

SECURITIES INDUSTRY (CENTRAL DEPOSITORIES) ACT 1991

**SECURITIES INDUSTRY (CENTRAL DEPOSITORIES) (RETAIL DEBENTURES AND
RETAIL SUKUK) REGULATIONS 2013**

IN exercise of the powers conferred by subsection 63(1) of the Securities Industry (Central Depositories) Act 1991 [Act 453], the Minister makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the **Securities Industry (Central Depositories) (Retail Debentures and Retail Sukuk) Regulations 2013**.

(2) These Regulations come into operation on 31 January 2013.

Interpretation

2. In these Regulations—

“retail debenture” means any debenture that is proposed to be issued or offered to retail investor and includes a debenture where an invitation to subscribe or purchase the debenture is proposed to be issued to retail investor;

“retail investor” has the same meaning assigned to it in the guidelines relating to sales practices issued by the Commission;

“retail sukuk” has the same meaning assigned to it in the relevant guidelines relating to sukuk issued by the Commission.

Deposit of scrips with third party

3. (1) Where a central depository has entered into an arrangement with the Central Bank of Malaysia or an entity acting on behalf of the Central Bank of Malaysia to hold the legal title or physical possession of the physical scrips underlying such securities, or to hold any other document representing the security on behalf of the central depository, as bare trustee for the depositors, for the purpose of the Act, such securities shall be deemed as being deposited or lodged with, or held in custody by, the central depository, upon the central depository being satisfied that such securities have been deposited or lodged with such party

(2) Subsection 8(1) and section 26 of the Act shall apply to securities deemed deposited with the central depository in subregulation (1).

Rights of depositor of bearer securities

4. (1) The depositor of bearer securities for retail debentures and retail sukuk shall be deemed to be the holder of the amount of securities entered against the respective names of the depositor of bearer securities for retail debentures and retail sukuk in the record of depositors as provided in subsection 35(1) of the Act.

(2) Subregulation (1) is subject to such terms and conditions as may be imposed by the Commission.

Dated 29 January 2013

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