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WARTA KERAJAAN PERSEKUTUAN

*FEDERAL GOVERNMENT
GAZETTE*

PERATURAN-PERATURAN PERKHIDMATAN KEWANGAN
DAN SEKURITI ISLAM LABUAN (PINDAAN) 2013

*LABUAN ISLAMIC FINANCIAL SERVICES AND SECURITIES
(AMENDMENT) REGULATIONS 2013*



DISIARKAN OLEH/
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AKTA PERKHIDMATAN KEWANGAN DAN SEKURITI ISLAM LABUAN 2010

PERATURAN-PERATURAN PERKHIDMATAN KEWANGAN DAN SEKURITI ISLAM
LABUAN (PINDAAN) 2013

PADA menjalankan kuasa yang diberi oleh seksyen 156 Akta Perkhidmatan Kewangan dan Sekuriti Islam Labuan 2010 [*Akta 705*], Menteri, atas syor Lembaga, membuat peraturan-peraturan yang berikut:

Nama dan permulaan kuat kuasa

1. (1) Peraturan-peraturan ini bolehlah dinamakan **Peraturan-Peraturan Perkhidmatan Kewangan dan Sekuriti Islam Labuan (Pindaan) 2013**.

(2) Peraturan-Peraturan ini mula berkuat kuasa pada 1 April 2013.

Penggantian Jadual Ketiga

2. Peraturan-Peraturan Perkhidmatan Kewangan dan Sekuriti Islam 2010 [*P.U. (A) 417/2010*] dipinda dengan menggantikan Jadual Ketiga dengan Jadual yang berikut:

"JADUAL KETIGA

(Peraturan 8)

BAYARAN FI

<i>Bil.</i>	<i>Butiran</i>	<i>Fi</i> <i>(USD/RM)</i>
1.	Pendaftaran prospektus berhubung dengan tawaran atau pelawaan untuk melanggan sekuriti Islam termasuk Sukuk.	USD600/RM2,000
2.	Pendaftaran dana awam Islam.	USD600/RM2,000
3.	Pemfailan perakuan pematuhan di bawah seksyen 43.	Tiada

<i>Bil.</i>	<i>Butiran</i>	<i>Fi</i> <i>(USD/RM)</i>
4.	Pemfailan notis perubahan maklumat di bawah subseksyen 37(3).	Tiada
5.	Fi lesen tahunan bagi—	
	(a) dana awam Islam;	USD600/RM2,000
	(b) pelesen sekuriti Islam;	USD1,500/RM5,000
	(c) Bank Islam Labuan— tambahan kepada fi lesen tahunan, jika terpakai—	USD30,000/RM100,000
	(i) bagi setiap pejabat yang ditubuhkan untuk operasi bank Islam Labuan di Malaysia selain Labuan;	USD3,500/RM10,000
	(ii) bagi setiap pejabat pemasaran yang ditubuhkan di Malaysia selain Labuan;	USD2,500/RM7,500
	(d) Bank pelaburan Islam Labuan— tambahan kepada fi lesen tahunan, jika terpakai—	USD30,000/RM100,000
	(i) bagi setiap pejabat yang ditubuhkan untuk operasi bank pelaburan Islam Labuan di Malaysia selain Labuan;	USD3,500/RM10,000
	(ii) bagi setiap pejabat pemasaran bagi bank pelaburan Islam Labuan yang	USD2,500/RM7,500

<i>Bil.</i>	<i>Butiran</i>	<i>Fi</i> <i>(USD/RM)</i>
	ditubuhkan di Malaysia selain Labuan;	
	<p><i>(e)</i> setiap lesen yang dikeluarkan untuk menjalankan hanya perniagaan kewangan Islam tertentu bagi—</p> <p>(i) perniagaan kredit bangunan Islam;</p> <p>(ii) perniagaan tanda kredit Islam;</p> <p>(iii) perniagaan pembiayaan pembangunan Islam;</p> <p>(iv) perniagaan pemajakan Islam—</p> <p>(A) apabila kelulusan untuk satu transaksi dengan pemastautin Malaysia diperoleh;</p> <p>(B) apabila kelulusan untuk transaksi yang berikutnya dengan pemastautin Malaysia diperoleh;</p> <p>(C) apabila kelulusan untuk perniagaan pemajakan dijalankan dengan bukan pemastautin Malaysia diperoleh;</p>	<p>USD13,000/RM40,000</p> <p>USD13,000/RM40,000</p> <p>USD13,000/RM40,000</p> <p>USD20,000/RM60,000</p> <p>USD6,000/RM20,000</p> <p>Tiada</p>

