

**AMENDMENTS TO THE RULES OF BURSA MALAYSIA DEPOSITORY SDN BHD
CONSEQUENTIAL TO THE SECURITIES COMMISSION'S GUIDELINES ON EXCHANGE TRADED FUNDS**

Existing Provisions		Amended Provisions	
	New provision	1.01	<p>Definition:</p> <p>“exchange traded fund” shall have the meaning as assigned to it in the Commission’s Guidelines on Exchange Traded Funds.</p>
	New provision	1.01	<p>Definition</p> <p>“issuer” shall have the meaning as assigned to it in the Act and in the case of a trust, shall mean the management company of the trust.</p>
1.02	<p>Additional Definitions:</p> <p>(1) Definitions under the Act: The following words and expressions shall have the meaning assigned to them respectively under section 2(1) of the Act, unless the context otherwise requires, namely-</p> <p>“access”</p> <p>“Commission”</p> <p>“computer system”</p> <p>“debt securities”</p> <p>“depositor”</p> <p>“depositor security”</p>	1.02	<p>Additional Definitions:</p> <p>(1) Definitions under the Act: The following words and expressions shall have the meaning assigned to them respectively under section 2(1) of the Act, unless the context otherwise requires, namely-</p> <p>“access”</p> <p>“Commission”</p> <p>“computer system”</p> <p>“debt securities”</p> <p>“depositor”</p> <p>“depositor security”</p>

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	<p>“information”</p> <p>“Investigating Officer”</p> <p><u>“issuer”</u></p> <p>“Minister”</p> <p>“participating organisation”</p> <p>“record”</p> <p>“Rules”</p> <p>“scrip”</p> <p>“security”</p> <p>“security account”</p> <p>“securities laws”</p>		<p>“information”</p> <p>“Investigating Officer”</p> <p>“Minister”</p> <p>“participating organisation”</p> <p>“record”</p> <p>“Rules”</p> <p>“scrip”</p> <p>“security”</p> <p>“security account”</p> <p>“securities laws”</p>
17.01	<p>Compliance with Rules, etc:</p> <p>Every issuer of prescribed securities or deposited securities shall comply with these Rules where it purports to apply to them directly or indirectly (whether in this Part IV or otherwise), the Procedures Manual, the provisions of the Act and the Regulations and any directions which may be issued by the Depository from time to time. For the purposes of this Rule, an issuer shall include, if applicable,</p>	17.01	<p>Compliance with Rules, etc:</p> <p>(1) Every issuer of prescribed securities or deposited securities shall comply with these Rules where they purport to apply to them directly or indirectly (whether in this Part IV or otherwise), the Procedures Manual, the provisions of the Act and the Regulations and any directions which may be issued by the Depository from time to time. For the purposes of this Rule, an issuer shall include, if applicable, its company</p>

Existing Provisions		Amended Provisions	
	its company registrar, its issuing house or any agent of the issuer.		registrar, its issuing house or any agent of the issuer. (2) A trustee of an exchange traded fund shall comply with these Rules where they purport to apply to the trustee directly or indirectly (whether in this Part IV or otherwise), the Procedures Manual, the provisions of the Act and the Regulations and any directions which may be issued by the Depository from time to time. In this connection, a trustee must give the Depository an undertaking in the form of Appendix IV.
17.01A	<p>Indemnity:</p> <p>Every issuer of prescribed securities or deposited securities shall fully indemnify and hold indemnified the Depository against any loss, damage, liability, cost or expense (including legal costs) suffered or incurred by the Depository, whether directly or indirectly, as a result of any demand, action or proceeding made by any person for, on account of, or in respect of anything done, any statement made or omitted to be done or made, by the Depository in connection with the discharge or performance or purported discharge or performance of any duties or services by the Depository under these Rules or in the exercise or intended exercise of any power under these Rules, in relation to such issuer or its securities provided always that such act, statement or omission did not arise as a result of negligence on the part of the Depository.</p>	17.01A	<p>Indemnity:</p> <p>Every issuer of prescribed securities or deposited securities and in the case of an exchange traded fund, both the issuer and the trustee shall fully indemnify and hold indemnified the Depository against any loss, damage, liability, cost or expense (including legal costs) suffered or incurred by the Depository, whether directly or indirectly, as a result of any demand, action or proceeding made by any person for, on account of, or in respect of anything done, any statement made or omitted to be done or made, by the Depository in connection with the discharge or performance or purported discharge or performance of any duties or services by the Depository under these Rules or in the exercise or intended exercise of any power under these Rules, in relation to such issuer, its securities or trustee of an exchange traded fund provided always that such act, statement or omission did not arise as a result of negligence on the part of the Depository.</p>

