

BURSA MALAYSIA SECURITIES BERHAD

PRACTICE NOTE 25

LISTING PROCEDURES FOR NEW ISSUE OF SECURITIES BY CORPORATIONS WITH SECONDARY LISTING

| <u>Details</u> | <u>Cross References</u> |
|--------------------------------------|-------------------------|
| Effective date: <u>3 August 2009</u> | <u>Paragraph 4A.25</u> |

1.0 Introduction

1.1 This Practice Note sets out the following requirements in relation to a listing application by a corporation with a secondary listing on the Main Market under paragraph 4A.25 (i.e. for listing of a new issue of securities):-

- (a) the procedures for new issue of securities; and
- (b) the listing and quotation application forms and supporting documents.

~~4A.352.0~~ **Procedures relating to listing of a new issue of securities by a company with a secondary listing on the Exchange**

~~(1) A company with a secondary listing on the Exchange (hereinafter referred to as "listed issuer") shall ensure that all new issues of securities are admitted and quoted on the Exchange at the same time as they are admitted and quoted on other stock exchange(s) ("the Stock Exchange").~~

~~(2)2.1~~ The following procedures shall apply to the listing of a new issue of securities by a ~~listed issuer~~ corporation with secondary listing on the Main Market, with the necessary modifications, as may be applicable:-

- (a) ~~Listed issuer makes an~~ Listed corporation immediately announces ~~the new issue of securities~~ to the Exchange upon the approval of ~~its~~ the board of directors of the listed issuer being given for the new issue.
 - (b) ~~Listed issuer~~ Listed corporation submits an application to the following parties if required under the applicable laws and rules –
 - (i) relevant authorities at the place of incorporation; and
 - (ii) and the other stock exchange where the new issue of securities are admitted and quoted (the "Stock Exchange").
- (i) and (ii) above referred to collectively in this Practice Note as "the Relevant Authorities"; and

~~the Commission, if required under the applicable laws and rules.~~

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- (c) The Relevant Authorities ~~and the Commission~~ approve the issuance and listing of the securities.
- (d) ~~Listed issuer~~ Listed corporation files with the Exchange a listing application for the new issue of securities together with supporting documents.
- (e) Exchange grants approval-in-principle for the listing of the new issue of securities.
- (f) ~~Listed issuer~~ Listed corporation obtains shareholder approval of its shareholders, if required, under the applicable laws and rules.
- (g) ~~Listed issuer~~ Listed corporation fixes relevant books closing and entitlement dates, where applicable, and ~~makes an immediately announcement such dates~~ to the Exchange ~~with respect to such dates~~.
- (h) ~~Listed issuer~~ Listed corporation issues and allots ~~and issues~~ the securities.
- (i) ~~Listed issuer~~ Listed corporation files with the Exchange ~~an application for quotation a~~ quotation application together with supporting documents at least 2 market days before the securities are admitted and quoted on the Stock Exchange.
- (j) Securities are admitted to the Official List and quoted on the Exchange at the same time as they are admitted and quoted on the Stock Exchange if ~~the application for quotation~~ the quotation application together with the supporting documents are found to be complete in all respects.

~~(3)2.2~~ If the ~~listed issuer~~ listed corporation fails to make an application to the Relevant Authorities ~~and the Commission~~ and the Exchange by the date specified in the announcement under subparagraph ~~(2)2.1~~ above, it must ~~make an immediately announcement informing to the Exchange~~ the fact of such failure, its reasons, ~~the reasons therefor~~ and when it expects to make the application.

4A.363.0 Listing and quotation application by a company with a secondary listing on the Exchange for a new issue of securities and application for quotation

~~(1)3.1~~ A ~~corporation with a secondary listing on the Main Market~~ company with a secondary listing on the Exchange (hereinafter referred to as "listed issuer") must file with the Exchange a listing application for a new issue of securities which ~~shall consist~~ of the following:-

- (a) the application, in the form of Part A of ~~Appendix 4A(D)~~ Annexure PN25-A, duly signed by the ~~listed issuer company~~ listed corporation;
- (b) the supporting documents specified in Part B of ~~Appendix 4A(D)~~ Annexure PN25-A; and
- (c) the proposed admission and quotation date of the new securities on ~~other stock exchange(s)~~ ("the Stock Exchange").

