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WARTA KERAJAAN PERSEKUTUAN
*FEDERAL GOVERNMENT
GAZETTE*

PERATURAN-PERATURAN PASARAN MODAL DAN
PERKHIDMATAN (FI) 2012

*CAPITAL MARKETS AND SERVICES (FEES)
REGULATIONS 2012*



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AKTA PASARAN MODAL DAN PERKHIDMATAN 2007

PERATURAN-PERATURAN PASARAN MODAL DAN PERKHIDMATAN (FI) 2012

PADA menjalankan kuasa yang diberikan oleh perenggan 378(2)(b) Akta Pasaran Modal dan Perkhidmatan 2007 [*Akta 671*], Suruhanjaya, dengan kelulusan Menteri, membuat peraturan-peraturan yang berikut:

Nama dan permulaan kuat kuasa

1. (1) Peraturan-peraturan ini bolehlah dinamakan **Peraturan-Peraturan Pasaran Modal dan Perkhidmatan (Fi) 2012**.

(2) Peraturan-Peraturan ini mula berkuat kuasa pada 28 Disember 2012.

Tafsiran

2. Dalam Peraturan-Peraturan ini—

“Kod” ertinya Kod Malaysia mengenai Pengambilalihan dan Percantuman 2010 [*P.U. (B) 538/2010*];

“prospektus” mempunyai erti yang sama yang diberikan kepadanya dalam seksyen 226 Akta dan termasuk suatu dokumen penzahiran di bawah perenggan 212(5)(b) Akta.

Fi berkenaan dengan cadangan berhubung dengan sekuriti selain debentur, sukuk, skim unit amanah dan skim pelaburan ditetapkan

3. Fi yang kena dibayar berkenaan dengan Penggal 1A Bahagian VI Akta selain yang berhubung dengan debentur, sukuk, skim unit amanah dan skim yang ditetapkan hendaklah mengikut apa-apa amaun sebagaimana yang dinyatakan dalam Jadual 1.

Fi berkenaan dengan pengambilalihan, percantuman dan pengambilan paksa

4. Fi yang kena dibayar berkenaan dengan Penggal 2 Bahagian VI Akta hendaklah mengikut apa-apa amaun sebagaimana yang dinyatakan dalam Jadual 2.

Fi berkenaan dengan prospektus

5. (1) Fi yang kena dibayar berkenaan dengan perenggan 212(5)(b) dan Penggal 3 Bahagian VI Akta hendaklah mengikut apa-apa amaun sebagaimana yang dinyatakan dalam—

(a) Jadual 3 berkenaan dengan pendaftaran prospektus dan deposit memorandum maklumat selain berhubungan dengan skim unit amanah dan skim pelaburan ditetapkan; dan

(b) Jadual 4 berkenaan dengan pendaftaran prospektus dan deposit memorandum maklumat berhubungan dengan skim unit amanah dan skim pelaburan ditetapkan.

(2) Fi yang disebut dalam subperaturan (1) berkenaan dengan prospektus hendaklah kena dibayar sama ada Suruhanjaya mendaftarkan prospektus itu atau tidak.

Fi berkenaan dengan amanah perniagaan

6. Fi yang kena dibayar berkenaan dengan Penggal 1A, 3A dan 3B Bahagian VI Akta, selain pendaftaran prospektus dan deposit memorandum maklumat, hendaklah mengikut apa-apa amaun sebagaimana yang dinyatakan dalam Jadual 5.

Fi berkenaan dengan debentur dan sukuk

7. Fi yang kena dibayar berkenaan dengan Penggal 1A, 3A dan 4 Bahagian VI Akta hendaklah mengikut apa-apa amaun sebagaimana yang dinyatakan dalam Jadual 6.

Fi berkenaan dengan skim unit amanah dan skim pelaburan ditetapkan

8. Fi yang kena dibayar berkenaan dengan Penggal 1A, 3A dan 5 Bahagian VI Akta selain amanah perniagaan hendaklah mengikut apa-apa amaun sebagaimana yang dinyatakan dalam Jadual 7.

Fi berkenaan dengan cadangan yang melibatkan penilaian aset

9. Fi yang kena dibayar berkenaan dengan mana-mana cadangan yang melibatkan penilaian aset hendaklah mengikut apa-apa amaun sebagaimana yang dinyatakan dalam Jadual 8.

Fi berkenaan dengan pendepositan dokumen penawaran dan penyerahsimpanan helaian maklumat penting produk

10. Fi yang kena dibayar berkenaan dengan penyerahsimpanan helaian maklumat penting produk sebagaimana yang ditentukan oleh Suruhanjaya hendaklah mengikut apa-apa amaun sebagaimana yang dinyatakan dalam Jadual 9.

Penarikan balik, pengembalian, penolakan dan kajian semula keputusan Suruhanjaya

11. (1) Bagi produk pasaran modal selain yang disebut dalam subperaturan (2), fi yang kena dibayar dan boleh dibayar balik berkenaan dengan penarikan balik, pengembalian atau penolakan untuk meluluskan, memberi kuasa, mendaftar atau mengiktiraf, mana-mana permohonan atau pengemukaan kepada Suruhanjaya hendaklah mengikut apa-apa amaun sebagaimana yang dinyatakan dalam Jadual 10.

(2) Bagi unit saham amanah dan skim pelaburan ditetapkan selain amanah perniagaan, fi yang kena dibayar dan boleh dibayar balik berkenaan dengan penarikan balik, pengembalian atau penolakan mana-mana permohonan atau pengemukaan kepada Suruhanjaya hendaklah mengikut apa-apa amaun yang dinyatakan dalam Jadual 11.

(3) Jika suatu permohonan dibuat untuk kajian semula keputusan Suruhanjaya, tiada fi yang kena dibayar bagi permohonan itu.

