

SECURITIES INDUSTRY (CENTRAL DEPOSITORIES) ACT 1991

SECURITIES INDUSTRY (CENTRAL DEPOSITORIES) (EXEMPTION) ORDER 2005

IN exercise of the powers conferred by section 62A of the Securities Industry (Central Depositories) Act 1991 [*Act 453*], the Minister makes the following order:

Citation and commencement

1. (1) This order may be cited as the **Securities Industry (Central Depositories) (Exemption) Order 2005**.

(2) This Order comes into operation on 21 October 2005.

Exempt authorised nominee

2. (1) The Minister exempts the authorised nominee as specified in the Schedule from the provisions of subsection 25A(1) of the Act.

(2) The exemption specified in subparagraph 2(1) given to the authorised nominee as specified in the Schedule is subject to the following:

- (a) an exempt authorised nominee shall furnish information or document whatsoever relating to the deposited securities in the securities account, opened in the name of such exempt authorised nominee as may be required by the Securities Commission, the central depository or the stock exchange from time to time; and
- (b) such terms and conditions as may be specified by the central depository or the stock exchange.

(3) The Securities Industry (Central Depositories) (Exemption) (No. 2) Order 1998 [*P.U. (A) 395/1998*], the Securities Industry (Central Depositories) (Exemption) (No. 3) Order 1998 [*P.U. (A) 464/1998*], the Securities Industry (Central Depositories) (Exemption) Order 1999 [*P.U. (A) 181/1999*], the Securities Industry (Central Depositories) (Exemption) Order 2003 [*P.U. (A) 376/2003*] and the Securities Industry (Central Depositories) (Exemption) Order 2004 [*P.U. (A) 121/2004*] are revoked.

SCHEDULE
(Paragraph 2)

EXEMPT AUTHORISED NOMINEE

1. A licensed institution as defined in the Banking and Financial Institutions Act 1989 [*Act 372*] and its wholly-owned subsidiary that is a nominee company
2. A scheduled institution under the Banking and Financial Institutions Act 1989 which carries on development finance business as defined under the Banking and Financial Institutions Act 1989 and its wholly-owned subsidiary that is a nominee company
3. A financial institution established under any Act of Parliament and its wholly-owned subsidiary that is a nominee company
4. An Islamic bank as defined in the Islamic Banking Act 1983 [*Act 276*] and its wholly-owned subsidiary that is a nominee company
5. A prescribed institution as defined in the Development Financial Institutions Act 2002 [*Act 618*] and its wholly-owned subsidiary that is a nominee company
6. A licensed offshore bank as defined under the Offshore Banking Act 1990 [*Act 443*] and its wholly-owned subsidiary that is a nominee company
7. A holder of a dealer's license under subsection 12(1) of the Securities Industry Act 1983 [*Act 280*] and its wholly-owned subsidiary that is a nominee company
8. A recognised clearing house under section 8A of the Securities Industry Act 1983
9. Japan Securities Clearing Corporation and its custodian in relation to YTL Corporation Bhd shares
10. A clearing house approved under section 6B of the Futures Industry Act 1993 [*Act 499*]
11. The Minister of Finance
12. The Minister of Finance Incorporated
13. The Accountant General

14. The Registrar of Unclaimed Moneys as defined in the Unclaimed Moneys Act 1965 [*Act 370*]
15. A holder of a fund manager's license under subsection 15A(1) of the Securities Industry Act 1983, its wholly-owned subsidiary that is a nominee company and its custodian appointed pursuant to subsection 47c(10) of the Securities Industry Act 1983
16. A closed-end fund that is approved by the Securities Commission under section 32 of the Securities Commission Act 1993 [*Act 498*] and its custodian in relation to the closed-end fund's investments
17. Executors, administrators and trustees governed by any written law
18. An issuing house licensed under subsection 12(1) of the Securities Industry Act 1983
19. Amanah Raya Berhad and its wholly-owned subsidiary that is a nominee company established under the Public Trust Corporation Act 1995 [*Act 532*]

Made 26 September 2005

[KK/BPKA/K2/(S)/483/9/5; PN(PU²)562/III]

TAN SRI NOR MD BIN YAKCOP
Second Minister of Finance