

SECURITIES INDUSTRY (CENTRAL DEPOSITORIES) ACT 1991

SECURITIES INDUSTRY (CENTRAL DEPOSITORIES) (EXEMPTION)  
ORDER 2008

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**

1. This order may be cited as the **Securities Industry (Central Depositories) (Exemption) Order 2008**.

**Interpretation**

2. In this order—

“foreign register” means the register of members maintained by an issuer listed on an exchange outside Malaysia, in the jurisdiction of that exchange.

**Exemption from the application of section 38**

3. (1) The Minister exempts an issuer or offeror of such securities or classes of securities as specified in the Schedule from the application of section 38 of the Act.

(2) The exemption under subparagraph 3(1) shall only apply to securities that are unable to fulfill the mandatory deposit requirement pursuant to section 14 of the Act or section 29 of the Securities Industry (Central Depositories) (Amendment) (No. 2) Act 1998 [Act A1039].

SCHEDULE

[Subparagraph 3(1)]

Exempted Securities

1. Securities or class of securities of an issuer which are listed on a foreign exchange whereby the holders of the securities have invested in the securities of the issuer in that foreign exchange and such holdings are recorded in the foreign register.
2. Securities or class of securities of an issuer which is subject to an existing court order that restrains any dealing in the securities.
3. Securities or class of securities of an issuer belonging to a deceased person, in respect of which an application for a Grant of Probate or Letters of Administration is made or an application to reseal the same pursuant to the Probate and Administration Act 1959 [Act 97] has been filed in the courts in Malaysia or with any other relevant authorities in Malaysia.
4. Securities or class of securities of an issuer which have been seized or confiscated by any person duly authorized under any written law.
5. Securities or class of securities of an issuer which is subject to section 353 of the Companies Act 1965 [Act 125].

Made 9 April 2008

[KK/BPKA/K1/(S)/483/9/5; PN(PU<sup>2</sup>)562/III]

TAN SRI NOR MD. BIN YAKCOP  
*Second Minister of Finance*