

REGISTRATION OF CHARGES

A. The document that needs to be lodged with the Registrar of Companies under section 352(1), 354 & 356 of the Companies Act 2016 is:

Statement Of Particulars To Be Lodged With A Charge

- (a) Needs to be lodged within 30 days from the date of creation of the charge/ acquisition of property which is subject to a charge.
- (b) Fee: Local company :RM300.00 ; Fee: Foreign Company RM500.00
- (c) The document that is lodged after 30 days from the date of Acquisition/ creation of the charge cannot be registered unless accompanied by a Court Order for extension of time.
- (d) Fee: Local company :RM300.00 ; Fee: Foreign Company RM500.00 and fee: court order RM100.00

Documents that are in order will be registered and a Certificate of Registration of Charge will be issued.

B. The document that needs to be lodged with the Registrar of Companies under section 355 (1) & (2) of the Companies Act 2016 is:

(i) Statement Containing Particulars of a Series of Debentures

(ii) Particulars When More Than One Issue is made of Debentures in a series

(i) Statement Containing Particulars of a Series of Debentures

- (a) Needs to be lodged within 30 days from the date of execution of the legal documents (instrument containing the charge).
- (b) Fee: Local company RM 300.00 ; Fee: Foreign Company RM500.00
- (c) The document that is lodged after 30 days from the date of execution cannot be registered unless accompanied by a Court Order for extension of time.

(d) Fee: Local company : RM300.00 ; Fee: Foreign Company RM500.00 and fee:
court order RM100.00

Documents that are in order will be registered and a Certificate of Registration of Charge will be issued

(ii) Particulars When More Than One Issue is made of Debentures in a series

(a) Needs to be lodged within 30 days from the date of each issue.

(b) Fee: Local company RM 300.00 ; Fee: Foreign Company RM500.00

(c) The document that is lodged after 30 days from the date of each issue cannot be registered unless accompanied by a Court Order for extension of time.

(d) Fee: Local company :RM 300.00 ; Fee: Foreign Company RM500.00 and fee:
court order RM100.00

REGISTRATION OF ASSIGNMENT OR VARIATION OF CHARGE

The document that needs to be lodged with the Registrar of Companies under section 359 (1) of the Companies Act 2016 is:

Notice of Assignment Of Charge

(a) Needs to be lodged within 30 days from the date of assignment of change

(b) Fee: Local company RM100.00 ; Fee: Foreign Company RM300.00

(c) Late - fees for late lodgement needs to be included.

The document that needs to be lodged with the Registrar of Companies under section 359 (2) of the Companies Act 2016 is:

Notice of Variation In Terms Of Charge

- (a) Needs to be lodged within 30 days from the date of the variation in terms of change
- (b) Fee: Local company RM100.00 ; Fee: Foreign Company RM300.00
- (c) Late - fees for late lodgement needs to be included.

REGISTRATION OF SATISFACTION AND RELEASE OF CHARGES

(Section 360 of the Companies Act 2016)

When the debt for which the charge was created has been paid or satisfied in whole or in part the property or undertaking charged or any part of the property or undertaking has been released from charge or has ceased to form part of the company's property or undertaking, the company shall lodge certain documents for registrar to enter all the particulars types of discharge are as follow:.

- (a) The documents that need to be lodged with the Registrar of Companies under section 360 of the Companies Act 2016 for release of property charged in part or in whole or ceased to form part of the property or undertaking are:
 - (1) Memorandum Where Property or undertaking Is Released From Registered Charge Or Has Ceased To Form Part of the Company's Property Or Undertaking;
 - (2) Evidence of *Satisfaction of charge/*Release of property or part of the property from charge; and
 - (3) Statutory Declaration verifying memorandum.

- (b) The documents that need to be lodged with the Registrar of Companies under section 360 of the Companies Act 2016 for satisfaction of charge in whole or part to extent are:

- (1) Memorandum Of Satisfaction Of Charge;
 - (2) Evidence of *Satisfaction of charge/*Release of property or part of the property from charge; and
 - (3) Statutory Declaration verifying memorandum
- Need to be lodged within 14 days from the date of release of charges or satisfaction of charges
 - Only one charge number to be discharge per set of documents
 - Registration fee : Local company RM50.00 ; Foreign Company RM150.00
 - If late – fee for late lodgement needs to be included.

Documents that are in order will be registered and the Certificate for discharge of Charges will be issued.