

郑州商品交易所保税交割实施细则（试行）

Detailed Rules for Implementation of Bonded Delivery of Zhengzhou

Commodity Exchange

（郑州商品交易所第五届理事会：2016年1月19日审议通过，自2016年4月25日施行）

(Approved after examination by the Fifth Council of Zhengzhou Commodity Exchange on January 19, 2016 and implemented since April 25, 2016)

第一章 总则

Chapter 1 General Provisions

第一条 为保证郑州商品交易所（以下简称交易所）期货保税交割业务的正常进行，规范交割行为，根据《郑州商品交易所交易规则》，制定本细则。

Article 1 These detailed rules are formulated subject to the Trading Rules of Zhengzhou Commodity Exchange for the purposes of guaranteeing the normal operation of the futures bonded delivery business of Zhengzhou Commodity Exchange (hereinafter referred to as ZCE) and standardizing the delivery activities.

第二条 交易所期货保税交割业务按本细则进行，交易所、会员、客户、指定保税交割仓库（以下简称保税交割仓库）及指定质检机构办理与期货保税交割有关的各项业务，应当遵守本细则。

Article 2 The futures bonded delivery business of ZCE shall be subject to these detailed rules. ZCE, members, clients, the bonded delivery warehouses (hereinafter referred to as delivery warehouses), and inspection agencies which handle business with respect to futures bonded delivery shall comply with these detailed rules.

第三条 期货保税交割是指以海关特殊监管区域或保税监管场所内处于保税监管状态的、期货合约所载商品作为交割标的物进行期货交割的过程。

Article 3 Bonded delivery shall mean delivering the underlying commodity of futures contract which is under bonded supervision in the customs' special supervision area or bonded supervision place.

第四条 保税交割适用于滚动交割、最后交易日集中交割、期转现交割和转让等。

Article 4 Bonded delivery shall be applicable to rolling delivery, centralized delivery on last trading day, exchange of futures for physicals (EFP) delivery, transfer, etc.

第五条 保税交割仓库是指经交易所指定的、具有保税功能、履行期货保税交割的地点。

Article 5 Bonded delivery warehouse shall refer to the delivery place which designated by ZCE and is provided with bonded function for the purpose of performing bonded delivery of futures contracts.

第六条 保税标准仓单是指由保税交割仓库按照交易所规定的程序签发的在交易所标准仓单管理系统中生成的,可用于证明货主拥有实物或者可予提货的财产凭证。

Article 6 Bonded standard warehouse warrant shall refer to a physical delivery certificate which is issued by the bonded delivery warehouse subject to relevant regulations of ZCE and is uniformly generated in standard warehouse warrant management system to certify that the owner has goods or could take delivery of goods.

第七条 本细则所称含税标准仓单、含税交割结算价是指《郑州商品交易所章程》、《郑州商品交易所交易规则》及有关实施细则中的标准仓单、交割结算价。

Article 7 Standard warehouse warrant with tax and delivery clearing price with tax herein shall refer to the standard warehouse warrant and the clearing price in Bylaws of Zhengzhou Commodity Exchange, Trading Rules of Zhengzhou Commodity Exchange and other relevant detailed rules.

第二章 保税标准仓单的注册

Chapter 2 Registration of Bonded Standard Warehouse Warrants

第八条 保税标准仓单的交割预报、入库和注册除按《郑州商品交易所标准仓单及中转仓单管理办法》办理外,客户还应提供相应的货权凭证、商检证书以及其他海关单证。

Article 8 The delivery notice, entering warehouse and registration of bonded standard warehouse warrant shall be handled subject to Measures for the Administration of Standard Warrants and Transit Warehouse Warrants of Zhengzhou Commodity Exchange. A client shall also provide relevant materials such as document of title, commodity inspection certificate, and other customs documents and certificates

第九条 出入库费用、仓储费标准等遵循《郑州商品交易所期货交割细则》中的相关规定。

Article 9 The expense standard of warehouse entry and exit shall comply with Detailed Rules for Futures Delivery of Zhengzhou Commodity Exchange.

