

Added text underlined;
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NYSE Listed Company Manual

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902.02 General Information on Fees

There are two types of fees applicable to listed issuers - Listing Fees and Annual Fees. As provided in Section 902.03, all issuers applying to list an equity security on the Exchange for the first time shall be subject to an Initial Application Fee. All fees are payable upon receipt of invoice. This chapter sets out fees by type of security, with different fees applicable to equity securities, closed-end funds, structured products (defined as securities listed under Sections 703.18, 703.19 and 703.21), short-term securities (defined as securities having a term of seven years or less), Investment Company Units listed under Section 703.16, streetTRACKS® Gold Shares as defined in Rule 1300, Currency Trust Shares as defined in Rule 1300A, Commodity Trust Shares as defined in Rule 1300B, and debt securities.

An issuer:

- (i) listing within 36 months following emergence from bankruptcy and that has not had a security listed on a national securities exchange during such period;
- (ii) relisting a class of stock that is registered under the Exchange Act that was delisted from a national securities exchange and only if such delisting was:
 - (a) within the previous 12 calendar months; and
 - (b) due to the issuer's failure to file a required periodic financial report with the Commission or other appropriate regulatory authority; [or]
- (iii) transferring the listing of any class of equity securities, any structured product or any closed-end fund from any other national securities exchange; or
- (iv) that is not itself listed on a national securities exchange immediately prior to its initial listing on the Exchange but is listing a class of equity securities upon closing of its acquisition of a special purpose acquisition company which had a class of equity securities listed on another national securities exchange prior to the closing of such acquisition

shall not be required to pay Listing Fees in connection with such listing, including, if applicable, the one-time special charge of \$50,000 payable in connection with the listing of any new class of common shares. Except as set forth in Section 902.08 below, none of the Listing Fee waivers set forth in this Section 902.02 shall apply to the listing of any

class of securities if the issuer's primary class of common stock remains listed on another national securities exchange.

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Annual Fees

Annual Fees are calculated for each class or series of security listed based on the number of shares issued and outstanding, including treasury stock and restricted stock. In its first year of listing, an issuer is billed at the time of listing for Annual Fees that are prorated from the listing date through the end of the year. For an issuer in its first year of listing whose Annual Fee prior to being prorated would exceed the Total Maximum Fee (as defined below), any prorated Annual Fee will be calculated as a percentage of the Total Maximum Fee.

At the beginning of each subsequent year, the Exchange will invoice issuers for Annual Fees applicable to that year. Issuers transferring the listing of their primary class of common shares from another national securities exchange are not required to pay Annual Fees with respect to that primary class of common shares or any other class of securities transferred in conjunction therewith for the remainder of the calendar year in which the transfer occurs. Similarly, any issuer that is not listed on a national securities exchange immediately prior to its initial listing on the Exchange but is listing its primary class of common shares upon closing of its acquisition of a special purpose acquisition company listed on another national securities exchange is not required to pay Annual Fees with respect to that primary class of common shares or any other class of securities listed at the same time for the remainder of the calendar year in which such listing occurs.

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