



SURUHANJAYA SYARIKAT MALAYSIA  
COMPANIES COMMISSION OF MALAYSIA  
( Agensi di bawah KPDNHEP )

## FREQUENTLY ASKED QUESTIONS

### EXTENSION OF TIME (EOT) FOR LODGEMENT OF FINANCIAL STATEMENTS

NO.	QUESTION	ANSWER
1.	What is the reason for this initiative?	To enable the company to prepare financial statements and to complete relevant statutory documents as well as to enable audit firms to complete delayed assignments in a more reasonable timeframe.
2.	With reference to "... <i>companies having financial year ending <b>AFTER</b> 31 August 2019 to 31 March 2020</i> " referred to in paragraph 12 (a) and (ba) of PD 6/2020, can a company with Financial Year End (FYE) 31 August 2019 apply for an EOT under this initiative?	No, a company with FYE 31 August 2019 (or earlier) is not eligible for this initiative.  Only companies with FYE beginning 1 September 2019 until 31 March 2020 are entitled to apply for the EOT under this initiative.
3.	When can a company begin to apply for an EOT for the circulation and lodgement of its financial statements under this initiative?	Under this initiative, any company with FYE beginning 1 September 2019 until 31 March 2020 can apply for the EOT beginning 22 October 2020 until 15 November 2020.
4.	Will SSM impose any fees for the application of EOT to circulate and lodge financial statements under this initiative?	No, the fees for the EOT application under this initiative is waived.
5.	How is the application for an EOT to circulate and lodge financial statements made? Can the EOT application be made through MBRS or SSM's counter?	An EOT application for the circulation and lodgement of financial statements can only be made by sending the application through email to <a href="mailto:eot2020@ssm.com.my">eot2020@ssm.com.my</a> .  The contents of the email application must follow the email format provided in Appendix B.

NO.	QUESTION	ANSWER
6.	Can a private company (Sendirian Berhad) apply for an EOT under this initiative?	Yes. The EOT application under this initiative can be made by both private and public companies.
7.	A company with which FYE can apply for an EOT for the circulation and lodgement of its financial statements under this initiative?	Only companies with FYE beginning 1 September 2019 until 31 March 2020 are entitled to apply for the EOT under this initiative.
8.	How long will the EOT for circulation and lodgement of financial statements be given under this initiative?	<p>The EOT will be for a period of 90 days from the original expiry date of circulation and lodgement of financial statements except for companies which falls under paragraph 14C. Please refer to the example below: -</p> <p><b><u>Example 1</u></b></p> <p>Financial Year End: 31/03/2020  Expiry date for Financial Statement Circulation: 30/09/2020  Expiry date for Financial Statement Lodgement: 30/10/2020</p> <p>Covid-19 Initiative -</p> <p>New expiry date for Financial Statement Circulation: 29/12/2020  New expiry date for Financial Statements Lodgement: 28/01/2021</p> <p><b><u>Example 2</u></b></p> <p>Financial Year End: 29/02/2020  Expiry date for Financial Statement Circulation: 31/08/2020  Expiry date for Financial Statement Lodgement: 30/09/2020</p> <p>Covid-19 Initiative -</p> <p>New expiry date for Financial Statement Circulation: 31/12/2020  New expiry date for Financial Statements Lodgement: 31/12/2020</p> <p><b><u>Example 3</u></b></p> <p>Financial Year End: 30/09/2019</p>

NO.	QUESTION	ANSWER
		<p>Expiry date for Financial Statement Circulation: 31/03/2020 Expiry date for Financial Statement Lodgement: 30/04/2020</p> <p>Covid-19 Initiative –</p> <p>New expiry date for Financial Statement Circulation: 31/12/2020 New expiry date for Financial Statements Lodgement: 31/12/2020</p> <p><b>Example 4</b></p> <p>Financial Year End: 30/09/2019 Expiry date for Financial Statement Circulation: 10/03/2020 Expiry date for Annual General Meeting: 31/03/2020 Expiry date for Financial Statement Lodgement: 30/04/2020</p> <p>Covid-19 Initiative –</p> <p>New expiry date for Financial Statement Circulation and Annual General Meeting must be made before date of lodgement.</p> <p>New expiry date for Financial Statements Lodgement: 31/12/2020</p>
9.	<p>My company's financial year end was on 30 June 2019 and SSM has approved the EOT application for the circulation and lodgement of financial statements prior to the commencement of the Movement Control Order. Can my company apply for an EOT under this initiative?</p>	<p>If your company's application for an EOT to circulate and lodge financial statements was approved by SSM prior to the commencement of the Movement Control Order and your company's financial year end was within 30 June 2019 to 30 September 2019, your company is eligible to make an EOT application under this initiative.</p> <p>However, fees paid for EOT application made prior to the commencement of the Movement Control Order are not refundable.</p>

