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WARTA KERAJAAN PERSEKUTUAN

*FEDERAL GOVERNMENT  
GAZETTE*

PERATURAN-PERATURAN SKIM KEPENTINGAN 2017

*INTEREST SCHEMES REGULATIONS 2017*



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*PUBLISHED BY*  
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*ATTORNEY GENERAL'S CHAMBERS*

INTEREST SCHEMES ACT 2016  
INTEREST SCHEMES REGULATIONS 2017

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SCHEDULE

INTEREST SCHEMES ACT 2016

INTEREST SCHEMES REGULATIONS 2017

IN exercise of the powers conferred by section 90 of the Interest Schemes Act 2016 [Act 778], the Minister makes the following regulations:

**Citation and commencement**

1. (1) These regulations may be cited as the **Interest Schemes Regulations 2017**.

(2) These Regulations come into operation on 31 January 2017.

**Interpretation**

2. In these Regulations, “electronic filing system” means the electronic filing system provided by the Registrar for the purposes of lodgement of any document, or making any application or appeal as determined by the Registrar.

**Lodgement of documents or application through electronic filing system**

3. All documents required to be lodged with the Registrar under the Act, and all applications for any matters as specified in the Schedule, shall be lodged or made, as the case may be, through the electronic filing system unless otherwise directed by the Registrar.

**Appeal through electronic filing system**

4. (1) For the purposes of an appeal to the Minister under section 13 of the Act, a management company shall—

(a) submit such appeal to the Registrar through the electronic filing system unless otherwise directed by the Registrar; and

(b) state the grounds of appeal.

(2) Upon receipt of the appeal under subregulation (1), the Registrar shall, as soon as practicable, submit the appeal together with the grounds of appeal to the Minister.

(3) The Minister shall decide on such appeal and cause the decision to be communicated to the management company.

### **Lodgement of documents, *etc.*, through other manner**

5. Where it is not practicable or not possible for any document, application or appeal referred to in regulation 3 or 4 to be lodged or made, as the case may be, through the electronic filing system, the Registrar may allow the document, application or appeal to be lodged or made in such other manner as he thinks fit.

### **Access to electronic filing system**

6. (1) Subject to subregulation (3), for the purposes of lodgement of any document, or making an application or appeal for any matters referred to in regulation 3 or 4, as the case may be, through the electronic filing system, the Registrar may give one or more secretaries of the management company access to the electronic filing system.

(2) The secretary of the management company who is given access to the electronic filing system under subregulation (1) shall lodge the document, or make the application or appeal, on behalf of the management company or directors of the management company.

(3) The Registrar may give any other person access to the electronic filing system for the purposes of lodgment of documents if such person is allowed to lodge the documents under the Act.

### **Execution and keeping of documents**

7. A management company or the directors of a management company shall ensure that all documents, applications or appeals lodged or made, as the case may be, through the electronic filing system are—

- (a) in order and properly executed; and
- (b) kept at the registered office of the management company.

**Period for lodgement of document when period not prescribed**

8. If the period during which a document is required to be lodged with the Registrar is not prescribed under the Act, the lodgement of such document shall be made within thirty days from the date such document is required to be lodged.

**Fees**

9. (1) The fees in respect of any lodgement of documents, or any application or appeal for any matters, specified in column (2) of the Schedule shall be as specified in column (3) of the Schedule.

(2) The fees as specified in the Schedule shall be paid to the Registrar in such manner as the Registrar may direct.

(3) Any failure to pay the fees referred to in subregulation (2) shall render the lodgement of documents, application or appeal void.

(4) If the lodgement of documents, application or appeal is withdrawn, the fees paid in respect of such lodgement of documents, application or appeal shall not be refunded.

(5) The Registrar may reduce or waive, partly or wholly, any fees specified in the Schedule.

**Additional information or documents**

10. For the purposes of the Act, the Registrar may require any additional information or documents to be submitted to the Registrar in such manner as the Registrar may direct.

### **Translation of documents**

11. (1) Where a management company is required under the Act to lodge with the Registrar any document or a certified copy of such document but the document or certified copy of such document is not written in either the national language or English language, the management company shall lodge the document or certified copy of such document with the Registrar together with the translation of the document or the translation of the certified copy of such document in the national language or English language.

(2) The management company shall keep the translation of such document or the translation of the certified copy of such document with the document or the certified copy of such document, as the case may be, for so long as the document or certified copy of such document is required to be kept under the Act.

### **Affidavit and statutory declaration**

12. (1) Where a management company makes an affidavit or a statutory declaration in respect of a scheme, the affidavit or statutory declaration shall be sworn or declared by any director of the management company or any person authorized by the management company.

