

Article 39 A depository bank shall make a written report to ZCE, the monitoring center, and relevant futures companies in five days before the system upgrade or any other implementations which might affect the margin depository business. Information disclosure, system testing work should be developed in time, and the bank shall make the targeted emergency plan as well.

第四十条 存管银行应当在每一年度结束后 1 个月内,向交易所和监控中心提交期货保证金存管业务、技术运行、风险管理以及有关法律、法规、规章、政策执行情况的报告。

Article 40 A depository bank shall provide reports of margin depository business, technology maintenance, risk management, and all implementation status related to laws, regulations, provisions, and policies to both ZCE and the monitoring center within one month immediately after the end of each year.

第四十一条 交易所对存管银行期货保证金存管业务资格条件进行年度检查,或者根据需要进行不定期检查,存管银行应当予以配合。

Article 41 A depository bank shall cooperate with ZCE's annual inspection (or implemented irregularly) of the qualification of margin depository business.

第四十二条 交易所对存管银行的期货保证金存管业务的时效性、安全性、准确性和规范性进行年度考评。考核内容包括资格条件、系统运维、人员配置、业务运营和风险控制,以及配合交易所监管,遵守相关自律规则与协议情况等。考评方式为存管银行自查、现场检查、会员评分和日常运营情况相结合。

Article 42 ZCE shall execute the annual assessment to evaluate the timeliness, safety, accuracy, and normativity of a depository bank's margin depository business. The evaluation contents shall include qualifications and criteria, system operation and maintenance, staff allocation, business operation and risk management, cooperation with the inspection, compliance with the rules of self-regulation and agreements. The assessment method shall be the combination of bank's self-inspection, spot inspection, member's grading, and situations of routine operation.

考评结果分为“优秀”、“良好”、“合格”、“不合格”四个档次，考核结果向各存管银行通报。

The assessment result falls into 4 levels: excellent, good, qualified, and unqualified. The result of one depository bank will be reported to all depository banks concerned.

交易所可在安排存管银行的业务量以及进行风险评估和管理时，参考考评结果。

ZCE may allocate the business volume differently and conduct risk assessment and management by reference to the annual check results.

## 第七章 违规处理

### Chapter 7 Punishment of Regulation Violations

第四十三条 存管银行出现下列情形之一，责令改正，并根据情节轻重，采取警告、通报批评、暂停新增会员的存管业务等措施：

Article 43 A depository bank shall be forced to make correction if one of the following situations appears, and ZCE can warn, circulate a notice of criticism, and implement partial suspension of margin depository business of new members according to the seriousness of the case :

(一) 未按照本办法第三十六条至第四十条要求履行职责的；

(1) When the bank fails to perform duty in accordance with Article 36 to Article 40;

(二) 发生影响或可能影响期货保证金存管业务的情况时，存管银行未采取有效措施，可能危及期货市场稳健运行，损害交易所会员、客户合法权益的；

(2) When the bank fails to adopt effective measures to cope with the situation which



has affected or may affect margin depository business, and the stability of futures market, members and clients' rights may be damaged;

(三) 未能按照监控中心相关要求报送期货保证金安全存管业务数据的;

(3) When the bank fails to report the margin depository business data complying with requirements designated by the monitoring center;

(四) 违反期货保证金存管业务协议或者交易所业务规则的;

(4) When the bank violates the agreement of margin depository business or business rules in ZCE;

(五) 发生可能影响期货资金结算业务的业务操作失误或技术系统故障时, 未立即通知交易所的; 或未及时采取有效措施进行处理的;

(5) When the bank fails to inform ZCE immediately or adopt effective measures in time after any misoperation or system failure which may affect the clearing business;

(六) 不符合银行业监管机构关于资本充足率、流动性、资产负债比例等指标等要求的;

(6) When the bank fails to meet the banking regulatory authority's requirements on such indicators as capital adequacy ratio, liquidity, asset-to-liability ratio, and other ratios required by bank regulatory institution;

(七) 不配合交易所对存管银行资金结算业务进行年检或不定期检查, 不按要求提交上年度存管业务总结报告或其他要求提供材料的;

(7) When the bank refuses to cooperate with ZCE's annual or irregular inspection of margin depository and clearing business, or fails to submit the last year's report of margin depository business summary as required;

(八) 无故限制会员出入金的;

(8) When the bank limits fund movement of members without any rational reasons;

(九) 交易所会员普遍反映存管银行服务质量不高, 银期转账系统不稳定的;

(9) When the bank is generally complained by members about the unsatisfied service, or unstable bank-to-futures system operation;

(十) 交易所认定的其他情况。

(10) Other situations deemed by ZCE.

