

CAPITAL MARKETS AND SERVICES ACT 2007

CAPITAL MARKETS AND SERVICES (AMENDMENT) REGULATIONS 2021

IN exercise of the powers conferred by subsection 378(1) of the Capital Markets and Services Act 2007 [Act 671], the Commission, with the approval of the Minister, makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the **Capital Markets and Services (Amendment) Regulations 2021**.

(2) These Regulations come into operation on 1 July 2021.

Substitution of regulation 8

2. The Capital Markets and Services Regulations 2012 [P.U. (A) 474/2012], which are referred to as the “principal Regulations” in these Regulations, are amended by substituting for regulation 8 the following regulation:

“Fees payable to Commission

8. (1) The following fees shall be payable to the Commission:

(a) the fees in respect of a stock exchange, derivatives exchange or clearing house as specified in Schedule 2;

(b) the fees in respect of a recognized market operator as specified in Schedule 3;

(c) the fees in respect of—

(i) Capital Markets Services Licence;

(ii) Capital Markets Services Representative’s Licence;

- (iii) registration of persons providing capital markets services;
- (iv) registration of persons determined by the Commission in the guidelines; or
- (v) any other fees payable under Part III of the Act,

as specified in Schedule 4.

(2) For the purposes of paragraph 1(c), the Commission may impose a late payment fee not exceeding one hundred ringgit for every day or part thereof that the payment is late, subject to a maximum of three thousand ringgit, where the prescribed fee is not paid by the date on which such fee is due for the following activities:

- (a) paragraphs 3, 4 and 5 of Part I;
- (b) paragraphs 3 and 4 of Part II;
- (c) paragraph 2 of Part III;
- (d) paragraph 2 under the heading of “Marketing Representative” and paragraph 3 under the heading of “Trading Representative” of Part IV; and
- (e) paragraphs 1 and 5 of Part V.”.

Substitution of Schedule 2

3. The principal Regulations are amended by substituting for Schedule 2 the following schedule:

“SCHEDULE 2
[Paragraph 8(1)(a)]

Fees in respect of a stock exchange, derivatives exchange or clearing house

No.	Activity (1)	Fees (2)
1.	Application for approval of a body corporate as a stock exchange or derivatives exchange under section 8 of the Act	RM1,000.00
2.	Approval of the application of a body corporate as a stock exchange or derivatives exchange under section 8 of the Act	RM10,000.00
3.	Application for the approval to establish or operate a clearing house under section 38 of the Act	RM1,000.00
4.	Approval of the application to establish or operate a clearing house under section 38 of the Act	RM10,000.00

”.

New schedules

4. The principal Regulations are amended by inserting after Schedule 2 the following schedules:

“SCHEDULE 3
[Paragraph 8(1)(b)]

Fees in respect of a recognized market operator

No.	Activity (1)	Fees (2)
General		
1.	Application for registration as a recognized market operator under subsection 34(1) of the Act	RM5,000.00

2.	Annual fees payable by a recognized market operator	RM50,000.00 payable on a date determined by the Commission
Fund-raising Exercise		
3.	Fees in respect of fund-raising exercise through an initial exchange offering	RM20,000.00+0.05% of the total amount to be raised
4.	Fees in respect of fund-raising exercise other than an initial exchange offering	0.05% of the total amount raised or financed through the platform during the year
5.	Lodgement of white paper	RM500.00
Trading		
6.	Fees in respect of trading of securities or derivatives in a recognized market	0.01% of the total amount of sale and purchase of securities or derivatives transactions effected on the platform operated by the recognized market operator for that year

SCHEDULE 4
[Paragraph 8(1)(c)]

PART I

Fees in respect of Capital Markets Services Licence under section 58 of the Act

No.	Activity (1)	Fees (2)
1.	Application for— (a) a licence; or (b) variation of a licence	RM50.00
2.	Approval of the application for a variation of a licence	RM100.00
3.	Submission of Annual Reporting for Authorization of Activity	RM50.00
4.	Fees payable by a licence holder which is a company on the anniversary date of the licence for a period of twelve months or any part thereof for— (a) any first regulated activity; (b) each subsequent regulated activity*	RM2,000.00 RM1,000.00

5.	Fees payable by a licence holder who is an individual on the anniversary date of the licence for a period of twelve months or any part thereof for a regulated activity	RM1,000.00
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* Where at any time during the validity of the Capital Markets Services Licence, the licence holder makes an application to vary the licence or to add a subsequent regulated activity, the licence fee payable for that subsequent regulated activity shall be prorated in accordance with the licence period for that subsequent regulated activity which commences upon obtaining the approval of such subsequent regulated activity.

PART II

Fees in respect of Capital Markets Services Representative's Licence under section 59 of the Act

No.	Activity (1)	Fees (2)
1.	Application for— (a) a licence; or (b) variation of a licence	RM50.00
2.	Approval of the application for a variation of a licence	RM100.00
3.	Submission of Annual Reporting for Authorization of Activity	RM50.00
4.	Fees payable by a licence holder on the anniversary date of licence for a period of twelve months or any part thereof for any number of regulated activity	RM200.00

* Where at any time during the validity of the Capital Markets Services Licence, the licence holder makes an application to vary the licence or to add a subsequent regulated activity, the licence fee payable for that subsequent regulated activity shall be prorated in accordance with the licence period for that subsequent regulated activity which commences upon obtaining the approval of such subsequent regulated activity.

PART III

Fees in respect of registration of persons providing capital markets services under section 76A of the Act

No.	Activity (1)	Fees (2)
1.	Application for registration as a capital market service provider	RM10,000.00
2.	Annual fees payable by a capital markets service provider	RM5,000.00 payable on a date determined by the Commission

PART IV

Fees in respect of registration of persons determined by the Commission in the guidelines

No.	Activity (1)	Fees (2)
Marketing Representative		
1.	Notification to the Commission on any individual who has registered with a principal	RM250.00 for each individual
2.	Fees payable on the anniversary date of the registration of an individual with his principal for a period of twelve months or any part thereof	RM200.00 for each individual
Trading Representative		
1.	Application for registration	RM50.00
2.	Approval of an application for registration	RM200.00
3.	Fees payable on the anniversary date of registration for a period of twelve months or any part thereof	RM200.00

PART V

Fees in respect of any other fees payable under Part III of the Act

No.	Activity (1)	Fees (2)
1.	Lodgement or deposit of documents	RM20.00 for each lodgement or deposit
2.	Copy of an extract of the register required to be kept by the Commission under section 77 of the Act	RM10.00 for each copy
3.	Copy of an extract of the register supplied by the Commission under section 88 of the Act	RM10.00 for each copy
4.	Certified copy of a licence	RM50.00 for each copy
5.	Lodgement of any other documents to the Commission where no fees are specifically provided	RM50.00 for each document

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Made 22 June 2021

[GC(LR)1/2021(286) Capital Market and Services (A) Regulations 2021;
PN(PU2)662/XIV]

DATUK SYED ZAID ALBAR
Chairman
Securities Commission Malaysia

Approved 28 June 2021

[MOF.SID(S)700-1/2/13(SK.2); PN(PU2)662/XIV]

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