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**PUBLIC ANNOUNCEMENT
COMPANIES COMMISSION OF MALAYSIA NO.3/2002**

**PROCEDURE FOR LODGEMENT OF FORM 49 IN RELATION TO THE
APPOINTMENT AND DISMISSAL OF A DIRECTOR, MANAGER AND
COMPANY SECRETARY**

PURPOSE

The purpose of this announcement letter is to inform all companies of the procedures to be followed for the lodgement of Form 49 in relation to the appointment and dismissal of a director, manager and company secretary under section 141(6) of the Companies Act 1965.

BACKGROUND

2. Under section 141(6), a company has to, within the period of 1 month from the date of appointment or dismissal of the position of a director, manager and company secretary, lodge the prescribed form, i.e. Form 49, with the Registrar of Companies. In recent times, the Companies Commission of Malaysia (SSM) has found that certain parties have lodged Forms 49 which contain false and misleading information. SSM has also found cases of Forms 49 being lodged by

a certain party in the company without the knowledge and agreement of the company, following a dispute within the company. SSM treats such incidences as a serious matter as these practices may result in numerous types of problems.

3. The provisions of section 11(9) of the Companies Act 1965 gives power to the Registrar of Companies to request the person who presents documents for lodgement to disclose certain other documents to ensure whether the documents could be registered or not. To avoid the said problem above, SSM has determined a new procedure to be followed by companies when lodging Form 49 for the appointment or dismissal of a director, company secretary or manager of a company.

PROCEDURE FOR LODGEMENT OF FORM 49

4. Each Form 49 that is lodged with the Registrar of Companies for the purpose of announcing the appointment or dismissal of a director, company secretary or manager of a company must be appended with a copy of the resolution from the board of directors/company in relation to the appointment or dismissal of the said officers and signed by one Director and Company Secretary.

5. This procedure comes into enforcement with effect from 1 August 2002.

Thank you.

ABDUL ALIM ABDULLAH

Chief Executive Officer

Companies Commission of Malaysia