第四十四条 存管银行出现下列情形之一的，暂停全部存管业务：

Article 44 A depository bank shall be forced to suspend all depository business if one of the following situations appears:

（一）未能采取有效措施，导致交易所结算账户内的资金被冻结或扣划的；

(1) When the bank fails to adopt effective measures and thus leads to the fund in clearing account of ZCE to be blocked or transferred;

（二）协助期货公司在期货保证金账户上设定担保的；

(2) When the bank assists futures companies to set up guarantee in the account of margin;

（三）最近 1 个会计年度发生亏损的；

(3) When the bank suffers losses in the last fiscal year;

（四）交易所认定的其他情况。

(4) Other situations deemed by ZCE.

第四十五条 对于暂停期货保证金存管业务的存管银行，在整改后经交易所验收，确实具备正常开展期货保证金存管业务能力的，可以恢复其存管业务。

Article 45 For the depository banks suspended of margin depository business, operation qualification can be regranted if the bank rectifies and regains corresponding capability after ZCE's check.

第四十六条 存管银行出现以下情形之一的，交易所可以取消其期货保证金存管业务资格：

Article 46 ZCE can cancel depository bank's operation qualification of margin depository business if one of the following situations appears:

（一）申请终止其期货保证金存管业务资格的；

(1) When the bank applies for suspension of margin depository business qualification;

（二）被依法撤销、解散或宣告破产的；

(2) When the bank is abolished, dissolved, or bankrupted;

(三) 被收购或兼并且丧失法人地位的;

(3) When the bank is merged or acquired and thus loses the corporate legal person right;

(四) 不再满足期货保证金存管业务资格的;

(4) When the bank no longer meets the qualification standards of margin depository business;

(五) 最近 3 个会计年度连续发生亏损的;

(5) When the bank suffers losses in the recent three consecutive fiscal years;

(六) 最近 1 个年度考评结果不合格的;

(6) When the bank fails to pass the last annual inspection;

(七) 向交易所提供虚假材料信息的;

(7) When the bank offers ZCE with any fake information or materials;

(八) 交易所认为该存管银行存在重大风险隐患的;

(8) When the bank is deemed to have serious potential risks by ZCE;

(九) 交易所认定的其他情况。

(9) Other situations deemed by ZCE.

第四十七条 交易所决定终止存管银行资格，应当提前 10 个工作日发出终止通知，上报中国证监会，并在交易所网站上公告。

Article 47 ZCE shall notify the termination of depository bank qualification, report to CSA, and make announcement on ZCE's website ten working days in advance.

存管银行资格终止不影响该银行业金融机构与交易所在此之前双方已经建立的法律关系，交易所依法与该银行业金融机构了结相关业务。

The termination of qualification does not affect the existing legal relationship built already between banking industry financial institution and ZCE. ZCE shall have the right to settle and terminate any relevant business with the institution.

第四十八条 被交易所终止存管银行资格的银行业金融机构，自终止之日起 3 年内不得申请期货保证金存管业务资格。

Article 48 Banking industry financial institutions which are terminated of depository business by ZCE shall not apply for the margin depository business qualification within three years beginning from the termination day.

## 第八章 附则

### Chapter 8 Supplementary Provisions

第四十九条 除有国家法律、法规规定，对于涉及期货保证金存管业务的任何非公开信息，存管银行保证不以任何方式向第三方披露。

Article 49 A depository bank shall promise not to disclose any non-public information related to margin depository business to the third party except as otherwise stipulated by national laws and regulations.

第五十条 本办法实施前已经开展业务的存管银行，无需重新申请期货保证金存管业务资格，但应当遵守本办法的其他规定。

Article 50 Depository banks which have already developed margin depository business before these measures enter into force do not need to reapply for the qualification. Other regulations specified here shall be followed accordingly.

第五十一条 本办法由交易所负责解释。

Article 51 The right to interpret these measures belongs to ZCE.

第五十二条 本办法自发布之日起实施。

Article 52 These measures shall enter into force as of the day of promulgation.

