

ANNEXURE 1
Amendments to the Rules of Bursa Malaysia Derivatives Clearing Berhad
Pursuant to the Enhanced Admission Process for Participants and Registered Persons and Other Amendments

ANNEXURE 1

RULES OF BURSA MALAYSIA DERIVATIVES CLEARING BERHAD (“BMDC”)

PURSUANT TO THE ENHANCED ADMISSION PROCESS FOR PARTICIPANTS AND REGISTERED PERSONS AND OTHER AMENDMENTS

Rule	EXISTING PROVISIONS	Rule	AMENDED PROVISIONS
<u>1.01</u>	<u>New provision.</u>	<u>1.01</u>	<u>“Admission Guidelines”</u> <u>The admission guidelines for the registration of Clearing Participants or Registered Persons which are made available on the Exchange Holding Company’s website.</u>
3.07	<p>Application Procedure</p> <p>(1) To become a Clearing Participant, an applicant must:</p> <p style="padding-left: 40px;">(a) apply to the Clearing House in accordance with the Clearing House’s requirements; and</p> <p style="padding-left: 80px;"><i>[Refer to Directive 3-001]</i></p> <p style="padding-left: 40px;">(b) satisfy the eligibility criteria stated in Rule 3.04 or 3.05, as the case may be.</p> <p>(2) Admission as a Clearing Participant is at the Clearing House’s absolute discretion.</p> <p>(3) Even if the applicant meets the eligibility criteria under Rule 3.04 or 3.05, as the case may be, the Clearing House may reject the applicant’s application for Participantship if:</p>	3.07	<p>Application Procedure</p> <p>(1) To become a Clearing Participant, an applicant must:</p> <p style="padding-left: 40px;">(a) apply to the Clearing House in accordance with the Clearing House’s requirements; and</p> <p style="padding-left: 80px;"><i>[Refer to Directive 3-001 <u>and Admission Guidelines</u>]</i></p> <p style="padding-left: 40px;">(b) satisfy the eligibility criteria stated in Rule 3.04 or 3.05, as the case may be.</p> <p>(2) <u>No change.</u></p> <p>(3) <u>No change.</u></p>

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Rule	EXISTING PROVISIONS	Rule	AMENDED PROVISIONS
	<p>(a) the applicant does not provide information relating to the application as the Clearing House requires;</p> <p>(b) any information or document that is furnished by the applicant to the Clearing House is false or misleading;</p> <p>(c) the applicant has failed to comply with any other requirement of the Securities Laws or these Rules;</p> <p>(d) the applicant is the subject of an investigation or proceeding involving an allegation of fraud or dishonesty, whether in or out of Malaysia;</p> <p>(e) the admission of the applicant is not in the interest of an orderly or fair market; or</p> <p>(f) the Clearing House is of the opinion that the admission of the applicant may affect the optimum utilisation of the Clearing House's facilities, taking into account risk management and any other considerations.</p>		
3.34	<p>Registration procedures</p> <p>(1) To register a proposed Registered Person under Rule 3.33, a General Clearing Participant must:</p>	3.34	<p>Registration procedures</p> <p><u>(1) No change.</u></p>

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Rule	EXISTING PROVISIONS	Rule	AMENDED PROVISIONS
	<p>(a) submit the relevant documents to the Clearing House in accordance with the Clearing House's requirements; and</p> <p>(b) make the application only in respect of a person that satisfies the relevant eligibility criteria applicable for the relevant category of Registered Person as stated in these Rules.</p> <p>(2) Registration as a Registered Person is at the Clearing House's absolute discretion.</p> <p>(3) Even if the proposed Registered Person meets the relevant criteria under these Rules, the Clearing House may reject an application for registration as a Registered Person if:</p> <p>(a) the information relating to the application as the Clearing House requires is not provided;</p> <p>(b) any information or document that is furnished to the Clearing House is false or misleading;</p> <p>(c) the proposed Registered Person has failed to comply with any other requirement of the Securities Laws or these Rules;</p> <p>(d) the proposed Registered Person is the subject of an investigation or proceeding</p>		<p>(2) <u>No change.</u></p> <p>(3) Even if the proposed Registered Person meets the relevant criteria under these Rules, the Clearing House may reject an application for registration as a Registered Person if:</p> <p>(a) the information relating to the application as the Clearing House requires is not provided;</p> <p>(b) any information or document that is furnished to the Clearing House is false or misleading;</p> <p>(c) the proposed Registered Person has failed to comply with any other requirement of the Securities Laws or these Rules;</p> <p>(d) the proposed Registered Person is the subject of an investigation or proceeding</p>