Fi bagi tindakan Suruhanjaya

12. (1) Fi yang kena dibayar kepada Suruhanjaya di bawah Peraturan-Peraturan ini berkenaan dengan deposit atau penyerahsimpanan suatu dokumen dengan, atau pendaftaran suatu dokumen oleh, Suruhanjaya atau berkenaan dengan apa-apa permohonan untuk kelulusan, pemberikuasaan, pendaftaran atau pengiktirafan

hendaklah dibayar pada masa dokumen itu dihantar serah kepada Suruhanjaya bagi deposit, penyerahsimpanan atau pendaftaran atau pada masa permohonan untuk kelulusan, pemberikuasaan, pendaftaran atau pengiktirafan itu dikemukakan kepada Suruhanjaya.

(2) Jika suatu fi yang kena dibayar di bawah Peraturan-Peraturan ini bagi atau berkenaan dengan deposit atau penyerahsimpanan suatu dokumen dengan atau pendaftaran suatu dokumen oleh Suruhanjaya atau berkenaan dengan apa-apa permohonan untuk kelulusan, pemberikuasaan, pendaftaran atau pengiktirafan dan dokumen yang dikemukakan bagi deposit, penyerahsimpanan atau pendaftaran atau permohonan untuk kelulusan, pemberikuasaan, pendaftaran atau pengiktirafan dikemukakan tanpa pembayaran fi itu, dokumen itu hendaklah disifatkan tidak didepositkan atau tidak diserahsimpankan dengan atau tidak dikemukakan bagi pendaftaran atau permohonan itu hendaklah disifatkan tidak dikemukakan sehingga fi itu dibayar.

Pembatalan

13. Peraturan-Peraturan Pasaran Modal dan Perkhidmatan (Fi) 2011 [P.U. (A) 88/2011] dibatalkan.

JADUAL 1
[Peraturan 3]

JADUAL FI BERKENAAN DENGAN CADANGAN BERHUBUNG DENGAN SEKURITI SELAIN
DEBENTUR, SKIM UNIT AMANAH DAN SKIM PELABURAN DITETAPKAN

<i>No.</i>	<i>Cadangan berhubung dengan sekuriti</i>	<i>Fi</i>
1.	Terbitan awam awal	RM80,000.00 + 0.05% daripada jumlah nilai pasaran sekuriti yang hendak disenaraikan dan nilai nominal mana-mana sekuriti tambahan diterbitkan atau akan diterbitkan yang tidak tersenarai, tertakluk kepada amaun maksimum sebanyak RM800,000.00 (termasuk fi untuk kajian semula penilaian aset, sekiranya ada)
2.	Pemerolehan atau skim penstrukturan semula yang mengakibatkan perubahan penting dalam haluan perniagaan termasuk apabila pemerolehan atau penstrukturan semula itu adalah bersama dengan butiran 7 di bawah	RM80,000.00 + 0.05% daripada jumlah nilai pasaran ekuiti atau sekuriti boleh ubah akan diterbitkan dan jika tiada nilai pasaran, nilai nominal, tertakluk kepada amaun maksimum sebanyak RM800,000.00 (termasuk fi untuk kajian semula penilaian aset, sekiranya ada)
3.	Penyatuan dua atau lebih perbadanan tersenarai	RM80,000.00 + 0.05% daripada jumlah nilai pasaran sekuriti yang hendak disenaraikan dan nilai nominal mana-mana sekuriti tambahan diterbitkan atau akan diterbitkan yang tidak tersenarai, tertakluk kepada amaun maksimum sebanyak RM800,000.00 (termasuk fi untuk kajian semula penilaian aset, sekiranya ada)

No.	<i>Cadangan berhubung dengan sekuriti</i>	<i>Fi</i>
4.	Penyenaraian sekunder perbadanan tersenarai asing di Malaysia	RM50,000.00
5.	Penyenaraian silang perbadanan tersenarai di luar Malaysia	RM50,000.00
6.	Suatu perbadanan yang bercadang untuk disenaraikan dengan serentak dalam bursa saham dan bursa saham di luar Malaysia	RM50,000.00
7.	Pemindahan penyenaraian perbadanan tersenarai dalam pasaran alternatif ke pasaran utama bursa saham kecuali apabila pemindahan adalah bersama dengan butiran 2 di atas.	RM40,000.00 + 0.025% daripada jumlah nilai pasaran sekuriti yang hendak disenaraikan dan nilai nominal mana-mana sekuriti tambahan diterbitkan atau akan diterbitkan yang tidak tersenarai, tertakluk kepada amaun maksimum sebanyak RM400,000.00 (termasuk fi untuk kajian semula penilaian aset, sekiranya ada).
8.	Kelulusan pekeliling atau dokumen pengenalan	RM10,000.00
9.	Penubuhan dana tertutup baru	RM10,000.00 + 0.01% daripada modal berbayar
10.	Peningkatan modal berbayar untuk dana tertutup	RM2,000.00 setiap dana
11.	Penyenaraian syarikat awam tidak tersenarai dalam bursa saham di luar Malaysia	RM10,000.00

No.	<i>Cadangan berhubung dengan sekuriti</i>	<i>Fi</i>
12.	<p>Pengecualian atau perubahan daripada kehendak di bawah garis panduan bagi:</p> <p>(a) bentuk dan kandungan berhubung dengan pengemukaan kepada Suruhanjaya; atau</p> <p>(b) peruntukan selain bentuk dan kandungan di bawah butiran 12(a)</p>	<p>RM500.00 setiap pengecualian/pengubahan</p> <p>RM2,000.00 setiap pengecualian/pengubahan</p>
13.	Lanjutan masa	RM2,000.00
14.	Pengemukaan suatu cadangan yang disemak semula atau permohonan untuk menyemak semula suatu cadangan diluluskan	RM2,000.00
15.	Permohonan lain di bawah subseksyen 212(5) dan yang ditentukan oleh Suruhanjaya di bawah subseksyen 212(7)	RM2,000.00

