

RULES OF BURSA MALAYSIA DERIVATIVES BERHAD (“BMD”)
RULE AMENDMENTS CONSEQUENTIAL TO THE COMPANIES ACT 2016

RULE	EXISTING PROVISION	RULE	AMENDED PROVISION
201	<p>Definitions</p> <p>In these Rules, except where inconsistent with the subject or context:-</p> <p>“Articles” means the Memorandum and Articles of Association of the Exchange, as may be amended from time to time;</p>	201	<p>Definitions</p> <p>In these Rules, except where inconsistent with the subject or context:-</p> <p>“Articles” means the Memorandum and Articles of Association of the Exchange, as may be amended from time to time; <i>[Deleted]</i></p>
202.4	<p>For the purposes of these Rules a person shall be deemed to have control of another person-</p> <p>(a) where the first person, or any related company or companies of the first person, directly or indirectly by any means whatever, holds or beneficially owns fifteen percent (15%) or more of the nominal, issued or paid up capital or of the voting power of the other person or of a third person which has control (in terms of this definition) of that other person; or</p> <p>(b) where a partner or director of the first person or of any related company of the first person is also a partner or director of the other person; or</p> <p>(c) where by reason of any contract, agreement or arrangement of any nature, whether legally enforceable or not, the first person effectively controls the management, or fifteen percent (15%) or more of the voting power, of the other person, or is entitled to</p>	202.4	<p>For the purposes of these Rules a person shall be deemed to have control of another person-</p> <p>(a) where the first person, or any related company or companies of the first person, directly or indirectly by any means whatever, holds or beneficially owns fifteen percent (15%) or more of the nominal, issued or paid up capital or of the voting power of the other person or of a third person which has control (in terms of this definition) of that other person; or</p> <p>(b) where a partner or director of the first person or of any related company of the first person is also a partner or director of the other person; or</p> <p>(d) where by reason of any contract, agreement or arrangement of any nature, whether legally enforceable or not, the first person effectively controls the management, or fifteen percent (15%) or more of the voting power, of the other person, or is entitled to</p>

ANNEXURE 1
RULE AMENDMENTS
consequential to the Companies Act 2016

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	nominate or appoint one or more directors of the other person.		nominate or appoint one or more directors of the other person.
301.10	<p>Memorandum and Articles of Association of Participants to conform to Rules</p> <p>(a) Each Trading Participant shall ensure that its Memorandum and Articles of Association shall at all times conform to these Rules so as to enable it to observe and perform fully the covenants, terms, stipulations, conditions and other provisions of these Rules and, in so far as may be necessary, each Trading Participant shall amend its Memorandum and Articles of Association accordingly.</p> <p>(b) Such Memorandum and Articles of Association must be deposited with the Exchange and any change in its Memorandum and Articles of Association shall be notified to the Exchange.</p>	301.10	<p>Memorandum and Articles of Association Constitution of Participants to conform to Rules</p> <p>(a) Each Trading Participant shall ensure that its Memorandum and Articles of Association constitution, if any, shall at all times conform to these Rules so as to enable it to observe and perform fully the covenants, terms, stipulations, conditions and other provisions of these Rules and, in so far as may be necessary, each Trading Participant shall amend its Memorandum and Articles of Association constitution accordingly.</p> <p>(b) Such Memorandum and Articles of Association constitution must be deposited with the Exchange and any change in its Memorandum and Articles of Association constitution shall be notified to the Exchange.</p>
303	<p>Trading Participant - Eligibility</p> <p>Trading Participants shall be companies duly incorporated under the Companies Act 1965 with a minimum issued and paid-up capital of RM5 million or any other such amount which may be determined by the Exchange from time to time in consultation with the Commission and shall comply with any other financial requirements specified under the Capital Markets and Services Act and all guidelines issued by the Commission.</p>	303	<p>Trading Participant - Eligibility</p> <p>Trading Participants shall be companies duly incorporated under the Companies Act 19652016 with a minimum issued and paid-up capital of RM5 million or any other such amount which may be determined by the Exchange from time to time in consultation with the Commission and shall comply with any other financial requirements specified under the Capital Markets and Services Act and all guidelines issued by the Commission.</p>

