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TELECOMMUNICATIONS ACT (CHAPTER 323)

TELECOMMUNICATIONS (PRESCRIBED TRANSACTIONS) ORDER 2012

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement
 2. Prescribed transaction in relation to designated telecommunication licensee
 3. Prescribed transaction in relation to designated business trust
 4. Prescribed transaction in relation to designated trust
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In exercise of the powers conferred by section 32B(9) to (13) of the Telecommunications Act, the Minister for Information, Communications and the Arts hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Telecommunications (Prescribed Transactions) Order 2012 and shall come into operation on 1st February 2012.

Prescribed transaction in relation to designated telecommunication licensee

2. For the purposes of section 32B(9), (10) and (11) of the Act, a transaction is a prescribed transaction, if —

(a) it results in the transfer of shares in a designated telecommunication licensee —

(i) from any person to a corporation, any shares in which are owned or any voting power in which is controlled

by that person, without any change in the percentage of the voting power in the designated telecommunication licensee controlled by that person;

- (ii) from a corporation to any shareholder of the corporation, without any change in the percentage of the voting power in the designated telecommunication licensee controlled by that shareholder;
 - (iii) from a corporation to its wholly owned subsidiary, or to a corporation from its wholly owned subsidiary, whether or not the subsidiary is a direct subsidiary of the corporation; or
 - (iv) from one corporation, any shares in which are owned or any voting power in which is controlled by any person, to another corporation, any shares in which are owned or any voting power in which is controlled by that person, without any change in the percentage of the voting power in the designated telecommunication licensee controlled by that person; or
- (b) it does not change the percentage of the voting power in the designated telecommunication licensee controlled by every person who controlled any voting power in the designated telecommunication licensee immediately before the transaction.

Prescribed transaction in relation to designated business trust

3. For the purposes of section 32B(9), (10) and (12) of the Act, a transaction is a prescribed transaction, if —

- (a) it results in the transfer of units in a designated business trust —
 - (i) from any person to a corporation, any shares in which are owned or any voting power in which is controlled by that person, without any change in the percentage

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- of the voting power in the designated business trust controlled by that person;
- (ii) from a corporation to any shareholder of the corporation, without any change in the percentage of the voting power in the designated business trust controlled by that shareholder;
 - (iii) from a corporation to its wholly owned subsidiary, or to a corporation from its wholly owned subsidiary, whether or not the subsidiary is a direct subsidiary of the corporation; or
 - (iv) from one corporation, any shares in which are owned or any voting power in which is controlled by any person, to another corporation, any shares in which are owned or any voting power in which is controlled by that person, without any change in the percentage of the voting power in the designated business trust controlled by that person; or
- (b) it does not change the percentage of the voting power in the designated business trust controlled by every person who controlled any voting power in the designated business trust immediately before the transaction.

Prescribed transaction in relation to designated trust

4. For the purposes of section 32B(9), (10) and (13) of the Act, a transaction is a prescribed transaction, if —

- (a) it results in the transfer of equity interests in a designated trust —
 - (i) from any person to a corporation, any shares in which are owned or any voting power in which is controlled by that person, without any change in the percentage of the voting power in the designated trust controlled by that person;
 - (ii) from a corporation to any shareholder of the corporation, without any change in the percentage

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- of the voting power in the designated trust controlled by that shareholder;
- (iii) from a corporation to its wholly owned subsidiary, or to a corporation from its wholly owned subsidiary, whether or not the subsidiary is a direct subsidiary of the corporation; or
 - (iv) from one corporation, any shares in which are owned or any voting power in which is controlled by any person, to another corporation, any shares in which are owned or any voting power in which is controlled by that person, without any change in the percentage of the voting power in the designated trust controlled by that person; or
- (b) it does not change the percentage of the voting power in the designated trust controlled by every person who controlled any voting power in the designated trust immediately before the transaction.

Made this 10th day of January 2012.

CHAN YENG KIT
*Permanent Secretary,
Ministry of Information,
Communications and the Arts,
Singapore.*

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