JADUAL 2
[Peraturan 4]

JADUAL FI BERKENAAN DENGAN PENGAMBILALIHAN, PERCANTUMAN DAN
PENGAMBILAN PAKSA

<i>No.</i>	<i>Perihal</i>	<i>Fi</i>	
1.	Kelulusan dokumen tawaran	Nilai tawaran daripada RM1.00 hingga RM2.98 bilion	RM10,000.00 + 0.05% daripada nilai tawaran (hingga RM2.98 bilion); dan
		Apa-apa baki yang melebihi RM2.98 bilion nilai tawaran	0.025% daripada baki nilai tawaran
2.	Kelulusan pekeliling nasihat bebas	RM5,000.00	
3.	Pengecualian daripada obligasi tawaran pengambilalihan mandatori	RM15,000.00	
4.	Pengecualian daripada peruntukan Kod selain butiran 3 di atas	RM7,000.00	
5.	Arahan	RM7,000.00	
6.	Tatacara pengambilan paksa	RM2,000.00	
7.	Lanjutan tempoh masa	RM2,000.00	

JADUAL 3
[Perenggan 5(1) (a)]

JADUAL FI BERKENAAN DENGAN PENDAFTARAN PROSPEKTUS DAN DEPOSIT
MEMORANDUM MAKLUMAT
SELAIN BERHUBUNGAN DENGAN SKIM UNIT AMANAH DAN SKIM PELABURAN
DITETAPKAN

No	Perihal	Prospektus	Prospektus ringkas	Prospektus tambahan atau gantian	Prospektus asas	Prospektus asas tambahan atau gantian	Kertas terma	Harga Tambahan	
1.	Pendaftaran	RM15,000.00	RM8,500.00	RM6,500.00	RM7,500.00	RM3,250.00	RM500.00	RM500.00	
2.	Pengecualian atau pengubahan daripada kehendak di bawah garis panduan	RM500.00 setiap pengecualian/pengubahan							
3.	Deposit memorandum maklumat	RM500.00							

JADUAL 4
[Perenggan 5(1)(b)]

JADUAL FI BERKENAAN DENGAN PENDAFTARAN PROSPEKTUS DAN
DEPOSIT MEMORANDUM MAKLUMAT
BERHUBUNGAN DENGAN SKIM UNIT AMANAH DAN SKIM PELABURAN DITETAPKAN

<i>No.</i>	<i>Perihal</i>	<i>Fi</i>
1.	Pendaftaran prospektus untuk skim unit amanah dan skim pelaburan ditetapkan yang baru selain amanah perniagaan	RM3,000.00 + RM100.00 setiap skim
2.	Pendaftaran prospektus untuk amanah perniagaan	RM15,000.00
3.	Pendaftaran prospektus untuk pembaharuan prospektus	RM1,500.00 + RM100.00 setiap skim
4.	Pendaftaran prospektus tambahan atau gantian selain amanah perniagaan	RM1,500.00 + RM100.00 bagi setiap skim
5.	Pendaftaran prospektus tambahan atau gantian untuk amanah perniagaan	RM6,500.00
6.	Deposit memorandum maklumat	RM500.00
7.	Pengecualian atau pengubahan daripada garis panduan	RM500.00 setiap pengecualian atau pengubahan, setiap skim

JADUAL 5
[Peraturan 6]

JADUAL FI BERKENAAN DENGAN AMANAH PERNIAGAAN

<i>No.</i>	<i>Perihal</i>	<i>Fi</i>
1.	Pendaftaran atau pengiktirafan amanah perniagaan	RM3,000.00
2.	Pengemukakan surat ikatan	RM1,000.00
3.	Kelulusan untuk penyenaraian amanah perniagaan	RM30,000.00 + 0.05% daripada permodalan pasaran, tertakluk kepada amaun maksimum sebanyak RM800,000.00
4.	Perolehan atau pelupusan aset yang mengakibatkan suatu perubahan penting dalam haluan perniagaan atau dasar suatu amanah perniagaan tersenarai	RM30,000.00 + 0.05% daripada permodalan pasaran tambahan, tertakluk kepada amaun maksimum sebanyak RM800,000.00
5.	Lain-lain penyenaraian atau sebut harga unit dalam suatu amanah perniagaan	RM10,000.00 + 0.05% daripada permodalan pasaran tambahan, tertakluk kepada amaun maksimum sebanyak RM800,000.

<i>No.</i>	<i>Perihal</i>	<i>Fi</i>
6.	Pemberikuasaan atau pengiktirafan suatu amanah perniagaan tidak tersenarai	RM30,000.00 + 0.05% daripada harga tawaran unit diterbitkan, tertakluk kepada amaun maksimum sebanyak RM800,000.00
7.	Penyenaraian sekunder amanah perniagaan diiktiraf	RM50,000.00
8.	Pengemukakan cadangan yang disemak semula atau permohonan untuk menyemak semula suatu cadangan diluluskan	RM2,000.00
9.	Pengecualian atau pengubahan daripada kehendak di bawah garis panduan	RM500.00 setiap pengecualian/pengubahan
10.	Lanjutan masa bagi pematuhan garis panduan atau syarat kelulusan, pemberikuasaan atau pengiktirafan Suruhanjaya	RM2,000.00 setiap permohonan
11.	Penyerahsimpanan dokumen	RM100.00 setiap dokumen
12.	Kelulusan pekeliling	RM10,000.00
13.	Permohonan berkenaan dengan aktiviti dalam talian, permohonan untuk penarikan awal moratorium dan permohonan lain yang ditentukan oleh Suruhanjaya di bawah subseksyen 212(7)	RM2,000.00