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	New provision		<p>APPENDIX IV</p> <p>Undertaking by (name of the trustee of an exchange traded fund) (Rule 17.01(2))</p> <p>To Bursa Malaysia Depository Sdn. Bhd. 9th Floor, Exchange Square Bukit Kewangan 50200 Kuala Lumpur.</p> <p>Compliance with the Rules of Bursa Malaysia Depository Sdn. Bhd. (“the Depository”)</p> <p>In consideration of the Depository allowing the deposit of(name of the exchange traded fund) exchange traded fund (“ETF”) units with the Depository and for utilisation of the services and facilities made available by the Depository to the ETF, WE, [name of trustee](“the Trustee”) HEREBY ACKNOWLEDGE that the ETF units shall remain deposited with the Depository and utilisation of any such services and facilities by the ETF shall continue only during the pleasure of the Depository and WE HEREBY UNDERTAKE AND AGREE to comply with the Rules of the Depository, the Procedures Manual, the provisions of the Securities Industry (Central Depositories) Act 1991 (“SICDA”), the regulations made under SICDA and any directions issued by the Depository, which shall be in force from time to time, insofar as the same shall apply to the ETF.</p> <p>The above Undertaking has been signed by me for and on behalf</p>

Existing Provisions		Amended Provisions	
			<p>of the Trustee as(title) of the Trustee pursuant to the authority granted to me by resolution of the board of directors of the Trustee on</p> <p>Date:</p> <p>Trustee:</p> <p>Signature:</p> <p>Name:</p> <p>NRIC No.:</p>
20.11	<p>Construction:</p> <p>Reference to “issuer” or “offeror” in this chapter shall be deemed to include a reference to the issuing house or agent of such issuer or offeror.</p>	20.11	<p>Construction:</p> <p>Reference to “issuer” or “offeror” in this chapter shall be deemed to include a reference to the issuing house or agent of such issuer or offeror and in the case of an exchange traded fund, reference to “issuer” under Rules 20.03A, 20.04, 20.05, 20.06 and 20.07 in this Chapter shall mean the trustee of the exchange traded fund.</p>
	New provision	20A.09B	<p>Procedures for handling creation of new exchange traded fund units:</p> <p>(1) Application of this Rule: This Rule applies to the creation of new exchange traded fund units by an issuer.</p> <p>(2) Trustee to send information and certificate for crediting: The trustee of an exchange traded fund, upon receiving the request for the creation of new exchange traded fund units</p>

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			<p>from the issuer, shall send or cause to be sent to the Depository information containing, <i>inter alia</i>, the names of the depositors, their national registration identity card numbers or passport numbers (or in the case of companies, the company numbers, etc), their securities account numbers and the quantity of new exchange traded fund units created by the issuer (herein after in this chapter referred to as “ETF Credit List”), together with the appropriate certificates (in such denominations as may be specified by the Depository) registered in the name of Bursa Malaysia Depository Nominees Sdn. Bhd.</p> <p>(3) Entries: The Depository shall, upon receipt of the ETF Credit List and the certificates pursuant to Rule 20A.09B(2) and after verification, credit the respective securities accounts of the depositors with the number of new exchange traded fund units specified therein in the manner determined from time to time in the directions issued by the Depository.</p> <p>(4) Notices: Every issuer shall send to each depositor a notice or notices informing him of the crediting of new exchange traded fund units into the depositor’s securities account.</p>
	New provision	20A.09C	<p>Procedures for handling redemption of exchange traded fund units</p> <p>(1) Application of this Rule: This Rule applies to the redemption of exchange traded fund units by an issuer.</p> <p>(2) Trustee to send information for debiting: The trustee of an exchange traded fund, upon receiving the request for the</p>