第三章 保税标准仓单的流通

Chapter 3 Circulation of Bonded Warehouse Warrants

第十条 保税标准仓单在有效期内可用于实物交割、期转现、转让、作为保证金和折抵等。保税标准仓单的有效期限在相应期货品种含税标准仓单有效期的基础上顺延 5 个交易日。

Article 10 Bonded warehouse warrants within the valid periods may be used for physical delivery, EFP, transfer, and be deposited as margins and offsetting property. The period of validity of standard bonded warehouse warrants shall be postponed for 5 trading days on the basis of standard warehouse warrants with tax of the same futures commodity.

第十一条 保税标准仓单可作为保证金。交易所以保税标准仓单作为保证金办理日前一交易日该保税标准仓单对应品种最近交割月期货合约结算价扣除进口增值税和进口关税后的数额为基准计算价值。具体流程按照《郑州商品交易所期货结算细则》办理。

Article 11 Standard bonded warehouse warrants may be deposited as margins. With respect to depositing standard bonded warehouse warrants as margin, ZCE shall calculate the value of standard bonded warehoused warrants deposited as margin based on the clearing price without import value-added tax and import tariff of the futures contracts with commodity under the standard warehouse warrants on the trading day immediately preceding the day when the standard warehouse warrants are applied for being deposited as margin. The specific handling procedures shall be in

accordance with Detailed Rules of Futures Clearing of Zhengzhou Commodity Exchange.

第十二条 保税标准仓单折抵和含税标准仓单折抵的业务流程一致,具体按照《郑州商品交易所期货结算细则》相关规定办理。

Article 12 The business process of handling the discounted pledge of bonded standard warehouse warrants is consistent with that of standard warehouse warrants with tax and shall be in accordance with Detailed Rules of Futures Clearing of Zhengzhou Commodity Exchange.

第十三条 保税标准仓单可在注销并办理报关完税手续后申请注册普通含税标准仓单。

Article 13 Bonded standard warehouse warrants may apply for registering to be common standard warehouse warrants with tax after the bonded standard warehouse warrants is deregistered and the customs formalities is handled with duty paid.

第四章 保税交割结算、发票流转及违约处理

Chapter 4 Clearing, Invoice Circulation and Settlement of Bonded

Delivery Default

第十四条 保税交割的结算、发票流转及买卖双方违约的认定和处理等流程按照《郑州商品交易所期货交割细则》办理,本章有特别规定的按照本章规定条款执行。

Article 14 The clearing and transfer of bonded delivery, and the determination and management of both parties' default with respect to bonded delivery shall comply with Detailed Rules for Futures Delivery of Zhengzhou Commodity Exchange. In case that special regulations are stipulated by this Chapter, the special regulations shall be followed.

第十五条 交割配对后，卖方相应的保税标准仓单予以冻结，相应的交易保证金暂不予释放。

Article 15 After delivery matching, the bonded standard warehouse warrants of sellers shall be frozen, and the corresponding trading margins shall not be released.

第十六条 交割日上午 9 点前买方应当补齐按照交割结算价计算的全额货款的差额。

Article 16 The buyers shall make up the difference of total payments calculated in accordance with delivery clearing price before 9:00 a.m. on delivery day

第十七条 保税交割的货款结算按下列程序办理：

Article 17 The payment clearing of bonded delivery shall be handled subject to the following procedures:

（一）保税标准仓单的交割货款根据交割数量、交割结算价和升贴水等计算。

(1) Delivery payments of bonded standard warehouse warrants shall be calculated based on the quantity for delivery, bonded delivery clearing price, and premiums and discounts.

（二）交割日闭市后，交易所向卖方开具报关所需的保税交割结算单和保税标准仓单持有清单。保税交割结算单包括买卖双方客户名称、会员单位名称、交割仓库名称、实际数量、保税交割结算价以及保税升贴水等内容。

(2) After the market close on the delivery day, ZCE shall issue a bonded delivery clearing statement and detailed list of holding bonded standard warehouse warrants. The bonded delivery clearing statement shall include the information such as the name of both parties' clients, member entities, and delivery warehouses, actual quantity, bonded delivery clearing price, bonded premiums and discounts, etc.

（三）卖方应以保税交割结算单上注明的保税交割结算价加上保税升贴水作为成交价格向海关申报，及时完成报关手续，并按规定向买方交付增值税专用（普通）发票。

(3) The seller shall declare to the customs using the bonded delivery clearing price stated in the Bonded Delivery Clearing Statement plus bonded premiums and discounts as the transaction price, timely go through the customs declaration formalities, and deliver the special VAT invoice to the buyer subject to relevant regulations.

