

## BURSA MALAYSIA SECURITIES BERHAD

PRACTICE NOTE NO-2  
/2001

## REQUESTS FOR SUSPENSION

<u>Details</u>	<u>Cross References</u>
<u>Effective date:</u> 1 June 2001	<u>Paragraph 16.03</u>
<u>Revision date:</u> 3 August 2009	

~~Issued in relation to paragraph 16.03 of the Listing Requirements;~~

**And**

~~Pursuant to paragraph 2.08 of the Listing Requirements.~~

## 1.0 Introduction

- 1.1 Suspension in the trading of securities (~~hereinafter referred to as~~ “**suspension**”) may be effected under any of the circumstances set out ~~under~~ in paragraphs 16.02 and 16.03 of the Listing Requirements.
- 1.2 Suspensions may be effected at the request of the listed issuer or imposed by the Exchange independently of any such request subject to the relevant requirements set out in this Practice Note.
- 1.3 This Practice Note ~~is issued to notify listed issuers of~~ clarifies the operational procedures in respect of a ~~requests~~ for suspension made by listed issuers.
- ~~1.4 For the purposes of computation of the period of suspension, the day the suspension is effected will be counted as one market day of suspension if it is effected at 9.00a.m. If it is effected after 9.00a.m. the day suspension is effected will not be counted as one market day of suspension.~~

## 2.0 ~~Suspension requested by the listed issuer~~ Form and information for a request for suspension

- 2.1 Any request ~~for a suspension shall be made to the Exchange~~ must be made in writing and in the form of Appendix PN2/2001-A Annexure PN2-A. In the addition, a listed issuer must provide to the Exchange any other information as may be requested by the Exchange. and shall include the following information:-
  - ~~(a) full and detailed reasons for the suspension, to enable the Exchange to determine whether to allow the request for suspension;~~
  - ~~(b) an announcement for public release containing the request and the reasons for it, together with any additional information necessary to keep the market informed;~~

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- ~~(c) whether the request for suspension is being made under subparagraphs (a), (b) or (c) of paragraph 3.1 of this Practice Note;~~
  - ~~(d) the period of suspension requested for;~~
  - ~~(e) that the listed issuer is not aware of any reason why its securities should not be suspended;~~
  - ~~(f) the listed issuer's past 12 months' record of suspensions in tabular form as set out in Appendix PN2/2001-B; and~~
  - ~~(g) any other information as may be requested by the Exchange.~~
- 2.2 ~~The signatory of the written request for suspension must be signed by a person member of the listed issuer's senior management such as the company secretary, managing director or chief executive officer who is duly empowered to do so by the board of directors of the listed issuer for that purpose.~~
- 2.3 The Exchange will only consider a request for suspension where the information requested pursuant to paragraph 2.1 has been fully and completely provided.
- ### 3.0 Situations which may warrant suspension
- 3.1 ~~Upon a request made by a listed issuer, a suspension may be allowed by the Exchange, at its discretion, on the basis of the following reasons. The Exchange may approve a listed issuer's request for suspension where :-~~
- (a) ~~where~~ the listed issuer requires time to prepare and release an announcement relating to a material transaction, such as :-
    - ~~(i) a reverse take over;~~
    - (ii) a very substantial acquisition transaction as defined in Chapter 10 of the Listing Requirements;
    - (iii) a significant change in the business direction or policy of a listed corporation as defined under Chapter 1 of the Listing Requirements; or
    - ~~(iviii)~~ any other corporate exercise which the Exchange considers to be material;
  - (b) ~~where~~ the listed issuer intends to :-
    - (i) make a material announcement, including one that falls within paragraph 3.2 below ("**Very Material Announcement**"); or
    - (ii) hold a press conference to make a ~~material announcement~~ Very Material Announcement,  
before the close of trading; or
  - (c) any other reason which, in the opinion of the Exchange, justifies a suspension.
- 3.2 Without limiting the ~~aforesaid above~~, any announcement relating to any of the following matters will be regarded as a ~~material announcement~~ Very Material Announcement ~~for the purposes of subparagraph 3.1(b) above:-~~
- (a) an interim financial reports;
  - (b) a bonus issues or fund raising exercises;

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- (c) a transaction as defined under paragraph 10.02(j) of the Listing Requirements, where the percentage ratio calculated in accordance with Chapter 10 of the Listing Requirements is equal to or exceeds 25% or more;
- ~~(d) a change in the controlling shareholder of the listed issuer; or~~
- ~~(ed)~~ a notice of take-over being served on a listed issuer which the public has no prior knowledge of; or
- ~~(e) any other corporate exercise.~~
- 3.3 ~~Listed issuers are reminded that in relation to a corporate exercise where the facts are in a state of flux and disclosure cannot as yet be made of the said corporate exercise, the listed issuers should not make requests for suspension. A listed issuer should not request for a suspension if it relates to a corporate exercise where the facts are still in a state of flux and no disclosure can yet be made.~~
- 3.4 ~~The directions contained in this Practice Note are in clarification of and not in derogation of any obligations of listed issuers under the Listing Requirements, including the disclosure obligations of listed issuers under the Listing Requirements.~~