Existing Provisions		Amended Provisions	
			<p>redemption of exchange traded fund units from the issuer, shall send or cause to be sent to the Depository information containing, <i>inter alia</i>, the names of the depositors, their national registration identity card numbers or passport numbers (or in the case of companies, the company numbers, etc), their securities account numbers and the quantity of deposited exchange traded fund units redeemed by the issuer (herein after in this chapter referred to as “ETF Debit List”).</p> <p>(3) Entries: The Depository shall, upon receipt of the ETF Debit List and after verification, debit the respective securities accounts of the depositors with the number of redeemed exchange traded fund units in accordance with the ETF Debit List and deliver the appropriate certificates representing such securities to the trustee, in the manner determined from time to time in the directions issued by the Depository.</p> <p>(4) Notices: Every issuer shall send to each depositor a notice or notices informing him of the debiting of the redeemed exchange traded fund units from the depositor’s securities account.</p>
	New provision	20A.09D	<p>Trustee to ensure information is accurate and complete:</p> <p>The Depository shall rely solely on the information provided by the trustee of an exchange traded fund, when crediting or debiting the exchange traded fund units into or from the depositor’s securities account, pursuant to a creation or redemption of exchange traded fund units. As such, it shall be the responsibility of the trustee of an exchange traded fund to</p>

Existing Provisions		Amended Provisions	
			ensure that the information contained in the ETF Credit List and the ETF Debit List is accurate, complete and all conditions, if any, which are required to be met in relation to the creation or redemption of the exchange traded funds, have been met.
20A.10	<p>Indemnity:</p> <p>Every issuer shall fully indemnify and hold indemnified the Depository against any loss, damage liability, cost or expense (including legal costs) suffered or incurred by the Depository as a result of any demands, actions and proceedings made by any depositor in respect of or arising from the debiting of <u>deposited non-equity securities</u> or crediting of securities from or into such depositor's account, by the Depository in reliance of the Credit List, Debit List, Allottees' List or any instruction by the issuer to debit or credit the securities accounts of the depositor given by the issuer provided always that the demand, action or proceeding did not arise as a result of negligence on the part of the Depository in providing inaccurate or incomplete information in the Record of Depositors under Rule 20A.08(4).</p>	20A.10	<p>Indemnity:</p> <p>Every issuer and in the case of an exchange traded fund, both the issuer and the trustee, shall fully indemnify and hold indemnified the Depository against any loss, damage liability, cost or expense (including legal costs) suffered or incurred by the Depository as a result of any demands, actions and proceedings made by any depositor in respect of or arising from the debiting or crediting of securities from or into such depositor's account, by the Depository in reliance of the Credit List, Debit List, Allottees' List, ETF Debit List, ETF Credit List respectively or any instruction by the issuer or trustee of an exchange traded fund to debit or credit the securities accounts of the depositor given by the issuer or trustee of an exchange traded fund provided always that the demand, action or proceeding did not arise as a result of negligence on the part of the Depository in providing inaccurate or incomplete information in the Record of Depositors under Rule 20A.08(4).</p>
21.07	<p>List of allottees:</p> <p>Subject to any exemptions made pursuant to any securities laws, an issuer or offeror shall, upon issuing or the making of an offer for sale by an offeror of any securities pursuant to Rule 21.01, provide to the Depository a list specifying the names of the allottees or entitled persons, their national registration identity card numbers or passport numbers (or in the case of companies, company registration number,</p>	21.07	<p>List of allottees:</p> <p>(1) Subject to any exemptions made pursuant to any securities laws, an issuer or offeror shall, upon issuing or the making of an offer for sale by an offeror of any securities pursuant to Rule 21.01, provide to the Depository a list specifying the names of the allottees or entitled persons, their national registration identity card numbers or passport numbers (or in the case of companies, company registration number, etc), their securities</p>

