

BURSA MALAYSIA SECURITIES BERHAD**GUIDANCE NOTE 16****LISTING PROCEDURES FOR A FOREIGN APPLICANT**

<u>Details</u>	<u>Cross References</u>
<u>Effective date:</u>	<u>3 August 2009</u>
	<u>Rule 5.02</u>

1.0 Introduction

1.1 This Guidance Note sets out the following requirements in relation to a listing application by a foreign corporation seeking a primary listing on the ACE Market under Rule 5.02:

- (a) the procedures for admission;
- (b) the listing and quotation application (where applicable) forms and supporting documents;
- (c) the undertakings and confirmation by an applicant and its directors; and
- (d) other relevant requirements.

2.0 Procedures relating to a primary listing of foreign corporation

2.1 The procedures relating to admission set out in paragraph 2.0 of Guidance Note 15 apply to the listing of a foreign corporation seeking a primary listing on the ACE Market.

3.0 Listing application form and supporting documents

3.1 An applicant must file with the Exchange a listing application which consists of the following:

- (a) the application, in the form of Part A of Annexure GN15-A; and
- (b) the supporting documents specified in Part B of Annexure GN15-A and Annexure GN16-A.

4.0 Undertaking

4.1 An applicant must give the Exchange an undertaking in the form of Annexure GN16-B.

Annexure GN16-A
Documents to be filed with a listing application

ANNEXURE GN16-A

Documents to be filed with a listing application
(paragraph 3.1(b))

- (1) An applicant must file the following documents in support of a listing application:-
- (a) A confirmation that it is able to comply with the Listing Requirements, where applicable, insofar as such compliance does not contravene the laws of the place of incorporation.
 - (b) Where the applicant is unable to comply with the Listing Requirements, a report from an independent legal adviser explaining why compliance with the relevant provisions of the Listing Requirements will contravene the laws of the place of incorporation.
 - (c) In addition, for a foreign corporation, a copy of the certificate of registration issued by the Registrar of Companies under Part XI Division 2 of the Companies Act 1965.
- (2) If any of the above documents are not filed because they are not applicable or available in any case, the applicant must submit a separate exhibit explaining why such documents are not applicable or available.

[End of Annexure]

Annexure GN16-B
Undertaking by a foreign corporation

ANNEXURE GN16-B

Undertaking by a foreign corporation seeking a primary listing on the ACE Market
(paragraph 4.1)

To:

Bursa Malaysia Securities Berhad
Exchange Square
Bukit Kewangan
50200 Kuala Lumpur

Compliance with ACE Market Listing Requirements and Rules of Bursa Malaysia Securities Berhad
("Bursa Securities")

In consideration of Bursa Securities approving the application for admission of ("Corporation") to the Official List of Bursa Securities ("Official List") and for official quotation of the securities described in the Corporation's listing application, WE ACKNOWLEDGE that the Corporation shall remain on the Official List, and official quotation of any of the Corporation's securities shall continue only during the pleasure of the Exchange and WE UNDERTAKE AND AGREE to comply with Bursa Securities ACE Market Listing Requirements and the Rules of Bursa Securities including any amendment as may be made from time to time, insofar as the same shall apply to the Corporation.

This Undertaking is deemed to have been made in Malaysia and the construction, validity and performance of this Undertaking are governed in all respects by the laws of Malaysia and WE irrevocably submit to the jurisdiction of the Malaysian Courts.

The above Undertaking has been signed by me as [title] of [name of the Corporation] pursuant to authority granted to me by resolution of the board of directors of the Corporation on

Date :

Signature :

Name :

[End of Annexure]