

ANNEXURE 1

AMENDMENTS TO THE RULES OF BURSA MALAYSIA DEPOSITORY SDN. BHD. IN RELATION TO PROVISION OF EXCHANGE TRADED FUND IN-KIND CREATION AND REDEMPTION INFORMATION THROUGH eRAPID

EXISTING PROVISIONS		AMENDED PROVISIONS	
Rule 1.01	<p>Definition:</p> <p>In these Rules, unless the context otherwise requires-</p> <p>“eRAPID System” means a web-based system established by the Depository for the electronic transmission of information or records between the Depository and the issuer and such other web-based services or facilities as may be determined by the Depository.</p>	Rule 1.01	<p>Definition:</p> <p>In these Rules, unless the context otherwise requires-</p> <p>“eRAPID System” means a web-based system established by the Depository for the electronic transmission of information or records between the Depository and the issuer or the trustee of an exchange traded fund, as the case may be and such other web-based services or facilities as may be determined by the Depository.</p>
Rule 17.11	<p>eRAPID:</p> <p>(1) eRAPID Information: Any of the following record or information that is to be provided by the Depository to an issuer <i>or</i> offeror (hereinafter referred to as “<i>the Issuer</i>”) or by an Issuer to the Depository, as the case may be, shall be transmitted electronically via the eRAPID System unless otherwise permitted or directed by the Depository:</p> <p>(a) Record of Depositors;</p> <p>(b) data in relation to corporate actions or public offers for the purpose of debiting or crediting the securities accounts of the relevant depositors;</p> <p>(c) reports or information as stipulated under these Rules or the Procedures Manual, pursuant to a</p>	Rule 17.11	<p>eRAPID:</p> <p>(1) eRAPID Information: Any of the following record or information that is to be provided by the Depository to an issuer, offeror or the trustee of an exchange traded fund (hereinafter referred to as “Issuer”) or by an Issuer to the Depository, as the case may be, shall be transmitted electronically via the eRAPID System unless otherwise permitted or directed by the Depository:</p> <p>(a) (no change)</p> <p>(b) (no change)</p> <p>(c) reports or information as stipulated under these Rules or the Procedures Manual, pursuant to a request made by the Issuer which reports or information are generated by the computer system of the Depository in relation to Rule 17.05(1)(b) or which may be</p>

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	<p>request made by the Issuer which reports or information are generated by the computer system of the Depository in relation to Rule 17.05(1)(b) or which may be provided by the Depository; <i>and</i></p> <p>(New provision)</p> <p>(d) such other records or information as may be prescribed by the Depository from time to time.</p> <p>(hereinafter collectively referred to in this Chapter as “the eRAPID Information”).</p>		<p>provided by the Depository;</p> <p>(d) data in relation to the creation and redemption of exchange traded fund units; and</p> <p>(e) (no change)</p> <p>(hereinafter collectively referred to in this Chapter as “the eRAPID Information”).</p>
Rule 38.02	<p>General Penalty:</p> <p>(1) Breach of these Rules: Notwithstanding any other powers conferred on the Depository in these Rules or in the Act, the Depository shall have the following powers in the event of any breach of any of the provisions of these Rules by the following persons :-</p> <p>(a) in relation to an issuer, to reprimand and/or impose a fine not exceeding the sum of two hundred and fifty thousand ringgit and/or withdraw the authority given to such person to act as an authorised nominee as the case may be and/or disallow the issuer’s access to any of the services or facilities provided by the Depository for any period as may be</p>	Rule 38.02	<p>General Penalty:</p> <p>(1) Breach of these Rules: Notwithstanding any other powers conferred on the Depository in these Rules or in the Act, the Depository shall have the following powers in the event of any breach of any of the provisions of these Rules by the following persons :-</p> <p>(a) in relation to an issuer or trustee of an exchange traded fund, to reprimand and/or impose a fine not exceeding the sum of two hundred and fifty thousand ringgit and/or withdraw the authority given to such person to act as an authorised nominee as the case may be and/or disallow the issuer’s access to any of the services or facilities provided by the Depository for any period as may be determined by the Depository</p>

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	<p>determined by the Depository at its absolute discretion; and</p> <p>(b) (no change)</p> <p>(2) Continuing breach: In the case of a continuing breach the authorised depository agent, authorised direct member, issuer or other users as the case may be, in addition to the penalties under subsection (1) is liable to a fine not exceeding five thousand ringgit for every day or part of a day during which the breach continues.</p>		<p>at its absolute discretion; and</p> <p>(b) (No change)</p> <p>(2) Continuing breach: In the case of a continuing breach the authorised depository agent, authorised direct member, issuer, trustee of an exchange traded fund or other users as the case may be, in addition to the penalties under subsection (1) is liable to a fine not exceeding five thousand ringgit for every day or part of a day during which the breach continues.</p>
Rule 38.06	<p>Liability:</p> <p>The Depository shall not be liable for any loss or damage that may be suffered, incurred or sustained by any depositor, issuer, authorised depository agent, authorised direct member or other users as a result of or in connection with the Depository's performance or non-performance of its duties in good faith, or the Depository's failure to comply or delay in complying with any of its duties or obligations arising as a direct or indirect result of anything beyond its reasonable control including, but not limited to, failure or delay by the issuer in performing its functions under these Rules, natural disasters, act of God, industrial action, computer breakdown or sabotage, currency restrictions, war or terrorism or the failure, suspension or disruption of any relevant stock exchange, clearance system or market.</p>	Rule 38.06	<p>Liability:</p> <p>The Depository shall not be liable for any loss or damage that may be suffered, incurred or sustained by any depositor, issuer, trustee of an exchange traded fund, authorised depository agent, authorised direct member or other users as a result of or in connection with the Depository's performance or non-performance of its duties in good faith, or the Depository's failure to comply or delay in complying with any of its duties or obligations arising as a direct or indirect result of anything beyond its reasonable control including, but not limited to, failure or delay by the issuer in performing its functions under these Rules, natural disasters, act of God, industrial action, computer breakdown or sabotage, currency restrictions, war or terrorism or the failure, suspension or disruption of any relevant stock exchange, clearance system or market.</p>