

**ORDER TO EXEMPT SECTION 238 IN RELATION TO ISSUANCE OF
SUPPLEMENTARY OR REPLACEMENT PROSPECTUS FOR LISTED UNIT TRUST
SCHEMES WHERE UNITS HAVE BEEN ISSUED**

Issue Date: 5 July 2021

This order is made pursuant to subsection 238(10) of the *Capital Markets and Services Act 2007* (CMSA) [Act 671]:

1. Definition

For the purposes of this order-

“listed unit trust scheme” refers to a Real Estate Investment Trust or Business Trust listed or seeking to be listed on Bursa Malaysia Securities Berhad.

2. Exemption from section 238 of the CMSA for a listed unit trust scheme where units have been issued

2.1 Paragraph 238(1)(a) CMSA requires an issuer of a unit trust scheme to issue a supplementary or replacement prospectus where –

- (i) a prospectus has been registered; and
- (ii) the issuer becomes aware that certain matters have arisen as set out in subparagraphs 238(1)(A),(B),(C) and (D).

2.2. Paragraph 238(1)(a) would apply whether or not the units have been issued.

2.3 The SC would like to clarify that paragraph 238(1)(a) was not intended to apply to a listed unit trust scheme where its units have already been issued.

2.4 In this regard, in exercising its power under subsection 238(10) CMSA, the SC exempts an issuer of a listed unit trust scheme from compliance with section 238 provided the units have been issued.

3. Effective date

This order shall come into effect on 5 July 2021.