

SECURITIES COMMISSION ACT 1993

SECURITIES COMMISSION (FEES) (AMENDMENT) REGULATIONS 2004

IN exercise of the powers conferred by section 159 of the Securities Commission Act 1993 [*Act 498*], the Securities Commission, with the approval of the Minister, makes the following regulations:

Citation

1. These regulations may be cited as the **Securities Commission (Fees) (Amendment) Regulations 2004**.

Amendment of regulation 3

2. The Securities Commission (Fees) Regulations 2000 [*P.U. (A) 239/2000*], which are referred to as the “principal Regulations” in these Regulations, are amended by substituting for regulation 3 the following regulation:

“Fees in respect of matters other than registration of prospectus

3. (1) Subject to subregulation (2), the fees set out in the Second Schedule shall be payable to the Commission in respect of such matters other than the registration of prospectuses.

(2) In computing the amount of fees payable in respect of any proposal submitted, the following conditions shall apply:

- (a) in respect of any revised proposal submitted, additional fees computed at the rate of ten per cent of the total amount of fees paid in respect of the original submission shall be payable;
- (b) in respect of any appeal to the Commission, an amount of three thousand ringgit or ten per cent of the amount specified in the Second Schedule, whichever is the higher shall be payable;
- (c) where a proposal is withdrawn after it is submitted to the Commission, fifty per cent of the amount of fees specified in the Second Schedule shall be payable;
- (d) where a proposal is rejected by the Commission, ten per cent of the amount of fees specified in the Second Schedule shall be payable; and
- (e) notwithstanding paragraph (d), where a proposal for establishment of new unit trust scheme has been rejected by the Commission, an amount of eight thousand ringgit shall be payable.”.

Amendment of First Schedule

3. The principal Regulations are amended by substituting for the First Schedule the following Schedule:

“FIRST SCHEDULE

(Regulation 2)

SCHEDULE OF FEES PAYABLE IN RESPECT OF SUBMISSION AND REGISTRATION OF PROSPECTUSES IN RELATION TO SECURITIES OTHER THAN UNIT TRUST SCHEMES

Serial No.	Description	Prospectus (RM)	Abridged Prospectus (RM)	Supplementary Prospectus (RM)
1.	Submission of prospectus	10,000	7,000	5,000
2.	Registration of prospectus	5,000	1,500	1,500
3.	Processing of waiver application from Prospectus Guidelines	3,500	3,500	3,500
4.	Processing of appeal on waiver decision	2,500	2,500	2,500
5.	Withdrawal of prospectus prior to registration	5,000	3,500	2,500

Serial No.	Description	Prospectus (RM)	Abridged Prospectus (RM)	Supplementary Prospectus (RM)
6.	Withdrawal of waiver application	1,750	1,750	1,750

SCHEDULE OF FEES PAYABLE IN RESPECT OF SUBMISSION AND REGISTRATION OF PROSPECTUSES IN RELATION TO UNIT TRUST SCHEMES AND PRESCRIBED INVESTMENT SCHEMES

Serial No.	Description	Fees
1.	Submission of prospectus	RM3,000 + RM100 per fund established under any unit trust scheme or prescribed investment scheme
2.	Registration of prospectus for new unit trust scheme and prescribed investment scheme	RM3,000 + RM500 per fund established under any unit trust scheme or prescribed investment scheme
3.	Registration of prospectus for renewal of prospectus	RM1,500 + RM250 per fund established under any unit trust scheme or prescribed investment scheme
4.	Registration of supplementary prospectus	RM1500
5.	Registration of abridged prospectus	RM1500
6.	Submission of supplementary prospectus	RM1000

Amendment of Second Schedule

4. The principal Regulations are amended by substituting for the Second Schedule the following Schedule:

"SECOND SCHEDULE

(Regulation 3)

SCHEDULE OF FEES PAYABLE IN RELATION TO MATTERS OTHER THAN SUBMISSION AND REGISTRATION OF PROSPECTUSES

Serial No.	Description	Fees
1.	Deed submission fee	RM3,000 + RM100 per fund established under any unit trust or scheme or prescribed investment scheme

Serial No.	Description	Fees
2.	Registration of deed in relation to unit trust schemes and prescribed investment schemes	RM3,000 + RM500 per fund established under any unit trust scheme or prescribed investment scheme
3.	Submission of supplementary deed	RM1,000
4.	Registration of supplementary deed	RM1,000
5.	Approval of management company	RM5,000
6.	Approval of trustee	RM3,000
7.	Lodging of documents	RM100 per document
8.	Inspection by any person of any document lodged with the Commission	RM10 per document
9.	A copy of or an extract from any document lodged with the Commission	RM1 per page
10.	Certified true copy of any document lodged with the Commission	RM5 per page
11.	Establishment of new scheme	RM8,000 per fund established under any unit trust scheme or prescribed investment scheme
12.	Increase in fund size limit	RM2,000 per fund established under any unit trust scheme or prescribed investment scheme
13.	Exemption or variation from Guidelines on Unit Trust Funds and Property Trust Funds	RM500 per exemption/variation per fund established under any unit trust scheme or prescribed investment scheme
14.	Extension of time from compliance with Guidelines on Unit Trust Funds or Commission's condition of approval	RM1,000 per application
15.	Restructuring of management company	RM2,000 per application
16.	Delivery or deposit of any document, statement, book or particular as required by the Commission	RM50 per document type

Serial No.	Description	Fees
17.	Appointment of Chief Executive Officer and Board of Directors of the management company	RM500 per person per application and per fund established under any unit trust scheme or prescribed investment scheme
18.	Appointment of investment committee members, syariah committee member or syariah advisers of the fund	RM500 per person per application and per fund established under any unit trust scheme or prescribed investment scheme
19.	Registration or re-registration of syariah committee member or syariah adviser of the fund	No fee
20.	Appointment of foreign fund manager or adviser of the fund	RM2,500
21.	Appointment of delegate not licensed by Commission for management company	RM1,000
22.	Investment in foreign markets	No fee
23.	Other applications where no fees are specifically provided	RM1,000 per application

* Fund for the purposes of this schedule will include sub-funds.

Made 20 May 2004
[SC/TM/G; PN(PU²)523/II]

DATO' MD NOR MD YUSOF
Chairman
Securities Commission

Approved 20 May 2004
[S(8.02)443/8-2 (SJ.5); PN(PU²)523/II]

TAN SRI NOR MOHAMED YAKOP
Second Minister of Finance