

**ANNEXURE 1
NEW DIRECTIVE
in relation to the registration process
for a Registered Representative and Compliance Officer**

DIRECTIVES ON THE REGISTRATION PROCESS FOR A REGISTERED REPRESENTATIVE AND COMPLIANCE OFFICER	No. 322.1-001
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Relevant to : Rules 322.1 and 610.1
Introduced with effect from : 1 December 2014
Amended : N/A
TPs' Circular No(s). : N/A
Refer also to Directive No(s). : N/A

Introduction

This Directive sets out the registration procedures for a Registered Representative and Compliance Officer under Rules 322.1(b) and 610.1(b) respectively of the Rules of Bursa Malaysia Derivatives Berhad ("**Rules of Bursa Derivatives**").

1. Rules 322.1(b) and 610.1(b)

- (1) Rule 322.1(b) sets out the requirement for a Registered Representative to register with the Exchange to act as a trading representative of a Trading Participant.
- (2) Rule 610.1(b) requires a Trading Participant to register its Compliance Officers with the Exchange.
- (3) The following procedures apply in respect of an application for the registration of a Registered Representative or a Compliance Officer with the Exchange under the above Rules.

1.1 Registration procedures for Registered Representatives and Compliance Officers

- (1) The Trading Participant of the person who is to be registered as a Registered Representative or Compliance Officer is required to make only one submission through the Commission's Electronic Licensing Application ("**ELA**") System for the purpose of licensing or approval by the Commission and registration with the Exchange.
- (2) For the purpose of the registration with the Exchange, a Trading Participant must submit through the ELA System:
 - (a) the duly completed application in the form set out in **Appendix 1** of this Directive to the Exchange; and
 - (b) an undertaking in the form set out in **Appendix 2** of this Directive.(referred to collectively as "**the Exchange's Information**")
- (3) A Trading Participant must make payment to the Exchange of the non-refundable registration fee prescribed by the Exchange (if any) concurrently with the submission of the documents in paragraph 1.1(2);
- (4) By making the submission through the ELA, the Trading Participant agrees that although the submission is directed to the Commission, it forms part of the submission to the Exchange. The Trading Participant agrees that the relevant information in the submission made through the ELA System (together with the Exchange's Information) may be transmitted into the Exchange's system for approval, upon the Commission's approval of the application.

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- (5) The Exchange will send a notification to the Trading Participant if the application for registration is approved by the Exchange.
- (6) A Trading Participant must retain possession of the original copies of the Exchange's Information and must produce such original copies to the Exchange at the Exchange's request.

[End of Directive]

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Appendix 1

Registration Form for Registered Representative / Compliance Officer

Name of Trading Participant:

Company No.:

Address:

Date:

To: Bursa Malaysia Derivatives Berhad ("the Exchange")

Dear Sirs,

Appointment and Registration of a #[Registered Representative / Compliance Officer]

We, [*name of Trading Participant*], are desirous of appointing and registering the following person as a #[*Registered Representative / Compliance Officer*] of [*name of Trading Participant*] upon the terms and subject in all respects to the Rules of the Exchange and the Directives (as defined in the Rules of the Exchange).

Name of proposed #[*Registered Representative / Compliance Officer*]:

NRIC:

Address:

In support of this submission, we enclose:

- (1) an undertaking by the proposed #[*Registered Representative / Compliance Officer*] in the form the Exchange stipulates.

* the non-refundable fee of RM [*specify amount*] stipulated by the Exchange will be paid to the Exchange concurrently with this submission.

Yours faithfully,

Signed by Authorised Signatory(ies))
for and on behalf of [*name of Trading Participant*])
in the presence of:)

Delete whichever inapplicable.

* Delete if inapplicable

[End of Appendix 1]

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Appendix 2

Undertaking – Registered Representative / Compliance Officer

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To:

Bursa Malaysia Derivatives Berhad (“the Exchange”)

In consideration of the Exchange approving the application for my registration with the Exchange as a **[Registered Representative / Compliance Officer]* in accordance with the Rules of Bursa Malaysia Derivatives Berhad (“Rules”) and the Directives (as defined in the Rules) (collectively, “Exchange’s Requirements” and includes all amendments and supplements to the Rules and Directives), I hereby irrevocably and unconditionally undertake and agree as follows:-

- (1) that I satisfy the qualification criteria for a **[Registered Representative / Compliance Officer]* set out in the Rules;
- (2) that the information and documents accompanying the application for registration as **[Registered Representative / Compliance Officer]* are complete and accurate;
- (3) that the Exchange may obtain from or provide to any regulatory authority (whether in or out of Malaysia) any information directly or indirectly relating to me for any purpose relating to or in connection with discharging any function of the Exchange or that regulatory authority;
- (4) to notify the Exchange immediately in writing of any changes in the information given together with the application for my registration as a **[Registered Representative / Compliance Officer]*;
- (5) that until and unless I have been duly registered by the Exchange as a **[Registered Representative / Compliance Officer]*, I shall not to act in any manner for and on behalf of *[name of Trading Participant]*;
- (6) to abide by the decision of the Exchange in relation to the application for my registration as a **[Registered Representative / Compliance Officer]* of *[name of Trading Participant]*;
- (7) to be bound in all respects by and to comply with the Exchange’s Requirements in so far as they apply directly or indirectly to a **[Registered Representative / Compliance Officer]*;
- (8) to indemnify and keep the Exchange fully indemnified from and against all losses, damages, costs, expenses, actions and claims or otherwise which the Exchange may incur arising out of any act or omission on my part or failure by me to comply with any provisions in the Exchange’s Requirements; and
- (9) notwithstanding my ceasing to be registered as a **[Registered Representative / Compliance Officer]* with the Exchange for any reason whatsoever, to continue to be bound by the Exchange’s Requirements in so far as they may relate to any act or omission that I may, in the opinion of the Exchange, have committed or omitted to do during the period of my registration with the Exchange.

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I acknowledge that:

(a) the approval of the application for my registration as a **[Registered Representative / Compliance Officer]* with the Exchange; or

(b) any indulgence or delay in making any demand or instituting any action by the Exchange,

will not constitute or be deemed to operate as a waiver by the Exchange of any of its rights under this undertaking or under the Exchange's Requirements.

I further acknowledge that I will remain registered as a **[Registered Representative / Compliance Officer]* with the Exchange at the discretion of the Exchange.

Signed by *[name of proposed Registered Representative / Compliance Officer]*)
in the presence of)

* Delete if inapplicable.

[End of Appendix 2]