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Rule	EXISTING PROVISIONS	Rule	AMENDED PROVISIONS
	<p>involving an allegation of fraud or dishonesty, whether in or out of Malaysia; or</p> <p>(e) the conduct of the proposed Registered Person is not in the interest of an orderly and fair market.</p> <p>[Refer to Directive 3-001]</p>		<p>involving an allegation of fraud or dishonesty, whether in or out of Malaysia; or</p> <p>(e) the conduct of the proposed Registered Person is not in the interest of an orderly and fair market.</p> <p>[Refer to Directive 3-001 <u>and Admission Guidelines</u>]</p>
3.39	<p>Vacancy of Registered Person</p> <p>(1) The General Clearing Participant must fill a vacancy in the Registered Person's office within 6 months from the date the vacancy occurs.</p> <p>(2) In the interim, the General Clearing Participant must identify a person and require that person to temporarily assume the responsibility for the functions of the vacated office. The General Clearing Participant must ensure that the person:</p> <p>(a) has the relevant experience and seniority to undertake the relevant functions;</p> <p>(b) complies with these Rules except for the requirement for the Commission's approval to be appointed to the relevant vacated office or registration with the Commission; and</p> <p>(c) undertakes such functions only for a period not exceeding 6 months.</p>	3.39	<p>Vacancy of Registered Person</p> <p>(1) <u>No change.</u></p> <p>(2) <u>No change.</u></p>

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Rule	EXISTING PROVISIONS	Rule	AMENDED PROVISIONS
	<p>(3) The General Clearing Participant must notify the Clearing House of the identified person under Rule 3.39(2) in the manner determined by the Clearing House.</p> <p>[Refer to Directive 3-001]</p>		<p>(3) The General Clearing Participant must notify the Clearing House of the <u>person assuming responsibility for the functions of the vacated office.</u> identified person under Rule 3.39(2) in the manner determined by the Clearing House.</p> <p>[Refer to <u>Directive 3-001 Admission Guidelines</u>].</p>

ANNEXURE 2

**Amendments to the Bursa Malaysia Derivatives Clearing Berhad Directive No. 3-001
Pursuant to the Enhanced Admission Process for Participants and Registered Persons and Other Amendments**

ANNEXURE 2

BURSA MALAYSIA DERIVATIVES CLEARING BERHAD (“BMDC”) DIRECTIVE NO. 3-001

PURSUANT TO THE ENHANCED ADMISSION PROCESS FOR PARTICIPANTS AND REGISTERED PERSONS AND OTHER AMENDMENTS

PARAGRAPH	EXISTING PROVISIONS	PARAGRAPH	PROPOSED AMENDMENTS
Heading	Relevant to: Rules 1.11, 3.07, 3.12 (f), 3.18(1), 3.19(a), 3.22, 3.23, 3.34, 3.39(3) and 3.50(a)	<u>Heading</u>	Relevant to : Rules 1.11 , 3.07, 3.12 (f), 3.18(1), 3.19(1)(a), 3.22, 3.23, 3.34, 3.39(3) and 3.50(a)
1.	<p>1. Rule 3.07</p> <p>(1) To become a Clearing Participant, Rule 3.07(1)(a) requires an applicant to apply to the Clearing House in accordance with the requirements the Clearing House stipulates.</p> <p>(2) The following sets out the details of the Clearing House’s requirements, amongst others, in relation to the application.</p> <p>1.1 Clearing Participants</p> <p>An applicant must complete and submit an application to the Clearing House in the form set out in Appendix 1 of this Directive, accompanied by:</p> <p>(a) copies of the applicant's memorandum and articles of association or other</p>	1.	<p>Rule 3.07</p> <p>(1) <u>No change.</u></p> <p>(2) <u>No change.</u></p> <p>1.1 Clearing Participants</p> <p>An applicant must complete and submit an application to the Clearing House in the form set out in Appendix 1 of this Directive, accompanied by:</p> <p>(a) — copies of the applicant's memorandum and articles of association or other constituent documents evidencing the applicant's:</p>

