



# **LAWS OF MALAYSIA**

**Akta A1499**

**CAPITAL MARKETS AND SERVICES (AMENDMENT)  
ACT 2015**

|  |     |     |                |
|--|-----|-----|----------------|
| Date of Royal Assent                         | ... | ... | 25 August 2015 |
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# LAWS OF MALAYSIA

## Act A1499

### CAPITAL MARKETS AND SERVICES (AMENDMENT) ACT 2015

An Act to amend the Capital Markets and Services Act 2007.

[ ]

**ENACTED** by the Parliament of Malaysia as follows:

#### **Short title and commencement**

**1.** (1) This Act may be cited as the Capital Markets and Services (Amendment) Act 2015.

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette*, and the Minister may appoint different dates for the coming into operation of—

- (a) different provisions of this Act; or
- (b) all or different provisions of this Act in respect of different classes or categories of persons or capital market products, including Islamic capital market products.

#### **General amendment**

**2.** The Capital Markets and Services Act 2007 [Act 671], which is referred to as the “principal Act” in this Act, is amended—

- (a) by substituting for the words “Securities Commission Act 1993” wherever appearing the words “Securities Commission Malaysia Act 1993”; and

- (b) in the national language text, by substituting for the words “pihak berkuasa menyelia” wherever appearing the words “pihak berkuasa penyeliaan”.

### **Amendment of section 2**

#### **3. Subsection 2(1) of the principal Act is amended—**

- (a) in the definition of “licensed bank”, by substituting for the words “Banking and Financial Institutions Act 1989 [Act 372]” the words “Financial Services Act 2013 [Act 758]”;
- (b) in the definition of “Bank Negara”, by substituting for the words “Central Bank of Malaysia Act 1958 [Act 519]” the words “Central Bank of Malaysia Act 2009 [Act 701]”;
- (c) in the definition of “Shariah Advisory Council”, by substituting for the words “section 316A” the words “the Securities Commission Malaysia Act 1993 [Act 498]”;
- (d) by inserting after the definition of “public interest directors” the following definition:
- ‘ “recognized market” means a stock market or a derivatives market operated or maintained by an operator registered under section 34;’;
- (e) by substituting for the definition of “officer” the following definition:
- ‘ “officer” has the meaning assigned to it in the Securities Commission Malaysia Act 1993;’;
- (f) in the definition of “Chairman”, by substituting for the words “paragraph 4(1)(a)” the words “paragraph 4(2)(a)”;

- (g) by inserting after the definition of “financial planning” the following definition:

‘ “foreign supervisory authority” means a foreign authority or any other person which exercises functions corresponding to the functions of the Commission under the securities law;’;

- (h) by substituting for the definition of “Commission” the following definition:

‘ “Commission” means the Securities Commission Malaysia established under the Securities Commission Malaysia Act 1993;’;

- (i) in the definition of “Deputy Chief Executive”, by substituting for the words “paragraph 4(1)(aa)” the words “paragraph 4(2)(b)”; and

- (j) by deleting the definition of “Islamic capital market business or transaction”.

#### **Amendment of section 5**

#### **4. Section 5 of the principal Act is amended—**

- (a) in the shoulder note, by substituting for the words “**securities and derivatives**” the words “**securities, derivatives and capital market products**”;

- (b) by substituting for subsection (1) the following subsection:

“(1) Notwithstanding the definition of “securities”, “derivatives”, “Islamic securities” or “Islamic derivatives” under this Act and “interest” as defined in subsection 84(1) of the Companies Act 1965, the Minister may, on the