

- **Annex of the Prakas No. 002/11 SECC Prk dated on May 03, 2011 on the Implementation of the Implementation of Operating Rules of Securities Depository.**
- **Annex of the Prakas No. 001/12 Duplicate 4 SECC Prk date on April 17, 2012 on the Implementation of Amendment of Transaction Fee in the Operating Rule of Securities Depository of the Cambodia Securities Exchange.**
- **Annex of the Prakas No. 001/13 SECC Prk Dated on February 08, 2013 on the Implementation of the Amendment of the Operating Rules of Securities Depository of the Cambodia Securities Exchange.**
- **Annex of the Prakas No. 001/14 SECC Prk Dated on January 22, 2014 on the Implementation of the Amendment of the Operating Rules of Securities Depository of the Cambodia Securities Exchange.**

## **Operating Rules of Securities Depository of the Cambodia Securities Exchange**

### **Chapter I General Provisions**

#### **Article 1.-Purpose**

The purpose of the Operating Rules of Securities Depository of the Cambodia Securities Exchange is to prescribe the matters necessary for depositing and transferring securities at the Operator of Securities Depository of the Cambodia Securities Exchange (hereinafter written as “the CSX”), granted the approval in accordance with the Law on the Issuance and Trading of Non-Government Securities and the Anukret on the Implementation of the Law on Issuance and Trading of Non-Government Securities, and related regulations.

#### **Article 2.-Definitions**

The terms used in these rules shall be determined in this article and available in the glossary of the annex of the Law on the Issuance and Trading of Non-Government Securities and the Anukret on the Implementation of the Law on Issuance and Trading of Non-Government Securities and related regulations.

-“**Member**” shall refer to the securities firms, licensed by the Securities and Exchange Commission of Cambodia (hereinafter written as “the SECC”), which has been allowed to use the whole securities depository facility of the CSX.

-“**Participant**” shall refer to the Cash Settlement Agent, the Securities Registrar, the Securities Transfer Agent, the Listed Company etc. which have been allowed to use a part of the securities depository facility of the CSX.

### **Article 3.-Business Hours**

The business hours pursuant to these rules shall be from 8:00 AM to 5:00 PM of the working days.

### **Article 4.-Designation or Cancellation of Eligible Securities**

Unless there is additional determination from the SECC, deposit-eligible securities at the Operator of Securities Depository are as the following:

- 1-Securities listed at the Operator of Securities Market of the CSX;
- 2-Securities newly issued by a listed company;
- 3-Securities under the process of initial public offering (IPO), or under the process prior to the start of initial public offering procedures;
- 4-Securities prepared to be listed at the Operator of Securities Depository of the CSX .

### **Article 5.- Information Related to Securities Deposits**

In order to deposit securities at the Operator of Securities Depository, Listed Companies shall, directly or by a Securities Registrar, provide the following information:

- 1-Type of securities;
- 2-Number of issuance;
- 3-Denomination;
- 4-Identification numbers;
- 5-Total issue amount;
- 6-Issued date;
- 7-Listing date; and
- 8-Other relevant information related to the securities ownership.

## **Chapter II Securities Accounts**

### **Article 6.-Securities Account Opening**

Unless there is additional determination from the SECC, persons eligible for opening a securities account at the Operator of Securities Depository shall be as follows:

- 1-Securities firms;
- 2-Listed companies;

Persons mentioned in paragraph 1 above who intend to open a securities account with the CSX shall complete the application forms determined by the Operator of Securities Depository.

### **Article 7.-Securities Account Book of Members and Participants**

The Operator of Securities Depository shall maintain the member and participant's Securities Account Books, containing information and the detailed securities transactions made by members and participants. Unless there is additional determination from the SECC, detailed information includes the following:

- 1- Name and address of person intending to open an account;

- 2- Class and quantity of deposited securities and the name of the issuer;
- 3- Reason for credit or debit of deposited securities;
- 4- In case where the deposited securities are an object of pledge, the name and address of pledgee;
- 5- In case where deposited securities are subject to disposal restriction, the mark as such and the delivery date of the court foreclosure decision or others.