（英文版本仅供参考，具体以中文版本为准。）

**(English version is for reference ONLY. Chinese version shall prevail if there is any inconsistency.)**

附件1：

### 期货保证金存管银行资格申请表

申请人全称				
注册地址				
注册资本				
邮政编码				
法定代表人姓名				
企业法人营业执照号码				
金融业务许可证号码				
存管业务负责部门				
联系电话				
传真电话				
存管行业务负责人	姓名			
	部门及职务			
	联系方式			
河南分行业务负责人	姓名			
	部门及职务			
	联系方式			
河南分行技术负责人	姓名			
	部门及职务			
	联系方式			
指定网点上级机构业务负责人	姓名			
	部门及职务			
	联系方式			
经办人姓名				
经办人身份证号码				
经办人联系电话				
申请人基本财务状况及其他情况	上一年度期末（经审计） 总资产、净资产、净资本	总资产：		
		净资产：		
		净资本：		
	最近三年的净利润			
	最近三年资本充足率			
	最近三年资产负债率			
	最近三年流动比率			
	分支机构的数量			
与期货存管业务有关的内部控制制度				
其他情况说明				
法定代表人或授权代表人（签字并盖章） 申请人盖章				

## Appendix 1:

### Application Form of Depository bank Qualification

Full Name				
Registered Address				
Registered Capital				
Postal Code				
Full Name of Legal Representative				
Corporate Business License No.				
Financial Service License No.				
Margin Depository Business Department				
Contact Tel No.				
Fax No.				
Business Contact Person of Depository bank	Name			
	Department & Position			
	Contact Tel No.			
Business Contact Person of Henan Branch	Name			
	Department & Position			
	Contact Tel No.			
Technical Director of Henan Branch	Name			
	Department & Position			
	Contact Tel No.			
Specified Business Contact Person of the Superior Branches	Name			
	Department & Position			
	Contact Tel No.			
Name of Handling Person				
ID ( Handling Person )				
Contact Tel No. ( Handling Person )				
Financial Status and Other Conditions of Applicant	3 Financial Ratios of the Last Fiscal Year (Audited)	Total Assets :		
		Net Asset :		
		Net Capital :		
	Net Profit of Recent 3 Years			
	Capital Adequacy Ratio of Recent 3 Years			
	Asset-Liability Ratio of Recent 3 Years			
	Current Ratio of Recent 3 Years			
Branches Quantity				

	Inner Control System Related to Futures Depository Business	
	Other Conditions	
Signature and Seal of Legal Representative or Authorized Representative Seal of Applicant		



附件2：

## 授权书

郑州商品交易所：

特授权我行职员\_\_\_\_\_（女士/先生）（身份证号\_\_\_\_\_）代表我行前往贵所办理期货保证金存管银行资格的申请事宜。其权限范围：代表我行办理与贵所期货保证金存管银行资格申请有关的全部工作，包括但不限于向贵所提出期货保证金存管银行资格申请并提交申请文件、签署与期货保证金存管银行资格申请相关的文件，接收贵所向我行提交的与期货保证金存管银行资格申请相关的文件。本授权有效期从 年 月 日到 年 月 日止。

特此授权。

授权人：\_\_\_\_\_ 银行（盖章）

法定代表人：\_\_\_\_\_（签字并盖章）

年 月 日

## Appendix 2:

### Letter of Authorization

Zhengzhou Commodity Exchange:

We hereby authorize our bank clerk (Ms./Mr.) \_\_\_\_\_ (ID No.: \_\_\_\_\_) to act on behalf of our bank to handle the application for depository bank qualification in ZCE.

Scope of authority: representing our bank to handle all the work involving the application for the qualification of ZCE designated futures margin depository bank, including but not limited to making application for the qualification of ZCE designated futures margin depository bank, submitting relevant application documents, signing on the documents related to the application for the qualification of ZCE designated futures margin depository bank, and receiving relevant documents on the application for the qualification of ZCE designated futures margin depository bank from ZCE to our bank. This Letter of Authorization is valid from (YYYY/MM/DD) to (YYYY/MM/DD).

It is hereby authorized.

Authorizer: \_\_\_\_\_ bank with seal

Legal Representative: \_\_\_\_\_ with signature and seal

Date (YYYY/MM/DD)