

**Administrative Actions by Securities Commission Malaysia (“SC”)
Apr 2021 – Jun 2021**

No.	Nature of Misconduct	Parties Involved / Brief description of misconduct	Action Taken / Date of Action
1.	<p>Breach of Section 356(1)(a) of the Capital Markets and Services Act 2007 (“CMSA”) read together with the provisions of the following:</p> <p>Paragraph 7.1.1, 7.1.2 and 7.14 of the Guidelines on Prevention of Money Laundering and Terrorism Financing for Capital Market Intermediaries as at 31 March 2004; and</p> <p>Paragraph 8.2.1, 8.2.3 and 8.2.4 of the Guidelines on Prevention of Money Laundering and Terrorism Financing for Capital Market Intermediaries as at 15 January 2014.</p>	<p><u>Eastspring Investments Berhad (EIB)</u></p> <p><u>Breach 1</u> Failure to conduct on going due diligence and scrutiny of EIB’s customers throughout the course of the business relationship and to monitor the customer’s account on a regular basis to ensure that transactions conducted are consistent with, amongst others, EIB’s knowledge of the customers and their risk profile, as well as monitoring of suspicious transactions.</p> <p><u>Breach 2</u> Failure to reclassify its customer(s) as higher risk and lodge a suspicious transaction report to the relevant authority in circumstances where, amongst others, the pattern of account activity of the customer appears unusual or inconsistent with EIB’s profile or knowledge of the customer.</p>	<ul style="list-style-type: none"> • Reprimand; and • Penalty of RM400,000.00 <p>30 June 2021</p>
2.	<p>Imposition of sanctions under Section 220 of the CMSA for non-compliance of Paragraphs 1.07, 3.01 and 3.05 of the Rules on Take-overs, Mergers and Compulsory Acquisitions (“Rules”) and breach of Section 221 of the CMSA</p>	<p><u>UOB Kay Hian Securities (M) Sdn Bhd (“UOBKH”)</u></p> <p>UOBKH, being the principal adviser to the take-over offer in GETS Global Berhad, failed to consult the SC in advance for guidance on the application of presumed concert party relationship.</p> <ul style="list-style-type: none"> • Such failure resulted in failing to advise its clients on compliance with the Rules and CMSA and submission of false or misleading information to the SC and investors. 	<p>Reprimand and Directive for UOBKH to do the following:</p> <ul style="list-style-type: none"> • Conduct a comprehensive review and assessment for compliance with the identification of concert parties pursuant to the Rules and CMSA. Results of such review and assessment together with recommendations (if any) must be

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		<ul style="list-style-type: none"> • UOBKH did not take cue from the SC's earlier enquiries and should have applied the same diligence pertaining to the possible concert party relationships with regard to the joint offeror's siblings. • In addition, UOBKH failed to document material issues satisfactorily. 	<p>reported to the SC within 3 months from date of sanction; and</p> <ul style="list-style-type: none"> • Table the SC's decision at a meeting of the Board of Directors of UOBKH and a copy of the minutes of meeting together with the relevant Board papers discussing the issues must be forwarded to the SC within 1 month from date of sanction. <p>30 April 2021</p>
3.	Imposition of sanctions under Section 220 of the CMSA for non-compliance of Section 221 of the CMSA and Paragraph 10.01 of the Rules on Take-overs, Mergers and Compulsory Acquisitions ("Rules")	<p><u>Teong Lian Aik, ADA Capital Investments Limited and Low Bok Tek (the "Parties")</u></p> <ul style="list-style-type: none"> • The Parties jointly and severally accept full responsibility for the accuracy of the information contained in the submission to the SC ("Submission") and confirm that having made all reasonable inquiries, that to the best of their knowledge, opinions expressed in the Submission have been arrived at, after due and careful consideration and there are no other facts not contained in the Submission, the omission of which would make any statement in the Submission false or misleading. <u>However</u>, the Submission was found to contain false or misleading statements. • Notwithstanding, the Parties, when informing their concert parties on their obligations or restrictions in relation to the offer, did not specify on the applicable timing of such obligations or restrictions, knowing that the letter of obligations was not circulated to them; and • The Parties did not take cue from the SC's earlier enquiries and should have applied the same diligence 	<p>Reprimand 30 April 2021</p>

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		<p>pertaining to the possible concert party relationships with regard to the siblings of the Parties.</p>	
4.	<p>Breach of 354(1)(b)(ii) of the CMSA read together with Paragraph 4.05 and Paragraph 4.06, Section B, Part 2 of the Guidelines on Unlisted Capital Market Products under the Lodge and Launch Framework ("LOLA Guidelines")</p>	<p>AmBank (M) Berhad ("AmBank") Delay of ten (10) business days in the submission of the monthly post-issuance report for their structured product programme.</p>	<p>Penalty of RM10,000.00 9 April 2021</p>
5.	<p>Two (2) breaches under Section 354(1)(b)(iii) of the CMSA read together with Clause 3.1.3(a) of the Code of Ethics and Rules of Professional Conduct (Unit Trust Funds) as at 22 January 2013 of The Federation of Investment Managers Malaysia</p>	<p>Rohaini Binti Mohd Satari ("Rohaini") As a Unit Trust Consultant of Bank Kerjasama Rakyat Berhad ("Bank Rakyat"), Rohaini had:-</p> <ul style="list-style-type: none"> • Executed 15 unauthorised transactions on the unit trust account of Bank Rakyat's client; and • Knowingly provided statements to Bank Rakyat's client which contained false or misleading information 	<p>Reprimand for each breach; and Penalty of RM100,000.00 5 April 2021</p>
6.	<p>Breach of section 354(1)(a) of the CMSA read together with section 7(1) of the CMSA and Order 3(1) of the Capital Market and Services (Prescription of Securities) (Digital Currency and Digital Token) Order 2019 ("CMSA Order")</p>	<p>Remitano Co. Ltd. Remitano had operated a recognized market (digital asset exchange) without registering with the SC under Section 34 of the CMSA via the website https://remitano.com/btc/my and also through its mobile applications</p>	<p>Reprimand 2 April 2021</p>

Source: <https://www.sc.com.my/regulation/enforcement/actions/administrative-actions/administrative-actions-in-2021>