JADUAL 6
[Peraturan 7]

JADUAL FI BERKENAAN DENGAN DEBENTUR DAN SUKUK

<i>No.</i>	<i>Jenis permohonan</i>	<i>Nilai nominal sekuriti diterbitkan</i>	<i>Fi</i>
1.	<i>(a)</i> Terbitan debentur berdenominasi ringgit dan sukuk	Kurang daripada RM50 juta	RM10,000.00
		RM50 juta hingga kurang daripada RM100 juta	RM30,000.00
		RM100 juta dan lebih	RM50,000.00
	<i>(b)</i> Terbitan debentur berdenominasi ringgit dan sukuk yang tidak boleh diniagakan dan tidak boleh dipindah milik dalam suatu asas tawaran persendirian		RM100,000.00
2.	Terbitan debentur berdenominasi mata wang asing dan sukuk	-	RM10,000.00
3.	Terbitan produk berstruktur	Kurang daripada RM50 juta	RM10,000.00
		RM50 juta hingga kurang daripada RM100 juta	RM30,000.00
		RM100 juta dan lebih	RM50,000.00
4.	Terbitan sekuriti berasaskan aset	Kurang daripada RM100 juta	RM50,000.00
		RM100 juta dan lebih	RM100,000.00
5.	Lanjutan tempoh masa	-	RM2,000.00 setiap permohonan
6.	Penyemakan terma	-	RM2,000.00 setiap permohonan

No.	Jenis permohonan	Nilai nominal sekuriti diterbitkan	Fi
7.	<p>Pengecualian atau perubahan daripada kehendak di bawah garis panduan bagi:</p> <p>(a) bentuk dan kandungan berhubung dengan pengemukaan kepada Suruhanjaya; atau</p> <p>(b) peruntukan selain bentuk dan kandungan di bawah butiran 7(a)</p>	-	<p>RM500.00 setiap pengecualian/ perubahan</p> <p>RM2,000.00 setiap pengecualian/ perubahan</p>
8.	<p>Fi pemfailan: memorandum maklumat atau pekeliling tawaran atau surat ikatan amanah</p>	-	RM500.00
9.	<p>Notis menurut penawaran produk berstruktur</p>	-	RM100.00 setiap notis yang difailkan
10.	<p>Permohonan lain yang ditentukan oleh Suruhanjaya di bawah subseksyen 212(7)</p>	-	RM2,000.00

JADUAL 7
[Peraturan 8]

JADUAL FI BERKENAAN DENGAN SKIM UNIT AMANAH DAN SKIM
PELABURANDITETAPKAN SELAIN AMANAH PERNIAGAAN

<i>No.</i>	<i>Perihal</i>	<i>Fi</i>
1.	Pengemukakan surat ikatan (untuk skim tersenarai)	RM3,000.00 + RM100.00 setiap skim tersenarai
2.	Pendaftaran surat ikatan	RM1,500.00 + RM100.00 setiap skim
3.	Pengemukakan surat ikatan tambahan (untuk skim tersenarai)	RM1,000.00
4.	Pendaftaran surat ikatan tambahan	RM1,000.00
5.	Kelulusan syarikat pengurusan (tidak terpakai bagi pemegang Lesen Perkhidmatan Pasaran Modal yang dikeluarkan di bawah Akta)	RM2,000.00
6.	Penyerahsimpanan dokumen	RM100.00 setiap dokumen
7.	Penubuhan skim atau pengiktirafan skim asing (tidak termasuk amanah pelaburan hartanah dan dana dagangan bursa)	RM5,000.00 setiap skim yang tidak tersenarai atau RM10,000.00 + 0.01% daripada permodalan pasaran bagi setiap skim yang dicadangkan untuk disenaraikan, tertakluk kepada amaun maksimum sebanyak RM800,000.00

<i>No.</i>	<i>Perihal</i>	<i>Fi</i>
8.	Penubuhan amanah pelaburan hartanah	RM10,000.00 + 0.01% daripada permodalan pasaran atau harga tawaran bagi unit yang hendak diterbitkan dalam suatu amanah pelaburan hartanah tersenarai, tertakluk kepada amaun maksimum sebanyak RM800,000.00
9.	Pengiktirafan amanah pelaburan hartanah asing	RM10,000.00 setiap skim yang tidak tersenarai
10.	Penubuhan dana dagangan bursa	RM10,000.00
11.	Pengiktirafan dana dagangan bursa asing	RM10,000.00 setiap skim
12.	Peningkatan had saiz skim	RM2,000.00 setiap skim
13.	Pengecualian atau perubahan daripada garis panduan	RM500.00 setiap pengecualian atau perubahan bagi setiap skim
14.	Lanjutan tempoh masa daripada pematuhan garis panduan atau syarat kelulusan, pemberikuasaan, pendaftaran atau pengiktirafan Suruhanjaya	RM1,000.00 setiap lanjutan bagi setiap skim
15.	Penstrukturan semula syarikat pengurusan (tidak terpakai bagi pemegang Lesen Perkhidmatan Pasaran Modal yang dikeluarkan di bawah Akta)	RM2,000.00 setiap permohonan
16.	Pelantikan wakil pengurusan dana yang tidak dilesenkan oleh Suruhanjaya	RM2,500.00