NO.	QUESTION	ANSWER
10.	Can the director of the company submit the application?	No. The application should only be made by the company secretary.
11.	What are some of the examples of the documents or processes involved necessitating the extension of time?	<ul style="list-style-type: none"> <li>(a) Preparation of financial statements.</li> <li>(b) Preparation of directors' report.</li> <li>(c) The auditing process and preparation of auditor's report.</li> <li>(d) Circulation of financial statements to shareholders.</li> <li>(e) Tabling of financial statements at AGM.</li> </ul>
12.	Can an email contain many EOT applications?	An email may contain up to a maximum of 10 applications. You may refer to the instruction in Appendix B.
13.	What is the status of my application by email to <a href="mailto:eot2020@ssm.com.my">eot2020@ssm.com.my</a> for extension of time if I do not receive feedback from SSM?	<p>Application for extension of time by email which did not receive any <b>auto reply email from SSM will be considered APPROVED if it meets the Conditions</b> as stated in PD 6/2020 including:</p> <ul style="list-style-type: none"> <li>(a) For applications of extension of time and submission of the Financial Statements under Section 259 (2) of the Companies Act 2016, your application is automatically approved for 90 days from original expiry date of circulation and original expiry date of lodgement of the financial statements if your application meets the following requirements: <ul style="list-style-type: none"> <li>(i) Company with financial year ending after 31 August 2019 to 31 March 2020; or</li> <li>(ii) Company granted approval for extension of date of circulation and lodgement of financial statements for financial year ending 30 June 2019 to 30 September 2019 by</li> </ul> </li> </ul>

NO.	QUESTION	ANSWER
		<p>SSM prior to the commencement of the Movement Control Order.</p> <p>(b) For application of extension of time to hold the Annual General Meeting (AGM) under Section 340 of the Companies Act 2016, your application is hereby automatically approved for 90 days from the original expiry date of the AGM that should be held if your application meets the following requirements:</p> <p>(i) Public Companies with financial year ending after 31 August 2019 to 31 March 2020; or</p> <p>(ii) Public Companies that have received approval from SSM to extend the time for holding its AGM prior to the commencement of the Movement Control Order and having the financial year ending 30 June 2019 to 30 September 2019.</p> <p>(c) For applications in paragraphs (a) and (b) that have expired even if an additional 90 days have been given, an extension of time for lodgement of financial statements will be given automatically until 31 December 2020.</p> <p>Please note that <b>applications that do not meet the requirements</b> set out in PD 6/2020 are <b>NOT APPROVED AND NO EMAIL NOTIFICATION</b> will be sent.</p> <p><b><i>Please keep an email copy of your application extension of time for future SSM reference purposes for</i></b></p>

NO.	QUESTION	ANSWER
		<b><i>eligible applications.</i></b>
14.	Following the revised PD 6/2020 on 22 October 2020, what are the types of company that are eligible for these initiatives?	<p>Companies with financial year ended after 31 Aug 2019 to 31 March 2020 are eligible to apply for an extension of time (EOT) under PD 6/2020 including –</p> <ul style="list-style-type: none"> <li>(a) a company which has not applied for any EOT before;</li> <li>(b) a company which has applied for EOT earlier and the extended time period will expire before 31.12.2020; or</li> <li>(c) a company which has earlier applied and paid a fee for the application for a further EOT and that EOT has expired before 31.12.2020.</li> </ul> <p>Please note that any fees paid for EOT application/late lodgement made prior to the initiative in this revised PD are not refundable.</p>
15.	If a company is unable to lodge its financial statements by 31.12.2020, can the company apply for a subsequent EOT?	Yes, the company can apply for a subsequent EOT (application over the counter together with application fee) provided the company complies with the timelines as stipulated in Practice Note 3/2018.

Dated: 22 October 2020

## APPENDIX B

**Please copy this format into your email and complete all required particulars. Do not attach any document in your email if the application is for five (5) companies or less.**

**If the application is between six (6) to a maximum of 10 companies, you can attach the information in a document and email SSM with 10 companies maximum per attachment per email. All applications must follow the format below.**

### **EXTENSION OF TIME COVID-19 INITIATIVES**

APPLICATION FOR EXTENSION OF TIME FOR \*CIRCULATION OF FINANCIAL STATEMENTS AND REPORTS/ \*LODGEMENT OF FINANCIAL STATEMENTS AND REPORTS/ \*\*HOLDING OF ANNUAL GENERAL MEETING (Delete whichever is not applicable please.)

Company Name:

Company Number:

Financial Year End:

The company is deemed to have complied with the required time frame under Sections 258 and 340 of the Companies Act 2016.

Expiry/last date for Financial Statements lodgement date after Covid-19 Initiative:  
31 December 2020.

#### **Declaration:**

**I confirm that the facts and information stated in this document are true and to the best of my knowledge.**

Name of company secretary:

License No./ Membership No.:

SSM Practicing Certificate No.:

Note: All dates must be in **dd/mm/yyyy** format.

\* - You can apply for extension of time for one or all of the initiatives, (if they are applicable to you).

\*\* - AGM extension of time applicable for a public company only.