~~(2)3.2~~ A ~~listed issuer~~ listed corporation must also file with the Exchange ~~an application for quotation a~~ quotation application ~~or~~ for a new issue of securities which ~~shall be~~ is accompanied by:-

- (a) a confirmation of the admission and quotation date of the new securities on the Stock Exchange;
- (b) the documents specified in Part C of ~~Appendix 4A(D)~~ Annexure PN25-A;

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- (c) such applicable documents set out in paragraph ~~4A.36(1)~~3.1 above which were not submitted; and
- (d) other documents as may be specified in the approval-in-principle granted by the Exchange.

APPENDIX 4A(D) ANNEXURE PN25-A**Part A****Contents of a listing application for a new issue of securities**

(paragraph 4A.36(1)(a) 3.1(a))

- (1) Title Page showing :-
 - (a) the name of the ~~company~~ corporation with a secondary listing on the ~~Exchange~~ Main Market;
 - (b) the full title or designation of the securities proposed for listing;
 - (c) the date of application and formal request for listing, specifying the amount, par value (if any) and title of the securities proposed for listing, and whether the securities are fully paid;
 - (d) the purpose of issuance; and
- (2) A table showing the class, ranking and number securities proposed for listing.

Part B**Documents to be filed with a listing application for a new issue of securities**

(paragraph 4A.36(1)(b) 3.1(b))

- (1) A ~~company~~ corporation with a secondary listing on the ~~Exchange~~ Main Market must file the following documents in support of a listing application for a new issue of securities:-
 - (a) ~~One~~ A copy of the circular, prospectus or abridged prospectus which is registered with the relevant authorities;
 - (b) A certified true copy of the relevant resolution passed by securities holders in general meeting;
 - (c) A letter from the ~~company~~ corporation's ~~adviser~~ Principal Adviser confirming all approvals of relevant authorities have been obtained;
 - (d) ~~A~~ One copy each of all letters of approval from the relevant authorities; and
 - (e) A cheque drawn to the order of Bursa Malaysia Securities Berhad for the processing fee (see the Schedule of Fees for the computation of the amount), where applicable, together with a copy of the details of the computation of the amount of listing fees payable.
- (2) If any of the above documents are not filed because they are not applicable or available in any case, the ~~company~~ corporation must submit a separate exhibit explaining why such documents are not applicable or available.

Part C**Documents to be filed with an ~~application for quotation~~ quotation application of a new issue of securities**(paragraph ~~4A.36(2)(b)~~ 3.2(b))

A ~~company corporation~~ with a secondary listing on the ~~Exchange Main Market~~ must file the following documents in support of an ~~application for quotation~~ quotation application of a new issue of securities:-

- (a) A confirmation from the ~~company corporation~~ as to its latest issued and paid-up capital;
- (b) A confirmation that all notices of allotment have been issued and despatched to the entitled holders;
- (c) A confirmation from the ~~company corporation~~ that the Depository is ready to credit the new securities to the accounts of the entitled holders, after receiving the allotment information for crediting of the new securities;
- (d) A cheque drawn to the order of Bursa Malaysia Securities Berhad for the listing fees (see Schedule of Fees for computation of amount) together with a copy of the details of the computation of the amount of listing fees payable;
- (e) A confirmation from the ~~adviser~~ Principal Adviser of whether the new issue of securities will be listed and quoted ~~as~~ as the existing securities of the same class or will be separately quoted on the listing date. If the new issue of securities will be separately quoted on the listing date, to specify the entitlement that the holders of the new issue of securities will not be entitled to;
- (f) A confirmation from the ~~adviser~~ Principal Adviser that all conditions, including conditions imposed by the relevant authorities, if any, which are required to be met ~~prior to~~ before the listing and quotation of the securities have been met;
- (g) A confirmation from the ~~adviser~~ Principal Adviser that there are no circumstances or facts which have the effect of preventing or prohibiting the issuance, listing and/or quotation of the securities, including any order, injunction or any other directive issued by any court of law; and
- (h) Such other documents which are not/have not been submitted pursuant to Part B of ~~Appendix 4A(D)~~ Annexure PN25-A.

[End of ~~Appendix~~ Annexure]