<i>Bil.</i>	<i>Butiran</i>	<i>Fi</i> <i>(USD/RM)</i>
	(v) perniagaan pemfaktoran Islam;	USD13,000/RM40,000
	(vi) perniagaan broker wang Islam;	USD1,500/RM5,000
	(vii) perniagaan kewangan Islam Labuan yang diluluskan oleh Lembaga;	USD13,000/RM40,000
	<i>(f)</i> pengendali takaful Labuan yang menjalankan—	
	(i) perniagaan takaful am;	USD15,000/RM50,000
	(ii) perniagaan takaful keluarga;	USD15,000/RM50,000
	(iii) perniagaan takaful am dan keluarga;	USD30,000/RM100,000
	(iv) perniagaan takaful kaptif;	USD3,000/RM10,000
	(v) kaptif sewa induk;	USD4,000/RM13,000
	(vi) kaptif sewa subsidiari.	USD1,000/RM3,000
	<i>(g)</i> pengurus takaful Labuan termasuklah pengurus takaful diurus dan pengurus pengunderaitan diurus;	USD6,500/RM20,000
	<i>(h)</i> pengurus pengunderaitan takaful Labuan;	USD6,500/RM20,000
	<i>(i)</i> broker takaful Labuan;	USD6,500/RM20,000
	<i>(j)</i> mana-mana orang yang menjalankan perniagaan dengan pembentukan syarikat sel terlindung yang didaftarkan di bawah Bahagian VIII B Akta Syarikat Labuan 1990—	

<i>Bil.</i>	<i>Butiran</i>	<i>Fi</i> <i>(USD/RM)</i>
	(i) ke atas aset am syarikat sel terlindung Labuan yang menjalankan perniagaan takaful am atau takaful kaptif; dan	USD9,500/RM30,000
	(ii) ke atas setiap selnya yang didaftarkan;	USD3,000/RM10,000 setiap sel
	(iii) ke atas aset am syarikat sel terlindung Labuan yang menjalankan perniagaan dana bersama Islam; dan	USD1,500/RM5,000
	(iv) ke atas setiap selnya yang didaftarkan.	USD600/RM2,000 setiap sel
6.	Pendaftaran amanah Islam Labuan atau amanah khas Islam Labuan di bawah seksyen 105, dibaca bersama subseksyen 12(4) Akta Amanah Labuan 1996.	USD200/RM750
7.	Pendaftaran yayasan Islam Labuan di bawah seksyen 107, dibaca bersama subseksyen 14(1) Akta Yayasan Labuan 2010.	USD200/RM750
8.	Fi tahunan bagi yayasan Islam Labuan.	USD200/RM750
9.	Kemasukan semula nama yayasan Islam Labuan yang telah dibatalkan.	USD200/RM750
10.	Pendomisilan semula yayasan Islam sedia ada ke Labuan.	USD200/RM750
11.	Pendaftaran perkongsian terhad Islam Labuan, perkongsian liabiliti terhad Islam Labuan dan perkongsian liabiliti terhad Islam yang diiktiraf.	USD300/RM1,000
12.	Perakuan pendaftaran entiti perkongsian Islam.	USD15/RM50
13.	Perakuan pendaftaran notis perubahan kepada	USD15/RM50