<i>No.</i>	<i>Perihal</i>	<i>Fi</i>
17.	Pengemukaan cadangan yang disemak semula atau permohonan untuk menyemak semula cadangan yang diluluskan	10% daripada fi yang kena dibayar untuk cadangan asal selain peratusan yang dicaj berkenaan dengan permodalan pasaran
18.	Penyenaraian sekunder skim tersenarai asing	RM10,000.00
19.	Kelulusan pemegang amanah	Tiada
20.	Pendaftaran atau pendaftaran semula pemegang amanah	RM1,000.00
21.	Pendaftaran atau pendaftaran semula ahli jawatankuasa Syariah atau penasihat Syariah skim	Tiada
22.	Permohonan lain yang ditentukan oleh Suruhanjaya di bawah subseksyen 212(7)	RM1,000.00

JADUAL 8
[Peraturan 9]

JADUAL FI BERKENAAN DENGAN PENILAIAN ASET

<i>No.</i>	<i>Perihal</i>	<i>Fi</i>
1.	Kajian semula penilaian aset	RM3,000.00 + 0.01% daripada nilai pasaran* tertakluk kepada amaun maksimum sebanyak RM100,000.00
2.	Memproses permohonan pengecualian daripada garis panduan	RM2,000.00

*Berdasarkan jumlah nilai pasaran semua aset yang terlibat dalam setiap pengemukaan atau permohonan.

JADUAL 9
[Peraturan 10]

JADUAL FI BERKENAAN DENGAN HELAIAN MAKLUMAT PENTING PRODUK

<i>No.</i>	<i>Perihal</i>	<i>Fi</i>
1.	Deposit penawaran dokumen	RM500.00
2.	Penyerahsimpanan helaian maklumat penting produk	RM500.00 bagi penyerahsimpanan permulaan RM100.00 bagi penyerahsimpanan setiap gentian

JADUAL 10
[Subperaturan 11(1)]

JADUAL FI BERKENAAN DENGAN PENARIKAN BALIK, PENGEMBALIAN DAN
PENOLAKAN PERMOHONAN ATAU PENGEMUKAAN SELAIN YANG DIBUAT DI BAWAH
SUBPERATURAN 11(2)

<i>No.</i>	<i>Perihal</i>	<i>Fi</i>	
		<i>Bahagian tetap</i>	<i>Bahagian tidak tetap</i>
1.	Ditarik balik sebelum Suruhanjaya memulakan kerja	Amaun sepenuhnya dikekalkan	Amaun sepenuhnya dibayar balik
2.	Ditarik balik selepas Suruhanjaya telah memulakan kerja	Amaun sepenuhnya dikekalkan tertakluk kepada amaun maksimum sebanyak RM200,000.00	
3.	Dipulangkan oleh Suruhanjaya		
4.	Penolakan oleh Suruhanjaya untuk meluluskan permohonan		

JADUAL 11
[Subperaturan 11(2)]

JADUAL FI BERKENAAN DENGAN PENARIKAN BALIK, PENGEMBALIAN DAN
PENOLAKAN UNTUK MELULUSKAN PERMOHONAN ATAU PENGEMUKAAN UNTUK
UNIT SKIM AMANAH DAN SKIM PELABURAN DITETAPKAN SELAIN AMANAH
PERNIAGAAN

No.	Perihal	Fi	
		Bahagian tetap	Bahagian tidak tetap
1.	Ditarik balik sebelum Suruhanjaya memulakan kerja	25% daripada bahagian tetap dikekalkan; selebihnya dibayar balik	Amaun sepenuhnya dibayar balik
2.	Ditarik balik selepas Suruhanjaya telah memulakan kerja	Amaun sepenuhnya dikekalkan	Amaun sepenuhnya dibayar balik
3.	Dipulangkan oleh Suruhanjaya	25% daripada bahagian tetap dikekalkan; selebihnya dibayar balik	Amaun sepenuhnya dibayar balik
4.	Penolakan oleh Suruhanjaya untuk meluluskan permohonan	Amaun sepenuhnya dikekalkan	Amaun sepenuhnya dibayar balik

Dibuat 24 Disember 2012
[SC/RS(A&R)/FEES.5/11(023)-1D; PN(PU2) 662/VIII]

RANJIT AJIT SINGH
Pengerusi Suruhanjaya Sekuriti

Diluluskan 27 Disember 2012
[KK/BPKA/K1/(S)/483/128/1/1 Jld.8; PN(PU2) 662/VIII]

DATO' SERI AHMAD HUSNI MOHAMAD HANADZLAH
Menteri Kewangan Kedua

CAPITAL MARKETS AND SERVICES ACT 2007

CAPITAL MARKETS AND SERVICES (FEES) REGULATIONS 2012

IN exercise of the powers conferred by paragraph 378(2)(b) of the Capital Markets and Services Act 2007 [Act 671], the Commission, with the approval of the Minister, makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the **Capital Markets and Services (Fees) Regulations 2012**.

(2) These Regulations come into operation on 28 December 2012.

Interpretation

2. In these Regulations—

“Code” means the Malaysian Code on Take-Overs and Mergers 2010 [P.U. (B) 538/2010];

“prospectus” has the same meaning assigned to it in section 226 of the Act and includes a disclosure document under paragraph 212(5)(b) of the Act.

Fees in respect of proposals in relation to securities other than debentures, sukuk, unit trust schemes and prescribed investment schemes

3. The fees payable in respect of Division 1A of Part VI of the Act other than in relation to debentures, sukuk, unit trust schemes and prescribed investment schemes shall be in such amount as is specified in Schedule 1.

Fees in respect of take-overs, mergers and compulsory acquisitions

4. The fees payable in respect of Division 2 of Part VI of the Act shall be in such amount as is specified in Schedule 2.

Fees in respect of prospectus

5. (1) The fees payable in respect of paragraph 212(5)(b) and Division 3 of Part VI of the Act shall be in such amount as is specified in—

(a) Schedule 3 in respect of registration of prospectus and deposit of information memorandum other than in relation to unit trust scheme and prescribed investment scheme; and

(b) Schedule 4 in respect of registration of prospectus and deposit of information memorandum in relation to unit trust scheme and prescribed investment scheme.