Existing Provisions		Amended Provisions	
	etc), their securities account numbers and the quantity of securities allotted to them, respectively (hereinafter referred to as “List of Allottees”) together with the appropriate <u>shares</u> certificates (in such denominations as may be specified by the Depository) registered in the name of Bursa Malaysia Depository Nominees Sdn. Bhd. In respect of bonus issues, unless otherwise instructed directly by a depositor to the contrary, the issuer shall, where the depositor has more than one securities account, allocate such securities into the depositor’s securities accounts in such proportion as may be determined on the Record of Depositors.		<p>account numbers and the quantity of securities allotted to them, respectively (hereinafter referred to as “List of Allottees”) together with the appropriate certificates (in such denominations as may be specified by the Depository) registered in the name of Bursa Malaysia Depository Nominees Sdn. Bhd. In respect of bonus issues, unless otherwise instructed directly by a depositor to the contrary, the issuer shall, where the depositor has more than one securities account, allocate such securities into the depositor’s securities accounts in such proportion as may be determined on the Record of Depositors.</p> <p>(2) In the case of an exchange traded fund, the trustee shall be responsible to provide to the Depository, the List of Allottees as referred to in sub-Rule (1) above, together with the requisite certificates.</p>
21.09	<p>Indemnity:</p> <p>Every issuer shall fully indemnify and hold indemnified the Depository from all demands, actions and proceedings made by any depositor for any loss suffered by such depositor in respect of or arising from any error in the List of Allottees provided always that such error did not arise as a result of negligence on the part of the Depository in providing inaccurate or incomplete information in the Record of Depositors under Rule 21.04.</p>	21.09	<p>Indemnity:</p> <p>Every issuer and in the case of an exchange traded fund, both the issuer and the trustee shall fully indemnify and hold indemnified the Depository from all demands, actions and proceedings made by any depositor for any loss suffered by such depositor in respect of or arising from any error in the List of Allottees provided always that such error did not arise as a result of negligence on the part of the Depository in providing inaccurate or incomplete information in the Record of Depositors under Rule 21.04.</p>
22.01	<p>Application of this chapter:</p> <p>This chapter applies to every issuer of any deposited security who -</p>	22.01	<p>Application of this chapter:</p> <p>This chapter applies to every issuer of any deposited security who -</p> <p>(a) conducts a capital restructuring exercise which affects the</p>

Existing Provisions		Amended Provisions	
	<p>(a) conducts a capital restructuring exercise which affects the issued share capital of the issuing company;</p> <p>(b) conducts a share consolidation exercise with another type of deposited security; or</p> <p>(c) exercises a reorganisation in the total amount of shares within the issued share capital of the issuing company (hereinafter in this chapter referred to as “a share split”).</p>		<p>issued share capital of the issuing company;</p> <p>(b) conducts a share consolidation exercise with another type of deposited security; or</p> <p>(c) exercises a reorganisation in the total amount of shares within the issued share capital of the issuing company or units of an exchange traded fund (hereinafter in this chapter referred to as “a share split”).</p>
22.05	<p>List of Allottees:</p> <p>An issuer shall, upon finalisation of the capital restructuring, consolidation or share split exercise, prepare and deliver to the Depository a list specifying the names of the allottees, their national registration identity card numbers, passport numbers (in the case of non-residents) or company or business registration numbers (in the case of companies or businesses), their securities account numbers and the quantity of deposited securities allotted to their securities account respectively (hereinafter referred to as “List of Allottees”) together with the appropriate <u>share</u> certificates, if any, (in such denominations as may be specified by the Depository) registered in the name of the Depository or its nominee company. Unless otherwise instructed directly by a depositor, the issuer shall, where the depositor has more than one securities account, allocate the allotted securities in such proportion as determined from the Record of Depositors.</p>	22.05	<p>List of Allottees:</p> <p>(1) An issuer shall, upon finalisation of the capital restructuring, consolidation or share split exercise, prepare and deliver to the Depository a list specifying the names of the allottees, their national registration identity card numbers, passport numbers (in the case of non-residents) or company or business registration numbers (in the case of companies or businesses), their securities account numbers and the quantity of deposited securities allotted to their securities account respectively (hereinafter referred to as “List of Allottees”) together with the appropriate certificates, if any, (in such denominations as may be specified by the Depository) registered in the name of the Depository or its nominee company. Unless otherwise instructed directly by a depositor, the issuer shall, where the depositor has more than one securities account, allocate the allotted securities in such proportion as determined from the Record of Depositors.</p> <p>(2) In the case of an exchange traded fund, the trustee shall be</p>

