

SECURITIES COMMISSION ACT 1993
SECURITIES COMMISSION (FEES) (AMENDMENT) REGULATIONS 2004

IN exercise of the powers conferred by section 159 of the Securities Commission Act 1993 [*Act 498*], the Securities Commission, with the approval of the Minister, makes the following regulations:

Citation

1. These regulations may be cited as the **Securities Commission (Fees) (Amendment) Regulations 2004**.

Amendment of regulation 3

2. The Securities Commission (Fees) Regulations 2000 [*P.U. (A) 239/2000*], which are referred to as the "principal Regulations" in these Regulations, are amended by substituting for regulation 3 the following regulation:

"Fees in respect of matters other than registration of prospectus

3. (1) Subject to subregulation (2), the fees set out in the Second Schedule shall be payable to the Commission in respect of such matters other than the registration of prospectuses.

(2) In computing the amount of fees payable in respect of any proposal submitted, the following conditions shall apply:

- (a) in respect of any revised proposal submitted, additional fees computed at the rate of ten per cent of the total amount of fees paid in respect of the original submission shall be payable;
- (b) in respect of any appeal to the Commission, an amount of three thousand ringgit or ten percent of the amount specified in the Second Schedule, whichever is the higher shall be payable;
- (c) where a proposal is withdrawn after it is submitted to the Commission, fifty percent of the amount of fees specified in the Second Schedule shall be payable;
- (d) where a proposal is rejected by the Commission, ten percent of the amount of fees specified in the Second Schedule shall be payable; and
- (e) notwithstanding paragraph (d), where a proposal for establishment of new unit trust scheme has been rejected by the Commission, an amount of eight thousand ringgit shall be payable."

Amendment of First Schedule

3. The principal Regulations are amended by substituting for the First Schedule the following Schedule:

"FIRST SCHEDULE
(Regulation 2)

SCHEDULE OF FEES PAYABLE IN RESPECT OF SUBMISSION AND REGISTRATION
OF PROSPECTUSES IN RELATION TO SECURITIES OTHER THAN UNIT TRUST
SCHEMES

| Serial No. | Description | Prospectus (RM) | Abridged Prospectus (RM) | Supplementary Prospectus (RM) |
|------------|---|-----------------|--------------------------|-------------------------------|
| 1. | Submission of prospectus | 10,000 | 7,000 | 5,000 |
| 2. | Registration of prospectus | 5,000 | 1,500 | 1,500 |
| 3. | Processing of waiver application from Prospectus Guidelines | 3,500 | 3,500 | 3,500 |
| 4. | Processing of appeal on waiver decision | 2,500 | 2,500 | 2,500 |
| 5. | Withdrawal of prospectus prior to registration | 5,000 | 3,500 | 2,500 |
| 6. | Withdrawal of waiver application | 1,750 | 1,750 | 1,750 |

SCHEDULE OF FEES PAYABLE IN RESPECT OF SUBMISSION AND REGISTRATION
OF PROSPECTUSES IN RELATION TO UNIT TRUST SCHEMES AND PRESCRIBED
INVESTMENT SCHEMES

| Serial No. | Description | Fees |
|------------|---|--|
| 1. | Submission of prospectus | RM3,000 + RM100 per fund established under any unit trust scheme or prescribed investment scheme |
| 2. | Registration of prospectus for new unit trust scheme and prescribed investment scheme | RM3,000 + RM500 per fund established under any unit trust scheme or prescribed investment scheme |
| 3. | Registration of prospectus for renewal of prospectus | RM1,500 + RM250 per fund established under any unit trust scheme or prescribed investment scheme |
| 4. | Registration of supplementary prospectus | RM1500 |
| 5. | Registration of abridged prospectus | RM1500 |
| 6. | Submission of supplementary prospectus | RM1000 |

”

Amendment of Second Schedule

4. The principal Regulations are amended by substituting for the Second Schedule the following Schedule:

“SECOND SCHEDULE

(Regulation 3)

SCHEDULE OF FEES PAYABLE IN RELATION TO MATTERS OTHER THAN SUBMIS-
SION AND REGISTRATION OF PROSPECTUSES

| Serial No. | Description | Fees |
|------------|---------------------|---|
| 1. | Deed submission fee | RM3,000 + RM100 per fund established under any unit trust or scheme or prescribed investment scheme |

| Serial No. | Description | Fees |
|------------|---|--|
| 2. | Registration of deed in relation to unit trust schemes and prescribed investment schemes | RM3,000 + RM500 per fund established under any unit trust scheme or prescribed investment scheme |
| 3. | Submission of supplementary deed | RM1,000 |
| 4. | Registration of supplementary deed | RM1,000 |
| 5. | Approval of management company | RM5,000 |
| 6. | Approval of trustee | RM3,000 |
| 7. | Lodging of documents | RM100 per document |
| 8. | Inspection by any person of any document lodged with the Commission | RM10 per document |
| 9. | A copy of or an extract from any document lodged with the Commission | RM1 per page |
| 10. | Certified true copy of any document lodged with the Commission | RM5 per page |
| 11. | Establishment of new scheme | RM8,000 per fund established under any unit trust scheme or prescribed investment scheme |
| 12. | Increase in fund size limit | RM2,000 per fund established under any unit trust scheme or prescribed investment scheme |
| 13. | Exemption or variation from Guidelines on Unit Trust Funds and Property Trust Funds | RM500 per exemption/variation per fund established under any unit trust scheme or prescribed investment scheme |
| 14. | Extension of time from compliance with Guidelines on Unit Trust Funds or Commission's condition of approval | RM1,000 per application |
| 15. | Restructuring of management company | RM2,000 per application |
| 16. | Delivery or deposit of any document, statement, book or particular as required by the Commission | RM50 per document type |

| Serial No. | Description | Fees |
|------------|---|---|
| 17. | Appointment of Chief Executive Officer and Board of Directors of the management company | RM500 per person per application and per fund established under any unit trust scheme or prescribed investment scheme |
| 18. | Appointment of investment committee members, syariah committee member or syariah advisers of the fund | RM500 per person per application and per fund established under any unit trust scheme or prescribed investment scheme |
| 19. | Registration or re-registration of syariah committee member or syariah adviser of the fund | No fee |
| 20. | Appointment of foreign fund manager or adviser of the fund | RM2,500 |
| 21. | Appointment of delegate not licensed by Commission for management company | RM1,000 |
| 22. | Investment in foreign markets | No fee |
| 23. | Other applications where no fees are specifically provided | RM1,000 per application |

* Fund for the purposes of this schedule will include sub-funds.

Made 20 May 2004
[SC/TM/G; PN(PU²)523/II]

DATO' MD NOR MD YUSOF
Chairman
Securities Commission

Approved 20 May 2004
[S(8.02)443/8-2 (SJ.5); PN(PU²)523/II]

TAN SRI NOR MOHAMED YAKCOP
Second Minister of Finance