

SHARE REGISTRATION PRACTICAL ISSUES

COURSE INTRODUCTION

The Companies Act 2016 (“the Act”) provides that the Register of Members shall be prima facie evidence as to legal title of shares and section 102 of the Act places duty on the Company Secretary to update the Register of Members on any changes as well as to notify the Registrar of the changes within a stipulated timeframe. The Act enables a company to require a member to disclose if the shares are held by him as beneficial owner or as trustee and this information received is to be recorded in the Register of Beneficial Ownership (BO). In addition with the issuance of the Guideline for the Reporting Framework for Beneficial Ownership of Legal Persons (“BO Guidelines”), the Company Secretary is imposed with the duty to ensure that the BO information is entered into the Register of BO in accordance with the requirement of the Act and to lodge the BO Information to the Registrar.

COURSE OBJECTIVES

This course is to provide participants with an understanding of the duties imposed on the Company Secretary in relation to the maintenance of the Register of Members and the notification to be made to the Registrar where there are changes as a result of a transfer or transmission of shares. Participants will also better understand the requirements under the BO Guidelines in identification of the BO, the steps to be taken to obtain the BO information and the verification steps needed before entering the BO information into the Register of BO. Illustrations on how the different BO criteria will apply is provided to allow participants to have a better understanding of how a person is deemed to be a BO.

COURSE CONTENTS

- Eligibility to be shareholders of a company
- Restriction on membership of companies.
- Register of Members (ROM) - maintenance, inspection, closure, rectification,
- Place where ROM to be kept - Branch Register.
- Transfer of shares – procedures, refusal, forged transfer.
- Transmission of shares – death, bankruptcy, winding-up.
- Duty to notify of particulars and changes in the ROM to the Registrar of Companies via MyCoID
- Power of Company to require disclosure of beneficial ownership (BO) in its voting shares – identification, obtain BO information, verification and keeping of BO information.
- Register of Beneficial Ownership – maintenance, inspection, place kept.

LEARNING OUTCOME

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

- Understand the provisions of the Companies Act 2016 related to entries in the Register of Members and Register of BO.
- Differentiate the processes involved in the transfer and transmission of shares.
- Take back decision charts on identification of Beneficial Owner.

WHO SHOULD ATTEND

Company secretaries, company secretarial assistants, company directors, lawyers, accountants and corporate consultants.

ABOUT THE TRAINER

Leong Oi Wah is a Fellow Member of the Malaysian Institute of Chartered Secretaries and Administrators (MAICSA) and has more than 30 years of experience in handling corporate secretarial matters in the profession and the corporate sector.

Oi Wah is also involved in advisory on corporate secretarial requirements including corporate restructuring and compliance with various regulatory bodies such as the Registrar of Companies, Bursa Malaysia Securities Berhad, Securities Commission and other authorities. She is an approved trainer with Pembangunan Sumber Manusia Berhad and does regular training for the Companies Commission Malaysia Training Academy and other professional bodies.

ADMINISTRATIVE DETAILS		
DATE	PLATFORM	EVENT CODE
14 September 2021	Webinar @ Microsoft Teams	118/21/CEP/WEB
Time	9.00 a.m. - 5.00 p.m.	
Training Methodology	Lecture and Case Discussion	
Fee	RM500.00 Standard RM400.00 Licensed Secretary. Member of MAICSA, MIA, Malaysian Bar, MACS, MICPA, Sabah Law Assoc. & Advocates Assoc. of Sarawak.	
CPE points	8	