**Amendments to the Bursa Malaysia Derivatives Clearing Berhad Directive No. 3-001
Pursuant to the Enhanced Admission Process for Participants and Registered Persons and Other Amendments**

PARAGRAPH	EXISTING PROVISIONS	PARAGRAPH	PROPOSED AMENDMENTS
	<p>constituent documents evidencing the applicant's:</p> <p>(i) directors and shareholders; and</p> <p>(ii) authorised and paid-up capital;</p> <p>(b) evidence that the applicant's application for a Capital Markets Services Licence for carrying on the business of Clearing has been approved (if applicable);</p> <p>(c) any additional document required for an application for admission to a specific category of Clearing Participantship;</p> <p>(d) payment of the non-refundable application fee and the admission fees as set out in Schedule 1 (if any);</p> <p>(e) an undertaking in the form set out in Appendix 2; and</p> <p>(f) such evidence the Clearing House regards as satisfactory to show that, at the time of the application, the applicant is able to comply with the financial requirements in the Rules.</p>		<p>(i) directors and shareholders; and</p> <p>(ii) authorised and paid-up capital;</p> <p>(b) evidence that the applicant's application for a Capital Markets Services Licence for carrying on the business of Clearing has been approved (if applicable);</p> <p>(c) any additional document required for an application for admission to a specific category of Clearing Participantship;</p> <p>(d) payment of the non-refundable application fee and the admission fees as set out in Schedule 1 (if any);</p> <p>(e) an undertaking in the form set out in Appendix 2; and</p> <p>(f) such evidence the Clearing House regards as satisfactory to show that, at the time of the application, the applicant is able to comply with the financial requirements in the Rules.</p> <p><u>An applicant must submit an application to the Clearing House accompanied by payment of the non-refundable application fee and admission fee and an undertaking, in accordance with the requirements relating to admission of Clearing Participants as set out in the Admission Guidelines.</u></p>

**Amendments to the Bursa Malaysia Derivatives Clearing Berhad Directive No. 3-001
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PARAGRAPH	EXISTING PROVISIONS	PARAGRAPH	PROPOSED AMENDMENTS
3.1	<p>Monthly compliance reports</p> <p>(1) A Compliance Officer must submit monthly written reports to the General Clearing Participant's board of directors of the General Clearing Participant on all matters pertaining to compliance of the General Clearing Participant with the Securities Laws and the Rules.</p>	3.1	<p>Monthly compliance reports</p> <p>(1) A Compliance Officer must submit monthly written reports to the General Clearing Participant's board of directors of the General Clearing Participant on all matters pertaining to compliance of the General Clearing Participant with the Securities Laws and the Rules.</p>
3.2	<p>Report of Breach/Non-Compliance</p> <p>In addition to the reporting requirements provided in paragraph 3.1 above, the Compliance Officer must immediately report to:</p> <p>(a) the General Clearing Participant's board of directors of the General Clearing Participant and the Clearing House in the event he becomes aware of any matter or irregularity with reasonable diligence or assessment that:</p> <p>(i) constitutes a breach of any provisions of the Securities Laws and the Rules;</p> <p>(ii) involves the potential default of the General Clearing Participant against the Clearing House or other counterparty;</p> <p>(iii) has a material effect upon the accounts of the General Clearing Participant or the minimum financial requirements prescribed by the Securities Laws and the Rules;</p>		<p>Report of Breach/Non-Compliance</p> <p>In addition to the reporting requirements provided in paragraph 3.1 above, the Compliance Officer must immediately report to:</p> <p>(a) the General Clearing Participant's board of directors of the General Clearing Participant and the Clearing House in the event he becomes aware of any matter or irregularity with reasonable diligence or assessment that:</p> <p>(i) constitutes a breach of any provisions of the Securities Laws and the Rules;</p> <p>(ii) involves the potential default of the General Clearing Participant against the Clearing House or other counterparty;</p> <p>(iii) has a material effect upon the accounts of the General Clearing Participant or the minimum financial requirements prescribed by the Securities Laws and the Rules;</p>

