

COMPANIES ACT 2016: DEALING WITH COMMON ISSUES

COURSE INTRODUCTION

This course deals with the common issues facing companies in moving from the regimen of the Companies Act 1965 to the Companies Act 2016. More importantly, it deals with the inherent uncertainty that accompanies any new Act, let alone an Act of such extensive impact, and the different approaches that may be taken to deal with those uncertainties.

COURSE OBJECTIVES

Any new legislation, however well drafted, raises certain ambiguities in the interpretation of its provisions. The objective of this course is to examine the more common ambiguities raised by the Companies Act 2016 and to work out the best methods of dealing with those ambiguities until there are judicial pronouncements or statutory amendments to resolve them.

COURSE CONTENTS

The course will be in two parts. In the first part, common difficulties in interpretation of the Companies Act 2016 being faced by companies will be examined. These include the manner and effect of execution of corporate documents, the liability for representations made by directors and officers, the effect on the company of documents filed with the Registrar of Companies no longer being constructive notice, the legal effect of the new Act on company warrants, and similar issues. The second part will be an examination of how courts deal with ambiguities and a historical look at other legislation, in particular, the Companies Act 1965, and how companies dealt with the latent ambiguities in those legislation until they were resolved, as a guide to the best approach to dealing with ambiguities in the Companies Act 2016.

LEARNING OUTCOME

By attending this course, the participants will be able to:

- Understand inherent uncertainties in new legislation, such as the Companies Act 2016.
- Examine the legal pathways to remove or clarify such uncertainties.
- Appreciate the possible approaches to adopt pending such removal or clarification.

WHO SHOULD ATTEND

Company secretaries, managers, directors, general managers, business owners and anyone who wants to learn about management of business.

ABOUT THE TRAINER

Paul Subramaniam was a practising litigation lawyer for 29 years specializing in corporate and financial litigation. He then focused on the training of and knowledge management of corporate lawyers for 6 years before taking on the role of Chief Risk Officer in 2014 in ZICO Holdings Inc, a company listed on the Singapore Stock Exchange. He is a much sort after speaker and trainer have presented at international and national forums and industry-level conferences and symposiums. Some of his recent engagements include the Commonwealth Law Conference in Melbourne, Australia, the In-House Congress in Singapore and Hong Kong, the Malaysian Institute of Chartered Secretaries and Administrators' Malaysian Company Law Conference all in 2017. He is currently area of interests are psychology and group behaviour.

ADMINISTRATIVE DETAILS		
DATE	PLATFORM	EVENT CODE
30 March 2021	Webinar @ Microsoft Teams	040/21/CEP/WEB
06 July 2021	Webinar @ Microsoft Teams	084/21/CEP/WEB
Time	9.00 a.m. - 5.00 p.m.	
Training Methodology	Lecture and Case Discussion	
Fee	RM500.00 RM400.00	Standard Licensed Secretary. Member of MAICSA, MIA, Malaysian Bar, MACS, MICPA, Sabah Law Assoc. & Advocates Assoc. of Sarawak.
CPE points	8	