Existing Provisions		Amended Provisions	
			responsible to provide to the Depository, the List of Allottees as referred to in sub-Rule (1) above, together with the requisite certificates.
31A.02A	<p>Reliance on information provided by the issuers:</p> <p>The Depository shall, in handling the exercise of rights for non-equity securities, rely solely on the information provided by the issuer in particular when debiting <u>the non-equity securities</u> or crediting the securities from or into the depositor's securities account. As such the Depository shall not be liable for any loss or damage arising from any act committed by it when handling the above exercise in reliance of the information provided by the issuers.</p>	31A.02A	<p>Reliance on information provided by the issuers or trustees of exchange traded funds:</p> <p>The Depository shall rely solely on the information provided by the issuer or trustee of an exchange traded fund, as the case may be, when debiting or crediting the securities from or into the depositor's securities account pursuant to an exercise of rights for non-equity securities, or a creation and redemption of exchange traded fund units. As such, the Depository shall not be liable for any loss or damage arising from any act committed by it when handling the above matters in reliance of the information provided by the issuers or trustees of exchange traded funds, as the case may be.</p>
Part VII	<p>FEES AND CHARGES</p> <p>FEES AND CHARGES STRUCTURE FOR THE CENTRAL DEPOSITORY SYSTEM:</p>	Part VII	<p>FEES AND CHARGES</p> <p>FEES AND CHARGES STRUCTURE FOR THE CENTRAL DEPOSITORY SYSTEM:</p>
NO 10	<p><u>NAME</u> Record of Depositors Fee</p> <p><u>RATE</u> 13 sen</p> <p><u>BASIS</u></p>	NO 10	<p><u>NAME</u> Record of Depositors Fee</p> <p><u>RATE</u> 13 sen</p> <p><u>BASIS</u></p>

Existing Provisions		Amended Provisions	
	Per account <u>holder</u> per request <u>LEVIED ON</u> Issuer <u>WHEN</u> Billed on request		Per account per request <u>LEVIED ON</u> Issuer <u>WHEN</u> Billed on request
NO 11	<u>NAME</u> Additional Issues Fee <u>RATE</u> RM2.20 (subject to a minimum fee of RM50) <u>BASIS</u> Per account <u>holder</u> allotted <u>pursuant to a corporate action exercise</u> <u>LEVIED ON</u> Issuer <u>WHEN</u> Upon allotment	NO 11	<u>NAME</u> Additional Issues Fee <u>RATE</u> RM2.20 (subject to a minimum fee of RM50) <u>BASIS</u> Per account allotted <u>LEVIED ON</u> Issuer <u>WHEN</u> Upon allotment
	New provision	NO 11A	<u>NAME</u> Redemption Fee <u>RATE</u> RM2.20 (subject to a minimum fee of RM50) <u>BASIS</u>

Existing Provisions		Amended Provisions	
			<p>Per account debited</p> <p><u>LEVIED ON</u> Issuer</p> <p><u>WHEN</u> Upon debiting</p>
NO 12	<p><u>NAME</u> Public Issue Fee</p> <p><u>RATE</u> RM2.20</p> <p><u>BASIS</u> Per account <u>holder</u> allotted</p> <p><u>LEVIED ON</u> Issuer</p> <p><u>WHEN</u> Upon allotment</p>	NO 12	<p><u>NAME</u> Public Issue Fee</p> <p><u>RATE</u> RM2.20</p> <p><u>BASIS</u> Per account allotted</p> <p><u>LEVIED ON</u> Issuer</p> <p><u>WHEN</u> Upon allotment</p>