

**“APPENDIX 3”**

**SUMMARY OF OTHER AMENDMENTS**

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**1. Streamlining the ACE LR with the provisions under the TOM CODE**

- (a) Removing Chapter 11 of the ACE LR relating to take-over and mergers. This is to avoid duplicating substantially the disclosure requirements provided under the TOM Code in the ACE LR. Instead, a listed corporation 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 Rule 9.19 of the ACE LR [*Chapter 11 and Rule 9.19(47A)*].
- (b) Moving the existing Rule 11.09 to Rule 8.02(5) of the ACE LR. This means that a listed corporation must continue to furnish information on equity structure of a listed corporation to Bursa Securities, upon completion of a take-over offer under the TOM Code [*Rules 11.09 and 8.02(5)*].

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

Extending the relevant price stabilizing provisions under the ACE LR to all types of securities, and not only equity securities [*Rule 1.01; Rule 8.34; and Appendix 8C*].

**3. Amending the definition of “controlling shareholder” in the ACE 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> [*Rule 1.01*].

**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, paragraph 35(d)(iii) & (viii); Appendix 9B, paragraph 12; Rule 10.03(4)(c); Appendix 10B, Part A, paragraph 31(f)(iii); Appendix 10B, Part G, paragraphs 1 & 3(b); Appendix 10B, Part H, paragraphs 6(b) & 7; Appendix 12A, Part A, paragraph 21(e)(iii); Appendix 13B, paragraph 16(e)(iii); Appendix 13E, paragraph 17(c)(iii); Appendix 16A, Part A, paragraph 7(e)(iii); and Annexure GN8-A, paragraph 18(e)(iii)*].

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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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- (b) Replacing the term “income statement” with “**statement of comprehensive income**” [*Appendix 10B, Part G, paragraph 3(a) and Appendix 10B, Part H, paragraph 6(a)*].

**5. Extending the requirements for placement of securities and restricted offers for subscription to a restricted offer for sale undertaken by a listed corporation**

Extending Rules 3.15 (placement of securities) and 3.16 (restricted offers for subscription) of the ACE LR to a restricted offer for sale undertaken by a listed corporation. This is for clarity and to ensure consistency with paragraph 5.21 of the SC’s Equity Guidelines which are applicable to Main Market listed issuers [*Rules 3.15 and 3.16*].

**6. Clarifying the processing fees payable**

Clarifying that the processing fee for consolidation of shares is RM10,000 which is payable upon submission of the application, and that the processing fees which are applicable to a listing on the ACE Market, is also applicable to a RTO [*Paragraphs 6.1 and 6.2 of the Schedule of Fees*].

[ End ]