保税交割结算价 = [(含税交割结算价 - 相关费用) / (1 + 进口增值税税率) -

消费税] / (1 + 进口关税税率)

Bonded delivery clearing price = [(the delivery clearing price with tax - the relevant expenses) / (1 + the import VAT rate) - the consumption tax] / (1 + the import duty rate)

保税升贴水 = [升贴水 / (1 + 进口增值税税率)] / (1 + 进口关税税率)

The bonded premiums/discounts = [the premiums/discounts / (1 + the import VAT rate)] / (1 + the import duty rate)

保税交割货款 = (保税交割结算价 + 保税升贴水) × 保税交割数量

Bonded delivery payments = (bonded delivery clearing price + bonded premiums/discounts) × bonded delivery quantity

以上公式适用于消费税从量计征、关税从价计征的期货品种，公式中升贴水为考虑交割品级、品质和仓库地区分布等因素对交割结算价进行的调整。公式中升贴水及相关费用由交易所另行公告。

The above formulas shall be applicable to the futures products against which the consumption tax is collected on the basis of their quantity and the customs duty is collected on the basis of their prices. The premiums and discounts shall be the adjustment of delivery clearing price considering factors such as delivery grades, qualities and the regional distribution of warehouses. The premiums and discounts in the above formulas and relevant expenses shall be announced by ZCE separately.

遇国家税收政策调整的，交易所可对保税交割结算价的计算公式进行调整，并适时予以公布。

In case of any adjustment of the national tax policy, ZCE shall adjust and timely publish the calculation formula of the bonded delivery clearing price.

(四) 货款划转和仓单过户应在卖方办理完报关手续后进行。同时，该批保税标准仓单交割后经审核变更为普通含税标准仓单。

(4) The seller shall transfer payments and the ownership of warehouse warrants only after handling relevant customs declaration formalities. The bonded standard warehouse warrants, after being examined and approved by ZCE, shall change into common standard warehouse warrants with tax.

第十八条 对实行保税交割的期货品种，交易所在交割月配对日闭市后，同时公布当日合约含税交割结算价和保税交割结算价。

Article 18 As to futures products that are allowed bonded delivery, ZCE shall publish the clearing price including tax of contracts of then-current day and bonded delivery clearing price after the market close on the matching day in delivery month.

第十九条 卖方应按下列流程办理报关手续、开具增值税发票：

Article 19 The seller shall go through customs declaration formalities and issue VAT invoice.

（一）报关期内，即自交割日（不含该日）起 7 个交易日内，卖方应当凭保税交割结算单、保税仓单持有清单以及其他单证完成报关手续，逾期未完成视为交割违约。

(1) During the period of customs clearance, namely within 7 trading days as of delivery day (excluding the day), the seller shall complete customs declaration formalities. The seller's failing to complete customs declaration formalities within the prescribed time shall be considered as delivery default.

（二）报关期结束后的 7 个交易日内，卖方应向买方开具增值税专用（普通）发票。延迟 1 至 10 日（公历日）交付增值税专用（普通）发票的，卖方应当每天支付按交割结算价计算的货款金额 0.5% 的滞纳金；超过 10 日（公历日）仍未提供增值税专用（普通）发票的，视为拒绝提供增值税专用（普通）发票，按《郑州商品交易所期货交割细则》的有关规定处理。

(2) Within 7 trading days after completing customs declaration formalities, the seller shall issue special VAT invoice to the buyer. In case that the seller delay the delivery of special VAT invoice to the buyer by 1 to 10 days (calendar day), the seller shall pay late fees which is 5% of the payments calculated on the basis of delivery clearing price each day; in case that the seller still fails to deliver special VAT invoice to the buyer beyond 10 days (calendar day), the seller shall be deemed to refuse to provide special VAT invoice and shall be punished subject to Detailed Rules for Futures Delivery of Zhengzhou Commodity Exchange.

