

# **Securities and Futures (Disclosure of Interests) Regulations 2012**

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### **SECURITIES AND FUTURES ACT (CHAPTER 289)**

#### **SECURITIES AND FUTURES (DISCLOSURE OF INTERESTS) REGULATIONS 2012**

In exercise of the powers conferred by sections 131(3) and (4), 132, 133(3)(a), 135(2)(a), 136(2), 137(2), 137B, 137G(2), 137I(3) and (4), 137J, 137N(2)(a), 137P(2), 137R(2), 137T(3) and (4), 137U, 137Y(2)(a), 137ZA(2), 137ZC(2), 337(1) and 341 of the Securities and Futures Act, the Monetary Authority of Singapore hereby makes the following Regulations:

### **PART I**

#### **PRELIMINARY**

#### **Citation and commencement**

**1.** These Regulations may be cited as the Securities and Futures (Disclosure of Interests) Regulations 2012 and shall come into operation on 19th November 2012.

#### **Definitions**

**2.—(1)** In these Regulations, unless the context otherwise requires —

“listed issuer” means any of the following:

(a) a company any or all of the shares in which are listed for quotation

on the official list of a securities exchange;

- (b) a corporation (not being a company, or a collective investment scheme constituted as a corporation) any or all of the shares in which are listed for quotation on the official list of a securities exchange, such listing being a primary listing;
- (c) a registered business trust any or all of the units in which are listed for quotation on the official list of a securities exchange;
- (d) a recognised business trust any or all of the units in which are listed for quotation on the official list of a securities exchange, such listing being a primary listing;
- (e) a real estate investment trust;

“listed securities” means —

- (a) the voting shares of a company that is a listed issuer;
- (b) the voting shares of a corporation (being neither a company nor a collective investment scheme constituted as a corporation) that is a listed issuer;
- (c) the voting units in a registered or recognised business trust that is a listed issuer; or
- (d) the voting units in a real estate investment trust that is a listed issuer;

“real estate investment trust” has the meaning given to that expression in section 137S(2) of the Act.

(2) In these Regulations, unless otherwise specified, a reference to a person having a deemed interest in a security is a reference to one who is deemed to have an interest in that security by virtue of section 130(5), 137H(4) or 137S(3) of the Act.

## Forms

**3.—**(1) Any notice, announcement or dissemination of particulars under Division 1, 2 or 3 of Part VII of the Act shall be given or made using the relevant form referred to in the Schedule.

(2) The forms referred to in the Schedule and this regulation are those set out at the Authority’s Internet website at <http://www.mas.gov.sg> (under “Regulations and Financial Stability”, “Regulations, Guidance and Licensing”, “Securities, Futures and Fund Management”), and any reference in these Regulations to a numbered or lettered

form shall be construed as a reference to the current version of the form bearing the corresponding number or letter which is displayed at that website.

(3) Any notice, announcement or dissemination of particulars under Division 1, 2 or 3 of Part VII of the Act and these Regulations by way of Form 7 shall be given or made electronically using the electronic network operated by the relevant securities exchange.

(4) All forms for the purposes of Divisions 1, 2 and 3 of Part VII of the Act and this regulation shall be completed in the English language and in accordance with such directions and in such manner as may be specified in the forms or by the Authority.

(5) Every person required to give or make a notice, an announcement or a dissemination of particulars under Division 1, 2 or 3 of Part VII of the Act using Form 1, 3, 5, 6 or 7 shall also submit, along with such form, a notice of his contact details in Form C.

(6) Where strict compliance with the requirements of any form is not possible in any particular case, the Authority may allow for modifications to be made to that form, or for the requirements of that form to be complied with in such other manner as the Authority thinks fit.

## PART II

### EXEMPTIONS

#### **Exemption from Part VII of Act for interests in listed securities as a result of securities lending arrangements**

4.—(1) Part VII of the Act shall not apply to —

(a) any person who is —

- (i) the holder of a capital markets services licence for dealing in securities;
- (ii) an exempt person in respect of dealing in securities; or
- (iii) a person who is licensed, approved, authorised or otherwise regulated under the laws, codes or other requirements of any foreign jurisdiction in respect of dealing in securities, or who is exempted therefrom in respect of dealing in securities,

and who acts as a securities lending intermediary under a securities lending arrangement pursuant to which listed securities are transferred into and out of his securities account within 2 business days, in respect of his