(2) Where an affidavit or a statutory declaration purports to be sworn or declared at a place outside Malaysia, the affidavit or statutory declaration shall be sufficient for the purposes of the Act if it is purported to be sworn or declared in accordance with the law of that place.

### **Information or document certified by Registrar**

13. The Registrar may certify, electronically or otherwise, any information, document, or any copy of or any extract from any document, lodged with the Registrar to be true information, a true document or a true copy of or extract from the document, as the case may be.

SCHEDULE  
(Regulation 9)

FEES

(1) No.	(2) Matter	(3) Fees (RM)
1.	Application for registration of scheme under section 9 of the Act:	
	(a) small scheme:	
	(i) processing fee	5,000.00
	(ii) approval fee	10,000.00
	(b) premium scheme or foreign scheme:	
	(i) processing fee	20,000.00
	(ii) approval fee	
	(A) fund size exceeding RM10,000,000.00 but not exceeding RM20,000,000.00	10,000.00
	(B) fund size exceeding RM20,000,000.00 but not exceeding RM30,000,000.00	15,000.00
	(C) fund size exceeding RM30,000,000.00 but not exceeding RM40,000,000.00	20,000.00
	(D) fund size exceeding RM40,000,000.00 but not exceeding RM50,000,000.00	25,000.00
	(E) fund size exceeding RM50,000,000.00	25,000.00 + [(the difference between the fund size and 50,000,000.00) x 0.025%], subject to a maximum fee of 150,000.00

2.	Appeal to the Minister under section 13 of the Act	300.00
3.	<p>Application for registration of conversion of small scheme to premium scheme under section 17 of the Act:</p> <p><i>(a)</i> processing fee</p> <p><i>(b)</i> approval fee</p> <p><i>(i)</i> fund size exceeding RM10,000,000.00 but not exceeding RM20,000,000.00</p> <p><i>(ii)</i> fund size exceeding RM20,000,000.00 but not exceeding RM30,000,000.00</p> <p><i>(iii)</i> fund size exceeding RM30,000,000.00 but not exceeding RM40,000,000.00</p> <p><i>(iv)</i> fund size exceeding RM40,000,000.00 but not exceeding RM50,000,000.00</p> <p><i>(v)</i> fund size exceeding RM50,000,000.00</p>	<p>5,000.00</p> <p>10,000.00</p> <p>15,000.00</p> <p>20,000.00</p> <p>25,000.00</p> <p>25,000.00 + [(the difference between the fund size and 50,000,000.00) x 0.025%], subject to a maximum fee of 150,000.00</p>
4.	<p>Application for approval under section 19 of the Act:</p> <p><i>(a)</i> trust deed</p> <p><i>(b)</i> contractual agreement</p>	<p>1,000.00</p> <p>500.00</p>
5.	Application for approval of trustee under section 22 of the Act	1,000.00



6.	Application for registration and lodgement under section 28 of the Act:  <i>(a)</i> prospectus  <i>(b)</i> product disclosure statement	5,000.00  2,000.00
7.	Application for relief or approval of variation in relation to form and content of prospectus or product disclosure statement under section 34 of the Act	300.00
8.	Lodgement of certificate that an advertisement is not deemed to be a prospectus or product disclosure statement under section 35 of the Act	50.00
9.	Lodgement and application for registration under section 38 of the Act:  <i>(a)</i> supplemental or replacement prospectus  <i>(b)</i> supplemental or replacement product disclosure statement	1,000.00  500.00
10.	Application for deregistration under section 69 of the Act:  <i>(a)</i> small scheme  <i>(b)</i> premium scheme or foreign scheme	500.00  1,000.00
11.	Application to the Minister for exemption under section 73 of the Act	300.00
12.	Lodgement of return, summary, statement, list or particulars under section 77 of the Act:  <i>(a)</i> small scheme  <i>(b)</i> premium scheme or foreign scheme	150.00  500.00

13.	Application for inspection of document under section 81 of the Act	10.00
14.	Application for copy of or extract from document or certificate under section 81 of the Act	10.00
15.	Application for rectification of register under section 85 of the Act	300.00
16.	Lodgement of court order except court order attached to any application or appeal under the Act	100.00
17.	Application for any information relating to scheme: <i>(a)</i> through electronic means  <i>(b)</i> through other than electronic means	20.00  30.00
18.	Application for certification of any document relating to scheme lodged with the Registrar	10.00
19.	Lodgement of any document relating to scheme not specifically mentioned in this Schedule	100.00

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