发生上述违约行为的，卖方应当根据《郑州商品交易所期货交割细则》按交割结算价计算的货款金额的规定比例支付违约金。因海关或其他政策性原因导致卖方报关延迟完成和增值税专用（普通）发票延迟交付的，货款划转及仓单过户顺延办理，卖方无需支付相应的滞纳金，也不作违约处理。

In case of default behavior, the seller shall pay the buyer liquidated damages subject to relevant regulations on the payments calculated on the basis of delivery clearing price. In case that seller's delaying in completing customs declaration formalities and delivering special VAT invoice is caused by customs and other policies, the transfer of payments and the ownership of warehouse warrants shall be prolonged, and the seller shall not pay corresponding late fees and be punished for default.

第二十条 非经配对交割实现的保税标准仓单货权转让，交易所不开具保税交割结算单，货款结算及票据流转由会员或客户自行协商办理。该笔保税仓单报关的完税价格由海关根据有关规定进行审价。

Article 20 As to the transfer of bonded standard warehouse warrants without delivery matching, ZCE shall not issue bonded delivery clearing statement, and the clearing of payments and the circulation of bills shall be handled by members or clients through negotiation. The duty-paid price of the bonded warehouse warrants shall be verified by the Customs in accordance with relevant regulations.

第五章 保税期货转现货

Chapter 5 Bonded Exchange Futures for Physicals

第二十一条 保税期货转现货（以下简称保税期转现）是指持有同一交割月份合约的多空双方之间达成现货买卖协议后，变期货部位为现货部位的交易。

Article 21 The bonded warehouse warrants exchange futures for physicals (hereinafter referred to as bonded EFP) shall mean the trade of exchanging futures positions into physicals when both long and short parties come to agreement on physical trade and turn their respective futures positions into physicals.

保税期转现只允许保税标准仓单期转现。

Only bonded warehouse warrants shall be allowed for the bonded EFP.

第二十二条 用保税标准仓单进行期转现，交易所不开具保税交割结算单，货款结算及票据流转由会员或客户自行协商办理。

Article 22 In case that bonded warehouse warrants are used for EFP, ZCE shall not issue Bonded Delivery Clearing Statement, and the clearing of payments and the circulation of bills shall be handled by members or clients through negotiation.

第二十三条 保税期转现办理流程按照《郑州商品交易所期货交割细则》“期货

转现货”一章有关规定执行。

Article 23 The procedure of handling bonded EFP shall comply with relevant regulations in Chapter 7 Exchange Futures for Physicals under Detailed Rules for Futures Delivery of Zhengzhou Commodity Exchange.

第六章 保税标准仓单的注销和提货出库

Chapter 6 Deregistration of Bonded Warehouse Warrants and Departure of Commodities from Warehouses

第二十四条 保税标准仓单注销和提货按照现行的《郑州商品交易所标准仓单及中转仓单管理办法》办理，本章有特别规定的按照本章规定条款执行。

Article 24 The deregistration of bonded warehouse warrants and the delivery of commodities shall be handled subject to the existing Measures for the Administration of Standard Warehouse Warrants and Transit Warehouse Warrants of Zhengzhou Commodity Exchange. In case that special regulations are stipulated by this Chapter, the special regulations shall be followed.

第二十五条 保税标准仓单按照《郑州商品交易所标准仓单及中转仓单管理办法》注销后，在办理注销货物出库时，提货人除了凭交易所开具的《提货通知单》验证密码、提货人身份证、提货人所在单位办理提货手续的证明等材料外还应提供海关放行单等单证。

Article 25 When handling the departure of goods from warehouses after the bonded warehouse warrants are deregistered, persons who pick up the goods shall provide the verification password of the Delivery Note issued by ZCE, his/her ID card and the supporting materials of member entity where he/she works in to pick up commodities, Customs Release Check, etc.

附则

Supplementary Provisions

第二十六条 本细则的解释权属于郑州商品交易所。

Article 26 ZCE reserves the right to interpret these detailed rules.

第二十七条 本细则未尽事宜，参照《郑州商品交易所章程》、《郑州商品交易所交易规则》及其实施细则等有关规定执行。

Article 27 Matters not covered in these detailed rules shall be governed by the Bylaws of Zhengzhou Commodity Exchange, Trading Rules of Zhengzhou Commodity Exchange and the detailed rules on the implementation thereof.

第二十八条 本细则自 2016 年 4 月 25 日起实施。

Article 28 These detailed rules shall enter into force as of April 25, 2016.

(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.)