

CAPITAL MARKETS AND SERVICES ACT 2007

**CAPITAL MARKETS AND SERVICES (AMENDMENT OF SCHEDULES 2 AND 3)
ORDER 2017**

IN exercise of the powers conferred by subsection 380(1) of the Capital Markets and Services Act 2007 [Act 671], the Minister, on the recommendation of the Commission, makes the following order:

Citation and commencement

1. (1) This order may be cited as the **Capital Markets and Services (Amendment of Schedules 2 and 3) Order 2017**.

(2) This Order comes into operation on 18 May 2017.

Amendment of Schedule 2

2. Schedule 2 to the Capital Markets and Services Act 2007, which is referred to as the “principal Act” in this Order, is amended—

(a) in Part 1, by inserting after paragraph 7 the following paragraph:

“8. Clearing for securities or derivatives.”; and

(b) in Part 2, by inserting after paragraph 7 the following paragraph:

“8. “Clearing for securities or derivatives” means, whether as principal or agent, carrying on the business of assuming obligations for the delivery and payment of a person’s transaction relating to listed securities or standardized derivatives as set out in the rules of the approved clearing house.”.

Amendment of Schedule 3

3. Schedule 3 to the principal Act is amended—

(a) by substituting for paragraph 17 the following paragraph:

“17. An approved clearing house or exchange holding company whose carrying on of any regulated activity is solely incidental to its operating clearing facilities.”; and

(b) by inserting after paragraph 22 the following paragraph:

“23. Any person who carries on the regulated activity of clearing for securities or derivatives, for his own account or for his related corporation.”.

Made 8 November 2016

[KK/BUU/(S) 10/0.568 SJ. 3; PN(PU2)662/XIII]

DATUK SERI JOHARI BIN ABDUL GHANI

Second Minister