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305.1(3)	<p>Trading Participant - Registration of Participants</p> <p>Rule 305.1 Application Procedure</p> <p>(3) The minimum information an applicant must provide include:</p> <p>(a) a copy each of the applicant's memorandum and articles of association;</p> <p>(b) a copy of the applicant's board resolution authorising the making of the application;</p> <p>(c) a statement of its Adjusted Net Capital and its secured creditors, in such form as the Exchange prescribes, signed by a director of the applicant. Where the applicant is a Universal Broker, Eligible Non-Universal Broker or Special Scheme Broker, instead of the statement of Adjusted Net Capital, the applicant must provide the statement of its Capital Adequacy Ratio. Where the applicant is an Investment Bank, instead of the statement of Adjusted Net Capital, the applicant must provide the statement of its Risk Weighted Capital Ratio.</p>	305.1(3)	<p>Trading Participant - Registration of Participants</p> <p>Rule 305.1 Application Procedure</p> <p>(3) The minimum information an applicant must provide include:</p> <p>(a) a copy each of the applicant's memorandum and articles of association <u>constitution, if any</u>;</p> <p>(b) a copy of the applicant's board resolution authorising the making of the application;</p> <p>(c) a statement of its Adjusted Net Capital and its secured creditors, in such form as the Exchange prescribes, signed by a director of the applicant. Where the applicant is a Universal Broker, Eligible Non-Universal Broker or Special Scheme Broker, instead of the statement of Adjusted Net Capital, the applicant must provide the statement of its Capital Adequacy Ratio. Where the applicant is an Investment Bank, instead of the statement of Adjusted Net Capital, the applicant must provide the statement of its Risk Weighted Capital Ratio.</p>
305.5	<p>In relation to a Trading Participant that has obtained approval to operate as an Investment Bank after its registration as a Trading Participant under this Chapter, the Trading Participant must notify the Exchange in writing of the same at least seven (7) days prior to the commencement of its business as an Investment Bank or such other timeframe as may be permitted by the Exchange, which notification shall be accompanied by the documents stipulated under Rule 305.1(1) and those</p>	305.5	<p>In relation to a Trading Participant that has obtained approval to operate as an Investment Bank after its registration as a Trading Participant under this Chapter, the Trading Participant must notify the Exchange in writing of the same at least seven (7) days prior to the commencement of its business as an Investment Bank or such other timeframe as may be permitted by the Exchange, which notification shall be accompanied by the documents stipulated under Rule</p>

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	evidencing compliance with Rule 305.4(a)(ii) and Rule 301.7 above. In addition, the Trading Participant is required to provide a copy of the relevant documents necessary to evidence a change of name (if any) under the Companies Act 1965, and any other document that may required by the Exchange.		305.1(1) and those evidencing compliance with Rule 305.4(a)(ii) and Rule 301.7 above. In addition, the Trading Participant is required to provide a copy of the relevant documents necessary to evidence a change of name (if any) under the Companies Act 1965 <u>2016</u> , and any other document that may required by the Exchange.
401.4	The integrity of the Exchange shall be maintained through the enforcement of these Rules and the adoption of high professional standards and ethics in the management of the Exchange. In performing such duties and other duties prescribed by the Capital Markets and Services Act, the Articles and these Rules, the Exchange shall be empowered to:-	401.4	The integrity of the Exchange shall be maintained through the enforcement of these Rules and the adoption of high professional standards and ethics in the management of the Exchange. In performing such duties and other duties prescribed by the Capital Markets and Services Act, the <u>Articles constitution of the Exchange</u> and these Rules, the Exchange shall be empowered to:-
Schedule 1B	<p style="text-align: center;">Memorandum of Deposit</p> <p>7. I agree and consent that my rights to the exercise of and/or all or any dealings with respect to and in relation to the rights, benefits, powers and privileges in respect of or arising from the Securities and/or as conferred under the relevant laws and/or the Memorandum and Articles of Association of the issuer of the Securities shall be subject to the terms of this Memorandum of Deposit. I further agree that I shall not enter into any dealings and/or any arrangement howsoever called with respect to the Securities except where permitted in this Memorandum of Deposit and/or by you.</p>	Schedule 1B	<p style="text-align: center;">Memorandum of Deposit</p> <p>7. I agree and consent that my rights to the exercise of and/or all or any dealings with respect to and in relation to the rights, benefits, powers and privileges in respect of or arising from the Securities and/or as conferred under the relevant laws and/or the Memorandum and Articles of Association constitution <u>of the issuer of the Securities</u> shall be subject to the terms of this Memorandum of Deposit. I further agree that I shall not enter into any dealings and/or any arrangement howsoever called with respect to the Securities except where permitted in this Memorandum of Deposit and/or by you.</p>