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PARAGRAPH	EXISTING PROVISIONS	PARAGRAPH	PROPOSED AMENDMENTS
	<p>(iv) results in a significant drop to the financial position of the General Clearing Participant;</p> <p>(v) jeopardises the funds or property of the Clients held by the General Clearing Participant;</p> <p>(vi) has resulted in a regulatory or disciplinary action being taken against the General Clearing Participant or any of the General Clearing Participant's Registered Persons, employees or agents by any other regulatory authority;</p> <p>(vii) involves fraudulent conduct by the Clearing Participant's Registered Person, employee or agent of the General Clearing Participant;</p> <p>(viii) adversely affects the General Clearing Participant's ability to comply with these Rules;</p> <p>(ix) involves the potential default of the General Clearing Participant against the Clearing House or other counterparty; or</p> <p>(x) significantly affects the risk position and financial integrity of the General Clearing Participant; and</p> <p>(b) the Commission upon him becoming aware of any matter in paragraph 3.2(a).</p>		<p>(iv) results in a significant drop to the financial position of the General Clearing Participant;</p> <p>(v) jeopardises the funds or property of the Clients held by the General Clearing Participant;</p> <p>(vi) has resulted in a regulatory or disciplinary action being taken against the General Clearing Participant or any of the General Clearing Participant's Registered Persons, employees or agents by any other regulatory authority;</p> <p>(vii) involves fraudulent conduct by the <u>General</u> Clearing Participant's Registered Person, employee or agent of the General Clearing Participant;</p> <p>(viii) adversely affects the General Clearing Participant's ability to comply with these Rules;</p> <p>(ix) involves the potential default of the General Clearing Participant against the Clearing House or other counterparty; or</p> <p>(x) significantly affects the risk position and financial integrity of the General Clearing Participant; and</p> <p>(b) <u>No change.</u></p>

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PARAGRAPH	EXISTING PROVISIONS	PARAGRAPH	PROPOSED AMENDMENTS
6.	<p>Rule 3.34</p> <p>(1) Rule 3.34 sets out the registration procedures for the persons enumerated under Rule 3.33.</p> <p>(2) The following procedures apply in respect of applications for registration of proposed Registered Persons.</p> <p>6.1 Registration Procedures for Registered Persons</p> <p>(1) The General Clearing Participant of the person who is to be registered as a Registered Person is required to make only one submission through the Commission's Electronic Licensing Application ("ELA") System for the purpose of licensing, approval or registration by the Commission and registration with the Clearing House.</p> <p>(2) For the purpose of the registration with the Clearing House, a General Clearing Participant must submit through the ELA System:</p>	6.	<p>Rule 3.34</p> <p>(1) Rule 3.34 sets out the registration procedures for the persons enumerated under Rule 3.33. <u>In making an application to the Clearing House, the General Clearing Participant must, among others, comply with the requirements set out below.</u></p> <p>(2) The following procedures apply in respect of applications for registration of proposed Registered Persons.</p> <p>6.1 Registration Procedures for Registered Persons</p> <p>(1) The General Clearing Participant of the person who is to be registered as a Registered Person is required to make only one submission through the Commission's Electronic Licensing Application ("ELA") System for the purpose of licensing, approval or registration by the Commission and registration with the Clearing House.</p> <p>(1)(2) For the purpose of the registration with the Clearing House, a General Clearing Participant must submit through the ELA System:</p>

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PARAGRAPH	EXISTING PROVISIONS	PARAGRAPH	PROPOSED AMENDMENTS
	<p>(a) the duly completed application in the form set out in Appendix 4 of this Directive to the Clearing House;</p> <p>(b) an undertaking in the form set out in Appendix 5 of this Directive; and</p> <p>(c) if more than 1 Registered Person is appointed by the General Clearing Participant in the areas of overall clearing business, risk management or compliance respectively, a description of the area and responsibility of each Registered Person.</p> <p>(referred to collectively as “the Clearing House’s Information”)</p> <p>(3) By making the submission through the ELA, the General Clearing Participant agrees that although the submission is directed to the Commission, it forms part of the submission to the Clearing House. The General Clearing Participant agrees that the relevant information in the submission made through the ELA System (together with the Clearing House’s Information) may be transmitted into the Clearing House’s system for approval, upon the Commission’s approval of the application.</p> <p>(4) The Clearing House will send a notification to the General Clearing Participant if the application is approved by the Clearing House.</p> <p>(5) A General Clearing Participant must retain possession of the original copies of the Clearing</p>		<p>(a) the duly completed application in the form set out in Appendix 4 of this Directive to the Clearing House;</p> <p>(b) an undertaking in the form set out in Appendix 5 of this Directive; and</p> <p>(c) if more than 1 Registered Person is appointed by the General Clearing Participant in the areas of overall clearing business, risk management or compliance respectively, a description of the area and responsibility of each Registered Person.</p> <p>(referred to collectively as “the Clearing House’s Information”)</p> <p>(3) By making the submission through the ELA, the General Clearing Participant agrees that although the submission is directed to the Commission, it forms part of the submission to the Clearing House. The General Clearing Participant agrees that the relevant information in the submission made through the ELA System (together with the Clearing House’s Information) may be transmitted into the Clearing House’s system for approval, upon the Commission’s approval of the application.</p> <p>(4) The Clearing House will send a notification to the General Clearing Participant if the application is approved by the Clearing House.</p> <p>(5) A General Clearing Participant must retain possession of the original copies of the Clearing House’s Information and must produce such</p>