<i>Bil.</i>	<i>Butiran</i>	<i>Fi</i> <i>(USD/RM)</i>
	perjanjian perkongsian bagi perkongsian terhadap Islam Labuan atau perkongsian liabiliti terhadap Islam Labuan.	
14.	Perakuan pendaftaran notis pertukaran nama perkongsian terhadap Islam Labuan, perkongsian liabiliti terhadap Islam Labuan atau perkongsian liabiliti terhadap Islam yang diiktiraf.	USD100/RM300
15.	Pemfailan notis pembubaran perkongsian terhadap Islam Labuan.	Tiada
16.	Pemfailan permohonan pertukaran kepada perkongsian liabiliti terhadap Islam Labuan.	USD100/RM300
17.	Perakuan penukaran kepada perkongsian liabiliti terhadap Islam Labuan.	USD100/RM300
18.	Pemfailan notis perubahan perjanjian perkongsian.	Tiada
19.	Perisytiharan pembubaran perkongsian liabiliti terhadap Islam Labuan oleh Lembaga.	USD150/RM500
20.	Pemfailan permohonan kemasukan semula nama perkongsian yang telah dipotong bagi— <i>(a)</i> perkongsian terhadap Islam Labuan; atau <i>(b)</i> perkongsian liabiliti terhadap Islam Labuan.	USD30/RM100 USD300/ RM1,000
21.	Fi tahunan bagi perkongsian terhadap Islam Labuan dan perkongsian liabiliti terhadap Islam Labuan.	USD300/RM1,000
22.	Perakuan dan pengesahan daripada Lembaga yang mengesahkan apa-apa penyerahsimpanan atau pendaftaran yang dibuat dengan Lembaga di bawah Akta atau mana-mana Akta lain atau peraturan-peraturan yang dibuat di bawahnya	USD150/RM500

<i>Bil.</i>	<i>Butiran</i>	<i>Fi</i> <i>(USD/RM)</i>
	(jika fi tidak dinyatakan dalam Akta atau peraturan-peraturan itu).	

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Dibuat 22 Februari 2013

[LFA/LLQ/Peraturan Sekuriti Islam 2013; PN(PU2)556/III]

DATO' SERI HAJI AHMAD HUSNI BIN MOHAMAD HANADZLAH
Menteri Kewangan Kedua

LABUAN ISLAMIC FINANCIAL SERVICES AND SECURITIES ACT 2010
LABUAN ISLAMIC FINANCIAL SERVICES AND SECURITIES (AMENDMENT)
REGULATIONS 2013

IN exercise of the powers conferred by section 156 of the Labuan Islamic Financial Services and Securities Act 2010 [Act 705], the Minister, with the recommendation of the Authority, makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the **Labuan Islamic Financial Services and Securities (Amendment) Regulations 2013**.

(2) These Regulations come into operation on 1 April 2013.

Substitution of Third Schedule

2. The Labuan Islamic Financial Services and Securities Regulations 2010 [P.U. (A) 417/2010] are amended by substituting for the Third Schedule the following Schedule:

"THIRD SCHEDULE
(Regulation 8)
PAYMENT OF FEES

<i>No.</i>	<i>Item</i>	<i>Fee (USD/ RM)</i>
1.	Registration of prospectus in relation to an offer or invitation to subscribe Islamic securities including Sukuk.	USD600/RM2,000
2.	Registration of Islamic public fund.	USD600/RM2,000
3.	Filing of a certificate of compliance under section 43.	Nil

<i>No.</i>	<i>Item</i>	<i>Fee</i> <i>(USD/ RM)</i>
4.	Filing of a notice of change of information under subsection 37(3).	Nil
5.	<p>Annual licence fee for—</p> <p>(a) Islamic public fund;</p> <p>(b) Islamic securities licensee;</p> <p>(c) Labuan Islamic bank—</p> <p>in addition to the annual licence fee, where applicable—</p> <p>(i) for each office established for the operation of the Labuan Islamic bank within Malaysia apart from Labuan</p> <p>(ii) for each marketing office of the Labuan Islamic bank established within Malaysia apart from Labuan;</p> <p>(d) Labuan Islamic investment bank—</p> <p>in addition to the annual licence fee, where applicable—</p> <p>(i) for each office established for the operation of the Labuan Islamic investment bank within Malaysia apart from Labuan</p> <p>(ii) for each marketing office of the Labuan Islamic investment bank</p>	<p>USD600/RM2,000</p> <p>USD1,500/RM5,000</p> <p>USD30,000/RM100,000</p> <p>USD3,500/RM10,000</p> <p>USD2,500/RM7,500</p> <p>USD30,000/RM100,000</p> <p>USD3,500/RM10,000</p> <p>USD2,500/RM7,500</p>