#### 4.0 ~~Periods of suspension~~ Suspension period and announcement timeframe

- 4.1 ~~In the event~~ If the Exchange grants a suspension for any of the reasons stated in paragraph 3.1, the periods of suspension that may be approved by the Exchange are as stated below:
- (a) up to 3 market days only where the reason for suspension falls within the ambit of subparagraph 3.1(a), ~~for a period of up to 3 market days only~~;
- (b) up to 1 market day only where the reason for suspension falls within the ambit of subparagraph 3.1(b), ~~for a period of up to 1 market day~~; and
- (c) such other period as deemed appropriate by the Exchange where the reason for suspension falls within the ambit of subparagraph 3.1(c), ~~the suspension shall be for such period as deemed appropriate by the Exchange.~~

#### 4.4.2 For the purposes of computation of the period of suspension -

- ~~(a) if a suspension is effected at 9.00a.m., the day the suspension is effected will be counted as one 1 market day; or~~
- ~~(b) of suspension if it is effected at 9.00a.m. If it if a suspension is effected after 9.00a.m., the day suspension is effected will not be counted as 1one market day of suspension.~~

#### 5.0 Announcements

- 5.1 ~~In the event~~ If a suspension is granted by the Exchange ~~in relation to~~ under paragraph 3.1(a), the listed issuer must ~~make the relevant announcement~~ announce the relevant information to the Exchange on or before the expiry of the period of suspension that is approved by the Exchange pursuant to paragraph 4.1.
- 5.2 ~~In the event~~ If a suspension is granted by the Exchange ~~in relation to~~ under paragraph 3.1(b), the listed issuer must ~~make the relevant announcement~~ announce the relevant information to the Exchange on the day suspension is requested to take effect.

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- 5.3 ~~In the event~~If a suspension is granted by the Exchange ~~in relation to~~under paragraph 3.1(c), the listed issuer must ~~make the relevant announcement~~ announce the relevant information to the Exchange on such date as may be specified by the Exchange.

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#### 6.0 Suspension

6.1 A listed issuer should submit its request for suspension at least 1 hour before the time suspension is requested to commence. For the purpose of this paragraph, the "1 hour" means any 1 hour between 9 a.m. to 1 p.m. and 2 p.m. to 5.30 p.m.

6.2 Where the Exchange decides to allow a suspension, such suspension will be imposed immediately upon the decision being made, even if it may be prior to before the date or time suspension is requested to commence.

~~6.2 Therefore, to ensure that suspension is effected in a timely manner, a listed issuer should submit its written request for suspension on the market day preceding the date suspension is requested to commence, before 2.00p.m. For example, if A Bhd intends to have its securities suspended on Wednesday for 3 days, it should submit its written request for suspension on Tuesday, before 2.00p.m. Where the submission is made at 12.00p.m. on Tuesday and the Exchange decides on Tuesday to allow the suspension, suspension will be effected immediately on Tuesday itself, but the computation of the period of suspension will not take into account the suspension on Tuesday. An announcement pursuant to paragraph 5.1 must be made by A Bhd on or before Friday.~~

~~6.3 However, if a listed issuer submits its written request for suspension 2 or more market days prior to the date suspension is requested to commence, and where suspension is allowed, the computation of the period of suspension shall include the day of suspension where the suspension is effected at 9.00a.m. For example, B Bhd intends to have its securities suspended on Wednesday for a period of 3 days. Instead of submitting the written request on Tuesday morning, it submits its request at 2.00p.m. on Monday. Where the Exchange decides at 4.00p.m. on Monday to allow the suspension and immediately thereupon effects the suspension, the three-day period of suspension will include the suspension on Tuesday. Hence, suspension will be lifted on Friday, instead of Monday, as intended by B Bhd. B Bhd must make an announcement pursuant to paragraph 5.1 on or before Thursday and not on Friday.~~

~~6.46.3 In the event If the Exchange considers that the reasons given in support of a request for suspension do not warrant such a suspension,~~

~~(a) the Exchange, it will inform the listed issuer; and~~

~~(b) and the Exchange may at its discretion, require a listed issuer may be required to issue an immediate announcement which contains announce sufficient information to enable an investor to make an informed decision, as soon as practicable or within a time prescribed by the Exchange, which in any event will not be longer than 1 market day from notification.~~

~~For the avoidance of doubt, such announcement may, at the discretion of the Exchange, be required to be made as soon as practicable or within a time to be prescribed by the Exchange, which in any event, will not be longer than one market day from notification.~~

#### 7.0 Effective Date

7.1 ~~This Practice Note takes effect on 1 June 2001.~~

#### 7.0 Illustration

7.1 The following are illustrations of the application of paragraphs 6.1 and 6.2:

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- (a) If A Bhd intends to have its securities suspended at 9.00 a.m. on Monday, it should submit its request for suspension by 4.30 p.m. on the previous Friday.
- (b) Where the submission is made on Friday and the Exchange decides on Friday to allow the suspension, suspension will be effected immediately on Friday itself (if at that time, the trading session has not yet ended).
- (c) However, pursuant to paragraph 4.2(b), the Exchange will not take into account the suspension effected on Friday when computing the period of suspension.