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PARAGRAPH	EXISTING PROVISIONS	PARAGRAPH	PROPOSED AMENDMENTS
	House's Information and must produce such original copies to the Clearing House at the Clearing House's request.		original copies to the Clearing House at the Clearing House's request.
7.	<p>Rule 3.39(3)</p> <p>(1) Rule 3.39(3) requires a General Clearing Participant to notify the Clearing House of the identified person temporarily assuming responsibility for the functions of a vacated office under Rule 3.39(1).</p> <p>(2) The following procedure applies in respect of the notification under Rule 3.39(3).</p> <p>7.1 Notification</p> <p>A General Clearing Participant must complete and submit the form set out in Appendix 4 of this Directive, accompanied by an undertaking in the form set out in Appendix 5 of this Directive.</p>	7.	<p>7. Rule 3.39(3)</p> <p>(1) Rule 3.39(3) requires a General Clearing Participant to notify the Clearing House of the identified person temporarily assuming responsibility for the functions of a vacated office under Rule 3.39(1).</p> <p>(2) The following procedure applies in respect of the notification under Rule 3.39(3).</p> <p>7.1 Notification</p> <p>A General Clearing Participant must complete and submit the form set out in Appendix 4 of this Directive, accompanied by an undertaking in the form set out in Appendix 5 of this Directive.</p>
8.1	<p>Accounting and other books and records</p> <p>(1) A Clearing Participant must prepare the Clearing Participant's accounting and other books and records to:</p> <p>(a) sufficiently show and explain the transactions and financial position of its business such that they are able to disclose with substantial accuracy the financial position of the Clearing Participant at the close of business on any day;</p>	8.1	<p>Accounting and other books and records</p> <p>(1) <u>No change.</u></p>

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PARAGRAPH	EXISTING PROVISIONS	PARAGRAPH	PROPOSED AMENDMENTS
	<p>(b) comply with the requirements set out in Appendix 6 of this Directive;</p> <p>(c) enable outstanding Client and debtor balances to be readily identified with specific transactions and with the dates on which these transactions occur.</p> <p>(2) A Clearing Participant must ensure that bank reconciliations are prepared at least once a month by not later than the 10th day of the following month.</p> <p>(3) A Clearing Participant with branch office(s) must prepare the Clearing Participant's financial statements and accounts in the following manner:</p> <p>(a) on a consolidated basis reflecting detailed breakdowns for the principal office and the branch office(s); and</p> <p>(b) computations of all matters prescribed in these Rules or directed by the Clearing Participant for the Clearing Participant's principal office and branch office(s) must be on an aggregated basis as matters relating to a single entity.</p>		<p>(2) <u>No change.</u></p> <p>(3) A Clearing Participant with branch office(s) must prepare the Clearing Participant's financial statements and accounts in the following manner:</p> <p>(a) on a consolidated basis reflecting detailed breakdowns for the principal office and the branch office(s); and</p> <p>(b) computations of all matters prescribed in these Rules or directed by the Clearing House Participant for the Clearing Participant's principal office and branch office(s) must be on an aggregated basis as matters relating to a single entity.</p>

**Amendments to the Bursa Malaysia Derivatives Clearing Berhad Directive No. 3-001
Pursuant to the Enhanced Admission Process for Participants and Registered Persons and Other Amendments**