<i>No.</i>	<i>Item</i>	<i>Fee</i> <i>(USD/ RM)</i>
	established within Malaysia apart from Labuan;	
	<p><i>(e)</i> each licence issued for carrying on specific Labuan Islamic financial business only for—</p> <p>(i) Islamic building credit business;</p> <p>(ii) Islamic credit token business;</p> <p>(iii) Islamic development finance business;</p> <p>(iv) Islamic leasing business—</p> <p style="padding-left: 40px;">(A) upon approval of a single transaction with a Malaysian resident,</p> <p style="padding-left: 40px;">(B) upon approval of a subsequent transaction with a Malaysian resident,</p> <p style="padding-left: 40px;">(C) upon approval for leasing business transacted with non-Malaysian resident;</p> <p>(v) Islamic factoring business;</p> <p>(vi) Islamic money-broking business;</p>	<p>USD13,000/RM40,000</p> <p>USD13,000/RM40,000</p> <p>USD13,000/RM40,000</p> <p>USD20,000/RM60,000</p> <p>USD6,000/RM20,000</p> <p>Nil</p> <p>USD13,000/RM40,000</p> <p>USD1,500/RM5,000</p>

<i>No.</i>	<i>Item</i>	<i>Fee</i> <i>(USD/ RM)</i>
	(vii) Labuan Islamic financial business approved by the Authority;	USD13,000/RM40,000
	<i>(f)</i> Labuan takaful operator carrying on— (i) general takaful business; (ii) family takaful business; (iii) family and general takaful business; (iv) captive takaful business; (v) master rent-a-captive; (vi) subsidiary rent-a-captive;	USD15,000/RM50,000 USD15,000/RM50,000 USD30,000/RM100,000 USD3,000/RM10,000 USD4,000/RM13,000 USD1,000/RM3,000
	<i>(g)</i> Labuan takaful manager including managed takaful manager and managed underwriting manager;	USD6,500/RM20,000
	<i>(h)</i> Labuan takaful underwriting manager;	USD6,500/RM20,000
	<i>(i)</i> Labuan takaful broker;	USD6,500/RM20,000
	<i>(j)</i> any person carrying on business by formation of a Labuan protected cell company registered under Part VIIB of Labuan Companies Act 1990— (i) on the general asset of the Labuan protected cell company carrying on general takaful business or Labuan captive takaful business; and	USD9,500/RM30,000

<i>No.</i>	<i>Item</i>	<i>Fee</i> <i>(USD/ RM)</i>
	partnership or a Labuan Islamic limited liability partnership.	
14.	Certificate of registration of a notice of change to the name of a recognized Labuan Islamic limited partnership, Labuan Islamic limited liability partnership or Islamic limited liability partnership.	USD100/RM300
15.	Filing of a notice of dissolution for a Labuan Islamic limited partnership.	Nil
16.	Filing of an application for conversion to a Labuan Islamic limited liability partnership.	USD100/RM300
17.	Certificate of conversion to a Labuan Islamic limited liability partnership.	USD100/RM300
18.	Filing of a notice of change to partnership agreement.	Nil
19.	Declaration of dissolution of a Labuan Islamic limited liability partnership by the Authority.	USD150/RM500
20.	Filing of an application to restore the name of a partnership which has been struck off of a— <i>(a)</i> Labuan Islamic limited partnership; or <i>(b)</i> Labuan Islamic limited liability partnership	USD30/ RM100 USD300/ RM1,000
21.	Annual fee for Labuan Islamic limited partnership and Labuan Islamic limited liability partnership.	USD300/RM1,000
22.	Certificate or confirmation from the Authority confirming any lodgement or registration made with the Authority under the Act or any other Act or regulations made thereunder	USD150/RM500

<i>No.</i>	<i>Item</i>	<i>Fee</i> <i>(USD/ RM)</i>
	(where the fee is not specified in such Act or regulations).	

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Dated 22 February 2013

[LFA/LLQ/Peraturan Sekuriti Islam 2013; PN(PU2) 556/III]

DATO' SERI HAJI AHMAD HUSNI BIN MOHAMAD HANADZLAH
Second Minister of Finance