(2) The fees referred to in subregulation (1) in respect of prospectus shall be payable whether or not the Commission registers the prospectus.

Fees in respect of business trust

6. The fees payable in respect of Divisions 1A, 3A and 3B of Part VI of the Act, other than the registration of prospectus and deposit of information memorandum document, shall be in such amount as is specified in Schedule 5.

Fees in respect of debentures and sukuk

7. The fees payable in respect of Divisions 1A, 3A and 4 of Part VI of the Act shall be in such amount as is specified in Schedule 6.

Fees in respect of unit trust schemes and prescribed investment schemes

8. The fees payable in respect of Divisions 1A, 3A and 5 of Part VI of the Act other than business trust shall be in such amount as is specified in Schedule 7.

Fees in respect of proposals involving asset valuations

9. The fees payable in respect of any proposal involving asset valuation shall be in such amount as is specified in Schedule 8.

Fees in respect of deposit of offering document and lodgement of product highlights sheet

10. The fees payable in respect of the deposit of offering document and lodgement of product highlights sheet specified by the Commission shall be in such amount as is specified in Schedule 9.

Withdrawal, return, refusal and review of Commission's decision

11. (1) For capital market products other than those mentioned in subregulation (2), the fees payable and refundable in respect of the withdrawal, return of, or refusal to approve, authorize, register or recognize, any application or submission to the Commission shall be in such amount as is specified in Schedule 10.

(2) For unit trust schemes and prescribed investment schemes other than business trusts, the fees payable and refundable in respect of the withdrawal, return of, or refusal to approve, authorize, register or recognize, any application or submission to the Commission shall be in such amount as is specified in Schedule 11.

(3) Where an application is made for the review of the Commission's decision, no fees shall be payable for such application.

Fees for acts of Commission

12. (1) The fees payable to the Commission under these Regulations in respect of the deposit or lodgement of a document with, or the registration of a document by, the Commission or in respect of any application for approval, authorization, registration or recognition shall be paid at the time the document is delivered to the Commission for deposit, lodgement or registration or at the time the application for approval, authorization, registration or recognition is submitted to the Commission.

(2) Where a fee is payable under these Regulations for or in respect of the deposit or lodgement of a document with or the registration of a document by the Commission or in respect of any application for approval, authorization, registration or recognition and the document submitted for deposit, lodgement or registration or the application for approval, authorization, registration or recognition is submitted without

the payment of the fee, the document shall be deemed not to have been deposited or lodged with or submitted for registration or the application shall be deemed not to have been submitted until the fee has been paid.

Revocation

13. The Capital Markets and Services (Fees) Regulations 2011 [*P.U. (A) 88/2011*] are revoked.

SCHEDULE 1

[Regulation 3]

SCHEDULE OF FEES IN RESPECT OF PROPOSALS IN RELATION TO SECURITIES
OTHER THAN DEBENTURES, UNIT TRUST SCHEMES AND PRESCRIBED INVESTMENT
SCHEMES

<i>No.</i>	<i>Proposal in relation to securities</i>	<i>Fees</i>
1.	Initial public offering	RM80,000.00 + 0.05% of the total market value of securities to be listed and nominal value of any additional securities issued or to be issued but not listed, subject to maximum of RM800,000.00 (inclusive of fees for review of asset valuation, if any)
2.	Acquisition or restructuring scheme resulting in significant change in business direction including where such acquisition or restructuring is in conjunction with item 7 below	RM80,000.00 + 0.05% of the total market value of equity or convertible securities to be issued and where market value is not available, the nominal value, subject to maximum of RM800,000.00 (inclusive of fees for review of asset valuation, if any)
3.	Amalgamation of two or more listed corporations	RM80,000.00 + 0.05% of the total market value of securities to be listed and nominal value of any additional securities issued or to be issued but not listed, subject to maximum of RM800,000.00 (inclusive of fees for review of asset valuation, if any)
4.	Secondary listing of foreign listed corporation in Malaysia	RM50,000.00
5.	Cross listing outside Malaysia of a listed corporation	RM50,000.00

No.	Proposal in relation to securities	Fees
6.	A corporation that is proposing concurrently to list on the stock exchange and an exchange outside Malaysia	RM50,000.00
7.	Transfer of listing of corporation listed on alternative market to main market of the stock exchange except where the transfer is in conjunction with item 2 above	RM40,000.00 + 0.025% of the total market value of securities to be listed and nominal value of any additional securities issued or to be issued but not listed, subject to maximum of RM400,000.00 (inclusive of fees for review of asset valuation, if any).
8.	Clearance of circular or introductory document	RM10,000.00
9.	Establishment of new closed-end fund	RM10,000.00 + 0.01% of paid-up capital
10.	Increase in paid-up capital for closed-end fund	RM2,000.00 per fund
11.	Listing of a unlisted public company on an exchange outside Malaysia	RM10,000.00
12.	<p>Exemption or variation from requirements under the guidelines on:</p> <p>(a) form and content in relation to submission to the Commission; or</p> <p>(b) provisions other than form and content under Item 12(a)</p>	<p>RM500.00 per exemption/variation</p> <p>RM2,000.00 per exemption/variation</p>

<i>No.</i>	<i>Proposal in relation to securities</i>	<i>Fees</i>
13.	Extension of time	RM2,000.00
14.	Submission of a revised proposal or application to revise an approved proposal	RM2,000.00
15.	Other applications under subsection 212(5) and as specified by the Commission under subsection 212(7)	RM2,000.00

SCHEDULE 2

[Regulation 4]

