

**“APPENDIX 3”**

**SUMMARY OF OTHER AMENDMENTS**

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**1. Streamlining the Main LR with the provisions under the TOM Code**

- (a) Clarifying that the relevant provisions relating to a take-over offer under the Main LR shall also be applicable to real estate investment trusts *[Appendix 8E; paragraphs 9.19(48), 16.02(3) and 16.07]*.
- (b) Removing Chapter 11 of the Main LR relating to take-overs and mergers. This is to avoid duplicating substantially the disclosure requirements provided under the TOM Code in the Main LR. Instead, a listed issuer must immediately announce any information in relation to a proposed take-over or take-over offer which is required to be announced to Bursa Securities under the TOM Code under paragraph 9.19 of the Main LR *[Chapter 11 and paragraph 9.19(47A)]*.
- (c) Moving the existing paragraph 11.09 to paragraph 8.02(5) of the Main LR. This means that a listed issuer must continue to furnish information on equity structure of a listed issuer to Bursa Securities, upon completion of a take-over offer under the TOM Code *[Paragraphs 11.09, 8.02(5) and Appendix 8E]*.

**2. Amending the Main LR consequential to the Capital Market and Services (Price Stabilization Mechanism) (Amendment) Regulations 2010**

- (a) Extending the relevant price stabilizing provisions under the Main LR to all types of securities, and not only equity securities *[Paragraphs 1.01, 8.32 and Appendix 8C]*.
- (b) Clarifying in the Main LR that an initial listing application by a real estate investment trust should also cover the relevant information relating to the appointment of its stabilizing manager *[Annexure PN23-A, Part B, paragraph 1(f)]*.

**3. Amending the definition of “controlling shareholder” in the Main LR consequential to the Capital Markets and Services (Amendment) Act 2010**

Substituting the words “at least 33% of the voting shares” in the definition of “controlling shareholder”, with the words “**more than 33% of the voting shares**”. This is to be consistent with the recent amendment to the definition of “control” in section 216(1)(a)(i) of the Capital Markets and Services (Amendment) Act 2010<sup>1</sup> *[Paragraph 1.01]*.

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<sup>1</sup> Pursuant to the Capital Markets and Services (Amendment) Act 2010, the definition of “control” in section 216 of the Capital Markets and Services Act 2007 has been amended by substituting for the words “voting rights of thirty per centum or more” the words “voting rights of more than thirty-three per centum”;

**SUMMARY OF OTHER AMENDMENTS**

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**4. Replacing the relevant titles of financial statements pursuant to FRS 101**

- (a) Replacing the term “balance sheet” with “**statement of financial position**” [Appendix 6B, Part A, paragraphs 34(d)(iii) & (viii); Appendix 9B, Part A, paragraph 12; Appendix 9C, Part B, paragraph 9; paragraph 10.03(4)(c); Appendix 10B, Part A, paragraph 30(f)(iii); Appendix 10B, Part G, paragraphs 1 & 3(b); Appendix 10B, Part H, paragraphs 7(b) & 8; Appendix 12A, Part A, paragraph 21(e)(iii); Appendix 13B, paragraph 15(e)(iii); Appendix 13E, paragraph 16(c)(iii); Appendix 16A, Part A, paragraph 6(e)(iii); and Annexure PN12-A, paragraph 18(e)(iii)].
- (b) Replacing the term “income statement” with “**statement of comprehensive income**” [Appendix 10B, Part G, paragraph 3(a); Appendix 10B, Part H, paragraph 7(a); and Practice Note 17, paragraph 2.2(e)(ii)].

**5. Enhancing the valuation requirements for a real estate investment trust**

Clarifying that where a valuation of real estate is carried out pursuant to a transaction that requires the unit holders' approval under the SC's Guidelines on Real Estate Investment Trusts, the real estate investment trust must ensure that it complies with the valuation requirements in paragraph 10.04(3) to (9) of the Main LR [Paragraphs 8.36 & 8.36A].

**6. Clarifying the processing fees payable for consolidation of shares**

Clarifying that the processing fees for consolidation of shares is RM10,000 which is payable upon submission of the application [Schedule of Fees, paragraph 10.1].

[ End ]