PARAGRAPH	EXISTING PROVISIONS	PARAGRAPH	PROPOSED AMENDMENTS
Directive No.3-001: Appendix 1	Application Form for Clearing Participantship Please refer to Annexure 2.1 below	Directive No.3-001: Appendix 1	Application Form for Clearing Participantship Please refer to Annexure 2.1 below
Directive No.3-001: Appendix 2	Undertaking by the Clearing Participant Please refer to Annexure 2.2 below	Directive No.3-001: Appendix 2	Undertaking by the Clearing Participant Please refer to Annexure 2.2 below
Directive No.3-001: Appendix 4	Registration Form for Registered Person Please refer to Annexure 2.3 below	Directive No.3-001: Appendix 4	Registration Form for Registered Person Please refer to Annexure 2.3 below
Directive No.3-001: Appendix 5	Undertaking by the Registered Person Please refer to Annexure 2.4 below	Directive No.3-001: Appendix 5	Undertaking by the Registered Person Please refer to Annexure 2.4 below

APPLICATION FOR CLEARING PARTICIPANTSHIP
PURSUANT TO THE RULES OF BURSA MALAYSIA DERIVATIVES CLEARING BERHAD

Please complete all sections of the form in full.
Please type or use black ink as the form will be photocopied.

For office use only

Exchange's reference number

Particulars of the applicant Corporation

[Empty box for Corporation's name in full]

Corporation's name in full

[Empty box for Date of incorporation]

[Empty box for Date of incorporation]

Date of

incorporation

Place of incorporation

[Empty box for Company No.]

[Empty box for Principal Business]

Company No.

Principal Business

Registered address for correspondence _____ **Business address (if different)**
(Please notify us of any change of address immediately) **Please notify us of any change of**
address immediately)

Telephone no.:

Telephone

no.:

Facsimile no.:

Facsimile no.:

E-Mail
Address

E-Mail
address

2. State the names of the Corporation's contact person:-

<u>Name</u>	<u>Designation: Chief Executive Officer (or equivalent)</u>
<u>i.</u>	
<u>ii.</u>	

Exchange Membership

<u>Bursa Malaysia Derivatives</u>	<u>Yes / No</u>
<u>Other Exchange</u> <u>(Please indicate name of other exchange)</u>	
<u>Type of Participanship</u>	
<u>Other Exchange</u>	

Share Capital

<u>Total paid-up share capital</u>	
<u>Paid-up capital made up of</u>	<u>RM</u> _____ _____
	<u>Ordinary Shares</u>
	<u>RM</u> _____ _____
	<u>Preference Shares</u>

Back Office

<u>Name of Back-Office System Used</u>	
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<u>Name of Accounting System Used</u>	
<u>Name of Principal Banker</u>	

6. Other information

Please enclose a certified true copy of the following documents:

- ~~_____ Certified true copies of the constitution, if any, or any other constituent documents, of the applicant company and if any, its corporate shareholders (if any); copies of the applicant's constitution, if any or other constituent documents evidencing the applicant's:~~
 - ~~_____ directors and shareholders; and~~
 - ~~_____ paid-up capital;~~
- ~~_____ Such documents and information as may be appropriate in respect of its financial standing such as:~~
 - ~~_____ Auditor's Certification; and~~
 - ~~_____ Balance Sheet;~~
- ~~_____ Notice of registration;~~
- ~~_____ Notification of change in the Register of Directors, Manager and Secretaries;~~
- ~~_____ Notice of registration of the new name;~~
- ~~_____ Return of allotment of shares;~~
- ~~_____ Notification for change in the registered address (if relevant);~~
- ~~_____ Particulars of change or alteration relating to foreign company (if relevant);~~
 - ~~_____ or similar documents of its nature;~~
- ~~_____ Board resolution authorising the company to make an application for Bursa Malaysia Derivatives Clearing Berhad's participanship;~~
- ~~(j) _____ Latest audited financial statements or, where no audited accounts have been filed, the audited balance sheet; and~~
- ~~(k) _____ Documents proving exchange participanship.~~

Please also enclose the following information:

- ~~1. _____ A list of all shareholders of the company setting out their name, address, nationality, occupation, amount of shareholding in the company and directorship in any other~~

~~company. Please indicate if any of the shareholders are related. A shareholder (“first shareholder”) will be regarded as being related to another shareholder (“second shareholder”) if:~~