SCHEDULE OF FEES IN RESPECT OF TAKE-OVERS, MERGERS AND
COMPULSORY ACQUISITIONS

<i>No.</i>	<i>Description</i>	<i>Fees</i>	
1.	Clearance of offer document	Offer value from RM 1.00 to RM2.98 billion	RM10,000.00 + 0.05 % of offer value (up to RM2.98 billion); and
		Any remaining sum above offer value of RM2.98 billion	0.025% of the remaining offer value

2.	Clearance of independent advice circular	RM5,000.00
3.	Exemption from mandatory take-over offer obligation	RM15,000.00
4.	Exemption from provisions of the Code other than for item 3 above	RM7,000.00
5.	Ruling	RM7,000.00
6.	Procedure for compulsory acquisition	RM2,000.00
7.	Extension of time	RM2,000.00

SCHEDULE 3

[Paragraph 5(1)(a)]

SCHEDULE OF FEES IN RESPECT OF REGISTRATION OF PROSPECTUS AND DEPOSIT OF
INFORMATION MEMORANDUM OTHER THAN IN RELATION TO UNIT TRUST SCHEME
AND PRESCRIBED INVESTMENT SCHEME

<i>No</i>	<i>Description</i>	<i>Prospectus</i>	<i>Abridged prospectus</i>	<i>Supplementary or replacement prospectus</i>	<i>Base prospectus</i>	<i>Supplementary or replacement base prospectus</i>	<i>Term sheet</i>	<i>Pricing supplements</i>
1.	Registration	RM15,000. 00	RM8,500. 00	RM6,500. 00	RM7,500. 00	RM3,250. 00	RM500. 00	RM500. 00
2.	Exemption or variation from requirements under the guidelines	RM500.00 per exemption/variation						
3.	Deposit of information memorandum	RM500.00						

SCHEDULE 4
[Paragraph 5(1)(b)]

SCHEDULE OF FEES IN RESPECT OF REGISTRATION OF PROSPECTUS AND DEPOSIT OF
INFORMATION MEMORANDUM IN RELATION TO UNIT TRUST SCHEME AND
PRESCRIBED INVESTMENT SCHEME

<i>No.</i>	<i>Description</i>	<i>Fees</i>
1.	Registration of prospectus for new unit trust scheme and prescribed investment scheme other than business trust	RM3,000.00 + RM100.00 per scheme
2.	Registration of prospectus for business trust	RM15,000.00
3.	Registration of prospectus for renewal of prospectus	RM1,500.00 + RM100.00 per scheme
4.	Registration of supplementary or replacement prospectus other than business trust	RM1,500.00 + RM100.00 per scheme
5.	Registration of supplementary or replacement prospectus for business trust	RM6,500.00
6.	Deposit of information memorandum	RM500.00
7.	Exemption or variation from guidelines	RM500.00 per exemption or variation, per scheme

SCHEDULE 5
[Regulation 6]

SCHEDULE OF FEES IN RESPECT OF BUSINESS TRUST

<i>No.</i>	<i>Description</i>	<i>Fees</i>
1.	Registration or recognition of business trust	RM3,000.00
2.	Submission of supplementary deed	RM1,000.00
3.	Approval for the listing of a business trust	RM30,000.00 + 0.05% of market capitalisation, subject to a maximum of RM800,000.00
4.	Acquisition or disposal of assets which results in a significant change in business direction or policy of a listed business trust	RM30,000.00 + 0.05% of additional market capitalisation, subject to a maximum of RM800,000.00
5.	Other listing and quotation of units in a business trust	RM10,000.00 + 0.05% of additional market capitalisation, subject to a maximum of RM800,000.00
6.	Authorisation or recognition of unlisted business trust	RM30,000.00 + 0.05% of the offer price of the units to be issued, subject to a maximum of RM800,000.00
7.	Secondary listing of recognised business trust	RM50,000.00
8.	Submission of a revised proposal or application to revise an approved proposal	RM2,000.00

<i>No.</i>	<i>Description</i>	<i>Fees</i>
9.	Exemption or variation from requirements under the guidelines	RM500.00 per exemption/variation
10.	Extension of time from compliance with guidelines or the Commission's condition of approval, authorization or recognition	RM2,000.00 per application
11.	Lodgement of documents	RM100.00 per document
12.	Clearance of circular	RM10,000.00
13.	Application in respect of online activities, application for early lifting of moratorium, and other applications as specified by the Commission under subsection 212(7)	RM2,000.00

SCHEDULE 6
[Regulation 7]

SCHEDULE OF FEES IN RESPECT OF DEBENTURES AND SUKUK

<i>No.</i>	<i>Types of application</i>	<i>Nominal value of securities to be issued</i>	<i>Fees</i>
1.	<i>(a)</i> Issue of ringgit-denominated debentures and sukuk	Less than RM50 million	RM10,000.00
		RM50 million to less than RM100 million	RM30,000.00
		RM100 million and more	RM50,000.00
	<i>(b)</i> Issue of ringgit-denominated debentures and sukuk that are non-tradable and non-transferable on a private placement basis		RM100,000
2.	Issue of foreign currency denominated debentures and sukuk	-	RM10,000.00
3.	Issue of structured products	Less than RM50 million	RM10,000.00
		RM50 million to less than RM100 million	RM30,000.00
		RM100 million and more	RM50,000.00
4.	Issue of asset-backed securities	Less than RM100 million	RM50,000.00
		RM100 million and more	RM100,000.00
5.	Extension of time	-	RM2,000.00 per application
6.	Revision of terms		RM2,000.00 per application

No.	<i>Types of application</i>	<i>Nominal value of securities to be issued</i>	<i>Fees</i>
7.	Exemption or variation from requirements under the guidelines on: <i>(a)</i> form and content in relation to submission to the Commission; or <i>(b)</i> provisions other than form and content under Item 7 <i>(a)</i>		RM500.00 per exemption/variation RM2,000.00 per exemption/variation
8.	Filing fees: information memorandum or offering circular or trust deed	-	RM500.00
9.	Notices pursuant to offering of structured products	-	RM100.00 per notice filed
10.	Other applications as specified by the Commission under subsection 212(7)		RM2,000.00