Proprietary holdings of members' securities shall be separately recorded from those of their customers.

The Securities Account Book of members and participants shall be maintained for 10 (ten) years.

In case where a member or an issuer intends to change name, address, business registration number, or registered seal impression, the member or the issuer shall notify such changes to the Operator of Securities Depository by submitting the appropriate application form.

#### **Article 8.-Customer Securities Account Book**

A member depositing the customer's securities at the Operator of Securities Depository with the customer's consent shall maintain a "Customer Account Book" that contains the following detailed information:

- 1- Name and address of the customer;
- 2- Class and quantity of the deposited securities and name of the issuer;
- 3- Details of all transactions of the securities;
- 4- Customer information which recorded in the Member and Participant Account Books.

The Customer Securities Account Book shall be maintained for 10 (ten) years.

#### **Article 9.- Effective Date of Deposit**

Deposit, withdrawal, or the return and book-entry transfer under these rules shall be effective when the relevant information has been recorded in the Member and Participant Account Books.

#### **Article 10.-Account Closure**

Unless otherwise determined by the SECC, the Operator of Securities Depository may close the securities account of a member or participant in any of the following cases:

- 1-A member or participant requests to close the securities account;
- 2-A member or participant has not used their account for 02 (two) years.

Before closing the Member or Participant's Securities Account, the Operator of Securities Depository shall provide the deposited balance of the closed securities account to the relevant member or participant.

### **Chapter III Additional Provisions**

#### **Article 11.-Securities Depository Representative**

Each member shall appoint and register at least 01 (one) securities depository

representative, who shall be trained by the CSX, and has rights to conduct securities deposit transaction for the respective member.

The securities depository representative of a member may also be a settlement representative appointed by a member in accordance with the Operating Rules of Securities Clearing and Settlement of the CSX.

#### **Article 12.-Notification of Depository Balance**

The Operator of Securities Depository shall notify members and participants about the balance of securities account at the end of each month. This notification of account balance may be substituted by submitting a copy of the Member or Participant Account Book.

#### **Article 13 New (2).-Service Fees of Securities Depository Operation**

Members and listed companies shall pay the securities depository fee and book-entry settlement fee and other fees to the Securities Depository of the CSX in accordance to this article.

Members and listed companies shall pay to the CSX the following fees:

**1- Securities Depository Fee:** this fee is for the deposited securities during the initial public offering (IPO) procedure. Monthly fee for deposited securities shall be paid by the 10<sup>th</sup> of the month following the month in which such fees have been occurred, according to the following conditions:

a. Rate: 20 (twenty) Riel on the basis of 10,000,000 (ten million) Riel denomination. In this case, the fee shall be levied on the daily deposit balance, reflected in the Securities Account Book. The fee shall not exceed 120,000 (One hundred and twenty thousands) Riel per day.

b. Payer shall be the listed companies.

#### **2- Book-entry Settlement Fee**

a. The fee rate for the book-entry settlement service shall be levied on the amount of value of trade settled at the rate of 10/10,000 (ten-ten thousands) for the equity securities, and the fee amount obtained shall be round up to the first decimal;

b. Payers shall be the securities firm who is the member;

c. Time of payment: 8:30 AM on the settlement date.

#### **3- Other fees:**

a. Transfer fee without settlement:100,000 (One hundred thousands) Riel per transaction. Members and Listed Companies shall pay this fee to the Operator of Securities Depository when requesting for the securities transfer.

b. Securities withdrawal fee:200,000 (Two hundred thousands) Riel per transaction. Members and Listed Companies shall pay this fee to the Operator of Securities Depository when requesting securities withdrawal.

For 2014, book-entry settlement fee pursuant to above Para. 2 Point “a” shall be reduced by 50% to 5/10,000 (five-ten thousands) or 0.05% (zero point zero five percent) for the equity securities, and the amount of fee calculated shall be round up to the first decimal.

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