

SECURITIES INDUSTRY ACT 1983

SECURITIES INDUSTRY (EXEMPT DEALER) ORDER 2002

IN exercise of the powers conferred by paragraph (d) in the definition of "exempt dealer" in subsection 2(1) of the Securities Industry Act 1983 [Act 280], the Minister makes the following order:

Citation and commencement

1. (1) This order may be cited **as the Securities Industry (Exempt Dealer) Order 2002**.
- (2) This Order comes into operation on 10 January 2002.

Interpretation

2. In this Order, unless the context otherwise requires

"debenture" has the same meaning as in the Securities Commission Act 1993 [Act 498];

"listed" has the same meaning as in the Securities Commission Act 1993; "specify" has the same meaning as in the Securities Industry Act 1983;

"infrastructure project" means a project, whether located in Malaysia or outside Malaysia-

- (a) that contributes to the overall economic growth of Malaysia or which is in accordance with national economic objectives and policies;
- (b) for which a concession or licence has been awarded by a government or a state agency, in or outside Malaysia
 - a. with a remaining concession or licence period of not less than 15 years at the time a proposal as referred to in paragraph 3 is submitted to the Commission; and
 - b. with project costs of not less than RM500 million and which is able to generate income of an amount sufficient to give a suitable rate of return to its shareholders; and
- (c) which satisfies any other criteria as may be specified by the Commission;

"Commission" has the same meaning as in the Securities Commission Act 1993.

Bank Pembangunan dan Infrastruktur Malaysia Berhad as an exempt dealer

3. Bank Pembangunan dan Infrastruktur Malaysia Berhad is hereby declared as an exempt dealer in respect of the following activities:
 - (a) making submissions on behalf of customers to the Commission for the following proposals:
 - (i) making available, offering for subscription or purchase or issuing an invitation to subscribe for or purchase, securities of
 - (aa) infrastructure project companies for the purpose of listing such companies on a stock market of a stock exchange; and
 - (bb) unlisted infrastructure project companies; and

(ii) making available, offering for subscription or purchase, or issuing an invitation to subscribe for or purchase of non equitylinked debentures by listed and unlisted infrastructure project companies; and

(b) the underwriting of such proposals of securities and placement out of such underwritten securities as set out in subsubparagraphs (a)(i) and (ii) above, whether or not through the holder of a dealer's licence.

Conditions

4. Bank Pembangunan dan Infrastruktur Malaysia Berhad shall comply with –
 - (a) all requirements specified by the Commission; and
 - (b) all relevant rules and guidelines as may be specified from time to time by the Commission.

Made 7 January 2002.

[S(8.02) 443-21 Jd.3; PN(PU2)135/VI]

On behalf and in the name of the Minister of Finance,

CHAN KONG CHOY
Deputy Minister of Finance