SCHEDULE 7
[Regulation 8]

SCHEDULE OF FEES IN RESPECT OF UNIT TRUST SCHEME AND PRESCRIBED
INVESTMENT SCHEME OTHER THAN BUSINESS TRUST

<i>No.</i>	<i>Description</i>	<i>Fees</i>
1.	Submission of deed (for listed schemes)	RM3,000.00 + RM100.00 per listed scheme
2.	Registration of deed	RM1,500.00 + RM100.00 per scheme
3.	Submission of supplementary deed (for listed schemes)	RM1,000.00
4.	Registration of supplementary deed	RM1,000.00
5.	Approval of management company (not applicable to holders of Capital Markets Services Licenses issued under the Act)	RM2,000.00
6.	Lodgement of documents	RM100.00 per document
7.	Establishment of scheme or recognition of foreign scheme (excluding real estate investment trust and exchange-traded fund)	RM5,000.00 per unlisted scheme; or RM10,000.00 + 0.01% of market capitalisation per scheme that is proposed to be listed, subject to a maximum of RM800,000.00
8.	Establishment of real estate investment trust	RM10,000.00 + 0.01% of market capitalisation or offer price of the

No.	Description	Fees
		units to be issued in an listed real estate investment trust, subject to a maximum of RM800,000.00
9.	Recognition of foreign real estate investment trust	RM10,000.00 per unlisted scheme
10.	Establishment of exchange traded fund	RM10,000.00
11.	Recognition of foreign exchange traded fund	RM10,000.00 per unlisted scheme
12.	Increase in scheme size limit	RM2,000.00 per listed scheme
13.	Exemption or variation from guidelines	RM500.00 per exemption or variation, per scheme
14.	Extension of time from compliance with guidelines or the Commission's condition of approval, authorization, registration or recognition	RM1,000.00 per extension per scheme
15.	Restructuring of management company (not applicable to holders of Capital Markets Services Licenses issued under the Act)	RM2,000.00 per application
16.	Appointment of fund management delegate not licensed by Commission	RM2,500.00
17.	Submission of a revised proposal or application to revise an approved proposal	10% of the fees payable for the original proposal other than the percentage charged in respect of market capitalisation
18.	Secondary listing of foreign listed schemes	RM10,000.00

<i>No.</i>	<i>Description</i>	<i>Fees</i>
19.	Approval of trustee	None
20.	Registration or re-registration of trustee	RM1,000.00
21.	Registration or re-registration of <i>Shariah</i> committee member or <i>Shariah</i> adviser of the scheme	None
22.	Other applications as specified by the Commission under subsection 212(7)	RM1,000.00

SCHEDULE 8

[Regulation 9]

SCHEDULE OF FEES IN RESPECT OF ASSET VALUATIONS

<i>No.</i>	<i>Description</i>	<i>Fees</i>
1.	Review of asset valuation	RM3,000.00 + 0.01% of market value* Subject to a maximum amount of RM100,000.00
2.	Processing waiver application from guidelines	RM2,000.00

* Based on the total market value of all the assets involved in each submission or application.

SCHEDULE 9
[Regulation 10]

SCHEDULE OF FEES IN RESPECT OF OFFERING DOCUMENT AND PRODUCT
HIGHLIGHTS SHEET

<i>No.</i>	<i>Description</i>	<i>Fees</i>
1.	Deposit of offering document	RM500.00
2.	Lodgement of product highlights sheet	RM500.00 for initial lodgement RM100.00 for lodgement of each replacement

SCHEDULE 10
[Subregulation 11(1)]

SCHEDULE OF FEES IN RESPECT OF WITHDRAWAL, RETURN AND REFUSAL TO
APPROVE APPLICATIONS OR SUBMISSIONS OTHER THAN THOSE MADE UNDER
SUBREGULATION 11(2)

<i>No.</i>	<i>Description</i>	<i>Fees</i>	
		<i>Fixed portion</i>	<i>Variable portion</i>
1.	Withdrawn before the Commission has commenced work	Full amount is retained	Full amount is refundable
2.	Withdrawn after the Commission has commenced work	Full amount is retained subject to a maximum of RM200,000.00	
3.	Returned by the Commission		
4.	Refusal by the Commission to approve applications		

SCHEDULE 11
[Subregulation 11(2)]

SCHEDULE OF FEES IN RESPECT OF WITHDRAWAL, RETURN AND REFUSAL TO
APPROVE APPLICATIONS OR SUBMISSIONS FOR UNIT TRUST SCHEMES AND
PRESCRIBED INVESTMENT SCHEMES OTHER THAN BUSINESS TRUSTS

No.	Description	Fees	
		Fixed portion	Variable portion
1.	Withdrawn before the Commission has commenced work	25% of the fixed portion is retained; the remainder is refundable	Full amount is refundable
2.	Withdrawn after the Commission has commenced work	Full amount is retained	Full amount is refundable
3.	Returned by the Commission	25% of the fixed portion is retained; the remainder is refundable	Full amount is refundable
4.	Refusal by the Commission to approve applications	Full amount is retained	Full amount is refundable

Made 24 December 2012
[SC/RS(A&R)/FEES.5/11(023)-1D;PN(PU2)662/VIII]

RANJIT AJIT SINGH
Chairman Securities Commission

Approved 27 December 2012
[KK/BPKA/K1/(S)/483/128/1/1]ld.8; PN(PU2)662/VIII]

DATO' SERI AHMAD HUSNI MOHAMAD HANADZLAH
Second Minister of Finance