

Chapter 6

Additional requirements for
premium listing (commercial
company)

6.9 Constitutional arrangements

6.9.1 **R** An *applicant* must have in place a constitution that allows it to comply with the *listing rules*, in particular:

- (1) ■ LR 9.2.21R to vote on matters relevant to *premium listing*; and
- (2) for an *applicant* with a *controlling shareholder*, ■ LR 9.2.2ER and ■ LR 9.2.2FR concerning the election and re-election of *independent directors*.

Pre-emption rights

6.9.2 **R** If the law of the country of its incorporation does not confer on *shareholders* rights which are at least equivalent to ■ LR 9.3.11R, an *overseas company* applying for a *premium listing* must:

- (1) ensure its constitution provides for rights which are at least equivalent to the rights provided in ■ LR 9.3.11R (as qualified by ■ LR 9.3.12R); and
- (2) be satisfied that conferring such rights would not be incompatible with the law of the country of its incorporation.