

TECHNICAL NOTE NO. 1/2020

APPROVAL REQUIREMENT UNDER SUBSECTION 212(4) AND SCHEDULES 6 AND 7 OF THE CAPITAL MARKETS AND SERVICES ACT 2007

(Issued: 28 April 2020)
1st Revised: 18 March 2022

This Technical Note supersedes paragraph 1.04 of Technical Note No.1/2014. This Technical Note should be read together with the relevant Schedules in the *Capital Markets and Services Act 2007* (CMSA) and guidelines issued by the SC.

Part 1 - Clarification to subsection 212(4) of the CMSA on the offering of shares, debentures or sukuk

1. Approval under subsection 212(4) shall be required where a public company or listed corporation proposes to offer its shares, debenture or sukuk outside Malaysia, save where an exemption is provided for under Schedule 5 of the CMSA.
2. [Deleted]
3. The SC would also like to clarify that for the purpose of subsection 212(4) of the CMSA, the exemption under Schedule 5 for secondary transactions of debentures and sukuk equally applies to secondary transactions occurring outside Malaysia.
[Amended on 18 March 2022]
4. [Deleted]

Part 2 - Clarification to Schedules 6 and 7 of the CMSA on offers, invitations or issues of securities made to registered persons

5. [Deleted]
6. [Deleted]