

中環郵政總局信箱 64 號
香港上海滙豐銀行有限公司

致：香港上海滙豐銀行有限公司

公民黨近日收到不少市民求助個案。他們都是在本地銀行購買了與雷曼兄弟及 Pacific International Finance Ltd 有關金融產品，而十分擔心因為雷曼兄弟破產而導致金錢上的損失。而我們亦得悉香港上海滙豐銀行有限公司是有關金融產品(包括債券抵押債券)的信託人及管理人。

自三星期前雷曼兄弟破產的事件發生以後，貴銀行一直未有在公開或非公開的場合向受影響投資者解釋有關金融產品及相關抵押品的最新狀況及交代歸還本金的抵押品。貴銀行在多款金融產品中擔任信託人或代理人的角色，實有責任透過會面及書面答覆向受影響投資者解釋有關事件的進展及提供更多資料，以釋他們的疑慮，有關查詢如下：

1. 貴銀行現時持有與雷曼兄弟有關金融產品的抵押品存放在甚麼地方？那些抵押產品包括甚麼項目，而它們現在的價值是多少？
2. 貴銀行可有採取措施去保留那些抵押品的價值？如有，請列舉該等措施。
3. 據明報報導，在雷曼兄弟宣布破產前一個半月，即今年 7 月底，貴銀行曾同意雷曼兄弟為約半數迷你債券替換抵押品，並在致給分銷商的通知函件中表明「此替代不會實質損害相關債券持有人利益的情況」，請問這是否屬實？如屬實，請問貴銀行容許這些替代的原因並請同時確認這些替代對投資者並沒有影響。
4. 貴銀行作為金融產品的信託人及管理人，將如何向受影響投資者解釋有關金融產品的最新狀況，包括投資者有多大的機會及何時可以取回本金及利息？
5. 就今次雷曼兄弟破產事件中，貴銀行將會透過什麼方法保障受影響投資者的權益？

公民黨相繼收到投資者的求助，因此我們希望 貴銀行可以盡快解答上述查詢。同時，公民黨希望相約 貴銀行的代表與受影響投資者進行會面，以釋除他們的憂慮並共同商討解決辦法。如有查詢，請聯絡公民黨總策劃幹事歐陽志飛(6117 6320)。

公民黨

二零零八年九月二十九日

GPO Box 64 Hong Kong
The Hongkong and Shanghai Banking Corporation Limited

29 September 2008

To: The Hongkong and Shanghai Banking Corporation Limited

The Civic Party has been receiving requests for assistance from citizens who have purchased financial products from local banks issued by parties related to Lehman Brothers including Pacific International Finance Ltd. Many such investors are extremely anxious about financial losses arising from the bankruptcy of Lehman Brothers Holdings. We understand that entities within the HSBC Group are Note trustee/custodians of the security including CDOs for repayment of principal under these financial products.

Since the unfortunate news broke three weeks ago, the Note trustee/custodians of the security have not explained publicly or privately to the affected investors the latest position of the financial products and the security for repayment of principal. As the Note trustee/custodian of the security for the financial products or agent, we believe that your bank should provide to them a clear picture of where they stand. We urge you to provide them with the information on the current position including answers to the queries listed below:

1. Where is the security for repayment of principal currently being held by HSBC? What does the security currently include and what is its value?
2. Has your bank taken any measures to preserve the worth of the financial products or the collaterals? If so, please list the actions taken.
3. According to the report by Ming Pao, at the end of July, about one and a half months before Lehman declared its bankruptcy, your bank has consented to the change of the collateral products for over half of the minibond and has written to the bank distributors that the collateral change would not affect the interests of the minibond holders. Please verify if that is true. If so, please give us the reasons for allowing the collateral change and confirm if the change has really no affect on the protection of the minibond holders.
4. As the Note trustee/custodian of the financial products, how would you explain

to all affected investors the chance of recovery, the amount of principal or interest receivable and the time when they can expect to be paid?

5. In relation to the bankruptcy of Lehman, what measures will the bank take to safeguard the interests of the affected investors?

Civic Party has been receiving requests for assistance from the investors. We look forward to your prompt reply. In the meantime, Civic Party would like to request a meeting between the representatives of your bank and the affected investors to clarify their worries and discuss a viable solution through joint consultation. For enquiries, please contact the Chief Project Officer Au Yeung Chi Fei at 6117 6320.

The Civic Party Limited