~~— (a) in the case of an individual, the first shareholder is a spouse, father, mother, son or daughter of the second shareholder;~~

~~— (b) in the case of a corporation, the first shareholder is a holding company or subsidiary of the second shareholder or a subsidiary of the same holding company of which the second shareholder is a subsidiary;~~

~~— where the number of shareholders in the applicant exceeds 20, please only provide particulars for those shareholders holding 5% or more of the issued share capital in their names.~~

~~2. If the applicant is a holding company or subsidiary of another company, a chart showing the group of companies with which the applicant is associated or related.~~

~~3. The applicant's organisation chart setting out the number of employees at the company and the names, qualification and working experience of the management staff.~~

~~4. The gross revenue of the company for the current/previous year.~~

DECLARATION

~~The applicant declares that all the information provided here, including the information contained in the enclosed documents are true and correct to the best of its knowledge and belief.~~

~~The applicant acknowledges that the Market Participants Committee has absolute discretion in admitting participants to Bursa Malaysia Derivatives Clearing Berhad and that the acceptance of this application form does not constitute admission to participantship.~~

~~Dated this day of~~

.....

Name:

Director

.....

Name:

Director/Company Secretary

[deleted]

~~UNDERTAKING – CLEARING PARTICIPANT~~

~~[deleted]BY [name of applicant]~~

~~....., 20.....~~

~~To:~~

~~Bursa Malaysia Derivatives Clearing Berhad (“the Clearing House”)~~

~~6th Floor Exchange Square~~

~~Bukit Kewangan~~

~~50200 Kuala Lumpur~~

~~In consideration of the Clearing House approving at our request our application for admission of [name of applicant] (hereinafter referred to as “the Company”) as a *General Clearing Participant / Direct Clearing Participant of the Clearing House in accordance with the Rules of the Clearing House (“Rules” and includes all amendments and supplements to the Rules), we hereby irrevocably and unconditionally undertake and agree as follows:-~~

~~(1) _____ that the Company satisfies all the conditions for admission as a *General Clearing Participant / Direct Clearing Participant set out in Chapter 3 of the Rules;~~

~~(2) _____ that the information and documents accompanying the application for admission as a Clearing Participant are complete and accurate;~~

~~(3) _____ that the Clearing House may obtain from or provide to any regulatory authority (whether in or out of Malaysia) any information directly or indirectly relating to the Company for any purpose relating to or in connection with discharging any function of the Clearing House or that regulatory authority;~~

~~(4) _____ to notify the Clearing House immediately in writing of any changes in the information given together with the application for admission as a Clearing Participant;~~

~~(5) _____ to abide by the decision of the Clearing House in relation to the application for admission as a Clearing Participant;~~

~~(6) _____ to be bound in all respects by and to comply with the Rules in so far as they apply directly or indirectly to a Clearing Participant;~~

~~(7) _____ to indemnify and keep the Clearing House fully indemnified from and against all losses, damages, costs, expenses, actions and claims or otherwise which the Clearing House may incur arising out of any act or omission on our part or failure by us to comply with any provisions in the Rules; and~~

~~(8) _____ notwithstanding our ceasing to be a Clearing Participant of the Clearing House for any reason whatsoever, to continue to be bound by the Rules in so far as they may relate to any act or omission that we may, in the opinion of the Clearing House, have committed or omitted to do during our tenure as a Clearing Participant of the Clearing House.~~

~~We acknowledge that:~~

~~(a) _____ the approval of our application for admission as a Clearing Participant;
or~~

~~(b) _____ any indulgence or delay in making any demand or instituting any action by the Clearing House,~~

~~will not constitute or be deemed to operate as a waiver by the Clearing House of any of its rights under this undertaking or under the Rules.~~

~~We further acknowledge that the Company shall remain a Clearing Participant of the Clearing House at the discretion of the Clearing House.~~

The above undertaking has been signed by me/us for and on behalf of the Company as [specify designation] of the Company pursuant to authority granted to me by resolution of the board of directors of the Company on [specify the date when the resolution was passed]

Signed by Authorised Signatory(ies) _____)

for and on behalf of [name of applicant] _____)

in the presence of _____)