**Annexure PN2-A**  
**Requests for Suspension Form**

**Appendix PN 16.1-A ANNEXURE PN2-A**

**Request for Suspension Form**

(paragraph 2.1)

Name of listed issuer: \_\_\_\_\_

Date of request: \_\_\_\_\_

Period of suspension: \_\_\_\_\_ (day/s) From: \_\_\_\_\_ a.m./p.m., [ \_\_\_\_\_ day & date \_\_\_\_\_ ] to

\_\_\_\_\_ a.m./p.m., [ \_\_\_\_\_ day & date \_\_\_\_\_ ]

Expected date of announcement to the Exchange: \_\_\_\_\_

Reason for request. Please tick the relevant box(es):

**3.1(a): We require time to prepare and release an announcement relating to the following material transaction:**

(i)	<u>very substantial acquisition.</u>	
(ii)	<u>significant change in business direction or policy of a listed corporation as defined in Chapter 1 of the Listing Requirements.</u>	
(iii)	<u>any other corporate exercise.</u>	

In the case of paragraph 3.1(a)(iii) above, to provide full details of the nature of the corporate exercise, including justification why the corporate exercise is material, and, if applicable the percentage ratio.

\_\_\_\_\_

The maximum period of suspension allowed under paragraph 3.1(a)(i) – (iii) above is 3 market days.

**3.1(b): We intend to make a material announcement or hold a press conference to make a material announcement before the close of trading of the following:**

(i)	<u>interim financial report</u>	
(ii)	<u>bonus issue or fund raising exercise</u>	
(iii)	<u>transaction where the percentage ratio is equal to or exceeds 25%</u>	
(iv)	<u>notice of take-over being served on our Company which the public has no prior knowledge</u>	
(v)	<u>any other corporate exercise.</u>	

**Annexure PN2-A**  
**Requests for Suspension Form**

In the case of paragraph 3.1-(b)-(v) above, to provide full details of the corporate exercise, including justification why the corporate exercise is material, and if applicable, the percentage ratio.

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The maximum period of suspension allowed under paragraphs 3.1(b)(i) – (v) above is 1 market day.

If your request does not conform strictly to the requirements set out in paragraph 3.1(a) & 3.1(b) above, please provide justifications:

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**3.1(c) any other reasons.**

In the case of this paragraph 3.1(c), to provide full details of the nature of the corporate exercise/circumstances including why this warrants a suspension in the trading of your Company's securities; and if applicable, the percentage ratio.

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We ~~hereby~~ confirm that the above information is true and further that:-

- (a) ~~the request for suspension is under subparagraph 3.1(a) / 3.1(b) / 3.1(c)\* of the Practice Note No 2/2001 on Requests for Suspension;~~
- (b~~a~~) the announcement ~~for public release to the Exchange~~ containing the request for suspension and the reasons for it, together with any additional information necessary to keep the market informed is attached ~~herewith~~;
- (c~~b~~) we are not aware of any reason why the securities of our company should not be suspended; and
- (d~~c~~) our past 12 months' record of suspension in tabular form is attached ~~herewith~~.

Contact Person(s):

Name: (1) \_\_\_\_\_ (2) \_\_\_\_\_

Telephone  
 No. (Direct): (1) \_\_\_\_\_ (2) \_\_\_\_\_

(Mobile): (1) \_\_\_\_\_ (2) \_\_\_\_\_



**Annexure PN2-A  
Requests for Suspension Form**

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Signed by: \_\_\_\_\_

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

Notes:

- (1) Please contact the relevant personnel from Listing Division for clarification/help before submitting the request for suspension.
- (2) If you are requesting for suspension to commence at 9.00 a.m. please contact the relevant personnel from Listing Division by 4.30 p.m. on the preceding trading day. If you are requesting for suspension to commence at 2.30 p.m., please contact the relevant personnel from Listing Division by 12.00 noon on the same day.
- (3) Details of the relevant contact person can be obtained from Bursa's website: [www.bursamalaysia.com/website/bm/contact\\_us.html](http://www.bursamalaysia.com/website/bm/contact_us.html)
- (4) Kindly fax your request to any one of the following numbers:-
  - (a) 03-2072 0676
  - (b) 03-2072 0675
  - (c) 03-2072 0692
  - (d) 03-2072 0689

**Appendix ~~PN2/2001-B~~**

**Past 12 Months' Record of Suspension**

Date of Request	Reason for Suspension	Suspension Period Requested (Date & No of Days)	Suspension Period Allowed by the Exchange (Date & No of Days)	Extension of Suspension Requested (Date & No of Days)	Extension of Suspension Allowed by the Exchange (Date & No of Days)	Total Number of Days of Suspension	Date of Full Announcement