



SURUHANJAYA SYARIKAT MALAYSIA
COMPANIES COMMISSION OF MALAYSIA

**POLICY GUIDELINES AND REQUIREMENTS ON
THE ISSUANCE OF ADVERTISEMENT
IN RELATION TO REGISTERED INTEREST SCHEMES**

1. INTRODUCTION

1.1 This Policy Guidelines and Requirements is issued pursuant to the provisions of sections 40 and 363(1) of the Companies Act 1965 to facilitate the issuance of advertisement in relation to registered interest schemes.

1.2 Management Company shall comply with the requirements in this Policy Guidelines and Requirements before publishing and/or disseminate advertisement in relation to the offering of interest as prescribed by section 84(1) of the Companies Act 1965.

1.3 This Policy Guidelines and Requirements shall apply to all advertisements issued by Management Company that are published or disseminated in Malaysia or elsewhere by means of newspaper, broadcasting television, cinematograph, internet or any other means whatsoever.

2. INTERPRETATION

'*Advertisement*' means any statement that is made by the Management Company for the purpose of offering interest as prescribed by section 84(1) of the Companies Act 1965 to the public and promoting of such purpose to the public.

'*Interest*' has the same meaning as 'interest' under section 84(1) of the Companies Act 1965.

'*Management Company*' refers to the company that is operating the registered interest scheme.

'*Registered Interest Scheme*' is a scheme that is offering interest to the public which deed has been approved and registered with SSM.

3. REQUIREMENTS FOR ISSUANCE OF ADVERTISEMENT

3.1 Management Company shall have a valid prospectus

Only Management Company that has a valid prospectus registered with SSM is allowed to issue advertisements to promote the Registered Interest Scheme. Management Company must ensure that the prospectus remain valid throughout the period of advertisement.

3.2 The deed of the scheme shall bind the Management Company of any promises and additional benefits made in the advertisement and the advertisement does not contain any untrue or false statement

Management Company shall ensure that the deed of the scheme contains covenants that bind the Management Company of the following obligations:

- (a) Management Company shall ensure that the advertisements shall not contain any statement or information that may mislead the public or create a misleading impression about the scheme;
- (b) Management Company shall fulfil any promises and benefits that are stated in the advertisement, including benefits that are not listed in the deed or prospectus.

3.3 Trustee or Representative of the Scheme has approved the advertisement

Management Company shall obtain approval from trustee or the representative of the scheme before the advertisement can be published and disseminated to the public.

3.4 Submission of certificate to SSM

Management Company shall submit to SSM a certificate (as per Appendix 1) before publishing or disseminating the advertisement. The certificate shall be signed by at least 2 directors of the Management Company.

4. CONTENTS OF ADVERTISEMENT

4.1 The advertisement shall contain a statement which carries the following meaning:

'Application must be attached to a printed copy of the prospectus'

4.2 Management Company shall assigned reference number to each advertisement. The reference number must be stated in each published advertisement.

4.3 Management Company must ensure that the statements in the advertisement are consistent with the disclosures contained in the prospectus and shall not include additional facilities or amenities that are not stated in the prospectus or change the substantive nature of the scheme.

4.4 When the advertisement is disseminated by means of broadcasting, television or cinematograph, the advertisement should contain the address where a copy of the prospectus can be requested by the public. The prospectus shall be supplied to the public within 7 days from the date of request made.

The Policy Guidelines and Requirements will come into effect on **13 July 2010**.

**REGISTRAR OF COMPANIES
COMPANIES COMMISSION OF MALAYSIA**

DATED: 13 JULY 2010

..... (Company Name)

..... (Name of scheme)

Rectangular Snip

Certification

**We, the directors of *....., in relation to **.....
certify that the advertisement displaying reference
number.....:**

- (a) is not patently an advertisement that is deemed to be a prospectus;
- (b) contain a statement that informs the public that the application form to purchase the interest must be attached with a copy of the prospectus;
- (c) does not contain any statement or information that may mislead the public or create a misleading impression about the scheme; and
- (d) has obtained consent from the trustee.

Dated this day of

.....
Director
Name:

.....
Director
Name:

* Company Name
** Name of Scheme

Lodged by: