

ADMINISTRATIVE ACTIONS IN 2024

No.	Nature of Misconduct	Parties Involved	Brief description of misconduct	Action Taken	Date of Action
1.	<p>(i) Breach of Section 354(1)(b)(ii) of the Capital Markets and Services Act 2007 ("CMSA") read together with:</p> <p>a. Core Principle 6 of Paragraph 3.01 of the Guidelines on Market Conduct and Business Practices for Stockbroking Companies and Licensed Representatives ("Guidelines");</p> <p>b. Paragraphs 12.01, 12.02 and 12.03, read together with Illustration 8 of the Guidelines,</p> <p>(ii) Breach of Section 354(1)(b)(i) of the CMSA read together with Rule 5.16 of the Rules of Bursa Malaysia Securities Berhad ("Rules") read together with Paragraph 11.3 of the Directives on Conduct of Business No. 5-001 issued by Bursa Malaysia Securities Berhad ("Directives"); and</p> <p>(iii) Breach of Section 354(1)(a) of the CMSA read together with Section 25(4) and 29A of the Securities Industry (Central Depositories) Act 1991 ("SICDA").</p>	Abdul Radzim bin Abdul Rahman (" Radzim ")	<ol style="list-style-type: none"> Radzim failed to give priority to his customer's interest as he dealt for his own/wife's benefit using Nor Ashikin's CDS Account ahead of his customer's buy orders. As a holder of CMSRL for dealing in securities, Radzim's conduct amounts to front running which constitutes market abuses and unethical business conduct and consequently, affected the fair and orderly operation of the market. As a dealer representative for his customers, Radzim: <ol style="list-style-type: none"> Failed to act honestly and fairly; Failed to act in the best interest of his customer; Failed to give priority to the execution of orders given by his customer over execution of his own and/or Nor Ashikin's orders in relation to the securities of the same class; and Front run his customer. Breach Section 25(4) of the SICDA for causing his shares to be deposited and maintained in Nor Ashikin's CDS Account; and Breach of Section 29A of the SICDA as 	<ol style="list-style-type: none"> Reprimand; and Penalty of RM2,600,845.38. 	<p>25 September 2023</p> <p>On 13 October 2023 and 15 November 2023, Radzim had applied to the SC for a review of its own decision to sanction Radzim.</p> <p>The review application was dismissed by the SC on 4 April 2024.</p>

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			dealings in respect of his shares were effected by him in Nor Ashikin's CDS Account		
2.	Breach of Section 354(1) (a) of the Capital Markets and Services Act 2007 ("CMSA") read together with Section 25(4) and 29A of the Securities Industry (Central Depositories) Act 1991 ("SICDA").	Nor Ashikin binti Khamis ("Nor Ashikin")	<ol style="list-style-type: none"> 1. Nor Ashikin breached Section 25(4) of the SICDA for permitting Radzim's shares to be deposited and maintained in her CDS Account and failing to ensure that her CDS Account only contain her own shares and not any other third parties, including Radzim; and 2. Nor Ashikin breached Section 29A of the SICDA for facilitating or allowing the dealings in respect of Radzim's shares in her CDS Account by Radzim. 	<ol style="list-style-type: none"> a. Reprimand; b. Penalty of RM87,750.00; and c. Directive to mitigate the effects of the Breaches, where she is required to close her Central Depository System ("CDS") account number of 052-001-042366492/073-001-042366492 maintained at Kenanga Investment Bank Berhad under the name of Nor Ashikin binti Khamis within fourteen (14) business days from the date of the decision letter. 	<p>25 September 2023</p> <p>On 13 October 2023 and 15 November 2023, Nor Ashikin had applied to the SC for a review of its own decision to sanction Nor Ashikin</p> <p>The review application was dismissed by the SC on 4 April 2024.</p>
3.	<p>Breach of Section 71 of the Capital Markets and Services Act 2007 ("CMSA") read together with Section 354(1)(a) of the CMSA for:</p> <ol style="list-style-type: none"> a. making a false statement/ declaration in his Capital Markets Services Representative's Licence ("CMSRL") application to the SC; and b. making a false declaration that the information provided in his CMSRL application to the SC is true and correct. 	Lim Chee Kuang ("LCK") a holder of a CMSRL carrying out the regulated activity of financial planning with UOB Kay Hian Wealth Advisors (M) Sdn Bhd.	LCK had falsely stated/ declared in his CMSRL application to the SC that he had not been subjected to any form of disciplinary proceedings or actions by any professional or regulatory body or employer, and that all the information provided in the CMSRL application are true and correct. However, it was found that LCK had in fact been subjected to disciplinary proceedings or action by his former employer which had resulted in his termination.	<ul style="list-style-type: none"> • Reprimand; • Revocation of LCK's CMSRL pursuant to: <ol style="list-style-type: none"> i. Section 72(2)(b)(i) read together with Section 65(1)(c) of the CMSA; and ii. Section 72(2)(b)(iv) read together with Paragraph 7.03(1) of the SC's Licensing Handbook and Section 65(1)(c) of the CMSA. 	7 March 2024
4.	Two (2) breaches of Paragraph 4.17, Section B, Part 1 of the Guidelines on Unlisted Capital Market Products under the Lodge and Launch Framework read together with Section 356(1)(a) of the Capital Markets and Services Act 2007	ATM Capital Management Sdn Bhd ("ATM")	Delay in the submission of the monthly statistical returns for two (2) wholesale funds with a delay of two (2) business days to the SC.	<ol style="list-style-type: none"> 1. Penalty of RM4,000 for the two (2) breaches; and 2. Enforcement of the relevant terms of the Enforceable Undertaking pursuant to an earlier Sanction Letter dated 11 July 2023, requiring payment of the balance Penalty of RM11,200 referred to in the Sanction Letter. <p>Details of ATM's earlier sanction can be found here.</p>	15 February 2024

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5.	Breach of Paragraph 4.17 and Paragraph 4.18(e) Section B, Part 1 of the LOLA Guidelines	JIA Asset Management Sdn Bhd	Delay of four (4) business days in the submission of the monthly statistical returns for its wholesale fund known as JIA AM Durian Growth Opportunities Fund to the SC.	Penalty of RM4,000.00	22 February 2024
6.	Breach of Paragraphs 4.05 and 4.06, Section B, Part 2 of the Guidelines on Unlisted Capital Market Products under the Lodge and Launch Framework read together with Section 354(1)(b)(ii) of the Capital Markets and Services Act 2007.	OCBC Bank (Malaysia) Berhad	Delay of one (1) business day in the submission of the monthly post-issuance report for its structured product programme.	Penalty of RM1,000.00	23 January 2024
7.	Breach of Paragraph 4.05 and 4.06, Section B, Part 2 of the Guidelines on Unlisted Capital Market Products under the Lodge and Launch Framework read together with Section 354(1)(b)(ii) of the Capital Markets and Services Act 2007	Public Bank Berhad	Delay of two (2) business days in the submission of the monthly post-issuance report for their structured product programme.	Penalty of RM2,000.00	23 January 2024
8.	Breach of Paragraph 4.17, Section B, Part 1 of the Guidelines on Unlisted Capital Market Products under the Lodge and Launch Framework read together with Section 356(1)(a) of the Capital Markets and Services Act 2007	Muamalat Invest Sdn. Bhd.	Delay of four (4) business days in the submission of the monthly statistical returns of six (6) wholesale funds to the SC.	Penalty of RM24,000.	12 January 2024

SC AFFILIATES



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