~~[Specify full name of authorised signatory]~~

~~[Specify NRIC No. of authorised signatory]~~

~~* Delete whichever inapplicable~~

~~[End of Appendix]~~

Directive No. 3-001: Appendix 4
Registration Form for Registered Person

~~Registration Form for Registered Person~~

~~[deleted]~~

~~Name of General Clearing Participant:~~

~~Company No.:~~

~~Address:~~

~~Date:~~

~~To: — Bursa Malaysia Derivatives Clearing Berhad (“the Clearing House”)~~

~~Dear Sirs,~~

~~Appointment and Registration of a [#][Responsible Person for Overall Clearing Business / Responsible Person for Risk Management / Compliance Officer]~~

~~We, [name of General Clearing Participant], are desirous of appointing and registering the following person as a [#][Responsible Person for Overall Clearing Business / Responsible Person for Risk Management / Compliance Officer] of [name of General Clearing Participant] upon the terms and subject in all respects to the Rules of the Clearing House (as defined in the Rules of the Exchange).~~

~~Name of proposed Registered Person:~~

~~NRIC:~~

~~Address:~~

~~In support of this submission, we enclose:~~

~~*(1) — the respective area and scope of responsibility of each of the # [Responsible Person for Overall Clearing Business / Responsible Person for Risk Management / Compliance Officer] of [name of General Clearing Participant]; and~~

~~(2) — an undertaking by the proposed Registered Person in the form the Clearing House stipulates.~~

~~Yours faithfully,~~

~~Signed by Authorised Signatory(ies) _____)~~

~~for and on behalf of [name of General Clearing Participant])~~

~~in the presence of: _____)~~

~~# — Delete whichever inapplicable.~~

~~* — Delete if inapplicable~~

[End of Appendix]

Directive No. 3-001: Appendix 5
Undertaking by the Registered Person

Undertaking — Registered Person (all categories)

[deleted]

....., 20.....

To:

Bursa Malaysia Derivatives Clearing Berhad (“the Clearing House”)

~~In consideration of the Clearing House approving the application for my registration with the Clearing House as a [specify category of Registered Person] in accordance with the Rules of Bursa Malaysia Derivatives Clearing Berhad (“Rules”), I hereby irrevocably and unconditionally undertake and agree as follows:-~~

- ~~(1) — that I satisfy the qualification criteria for a [specify category of Registered Person] set out in Chapter 3 of the Rules;~~
- ~~(2) — that the information and documents accompanying the application for registration as [specify category of Registered Person] are complete and accurate;~~
- ~~(3) — that the Clearing House may obtain from or provide to any regulatory authority (whether in or out of Malaysia) any information directly or indirectly relating to me for any purpose relating to or in connection with discharging any function of the Clearing House or that regulatory authority;~~
- ~~(4) — to notify the Clearing House immediately in writing of any change in the information given together with the application for my registration as a [specify category of Registered Person];~~

~~(5) — that until and unless I have been duly registered by the Clearing House as a [specify category of Registered Person], not to act in any manner for and on behalf of [name of General Clearing Participant];~~

~~(6) — to abide by the decision of the Clearing House in relation to the application for my registration as a [specify category of Registered Person] of [name of General Clearing Participant];~~

~~(7) — to be bound in all respects by and to comply with the Rules in so far as they apply directly or indirectly to a [specify category of Registered Person];~~

~~(8) — to indemnify and keep the Clearing House fully indemnified from and against all losses, damages, costs, expenses, actions and claims or otherwise which the Clearing House may incur arising out of any act or omission on my part or failure by me to comply with any provisions in the Rules; and~~

~~(9) — notwithstanding my ceasing to be registered as a [specify category of Registered Person] with the Clearing House for any reason whatsoever, to continue to be bound by the Rules in so far as they may relate to any act or omission that I may, in the opinion of the Clearing House, have committed or omitted to do during the period of my registration with the Clearing House.~~

I acknowledge that:

~~(a) — the approval of the application for my registration as a [specify category of Registered Person] with the Clearing House; or~~

~~(b) — any indulgence or delay in making any demand or instituting any action by the Clearing House;~~

~~will not constitute or be deemed to operate as a waiver by the Clearing House of any of its rights under this undertaking or under the Rules.~~

~~I further acknowledge that I will remain registered as a [specify category of Registered Person] with the Clearing House at the discretion of the Clearing House.~~

~~Signed by [name of proposed Registered Person] —)~~

~~in the presence of —————)~~

[End of Appendix]