



COMPANIES ACT 2016: PRACTICE NOTE NO. 5/2019

QUERIES ISSUED ON DOCUMENTS AND APPLICATIONS LODGED WITH THE REGISTRAR

1. This Practice Note is issued pursuant to section 20C of the Companies Commission of Malaysia Act 2001 [Act 614].

OBJECTIVES

2. This Practice Note serves to address matters relating to queries issued on documents and applications lodged or registered with the Registrar under the Companies Act 2016 (CA 2016).

3. Additionally, the Practice Note will address the procedures to be complied with where companies failed to respond to such queries for lodgement and registration of documents and applications.

BACKGROUND

4. All documents and applications lodged with the Registrar must comply with the requirements set out under section 610 of the CA 2016, regulation 9 of the Companies Regulations 2017 and Practice Directive 1/2017 to ensure that corporate information stated in the documents or applications lodged or registered with the Registrar are in compliance with the CA 2016. Equally important is that the contents of the document contain accurate, truthful dan accurate information.

5. Section 610 of the CA 2016 states the following —

"610. (1) In addition to the requirements under this Act, if a document is required to be lodged under this Act, the Registrar shall have the power to determine the particulars, form and manner if information contained in such document.

(2) In determining whether a document is to be accepted for lodgement under this Act, the Registrar may require a person who submits the document to—

- (a) comply with the particulars, form and manner of lodgement; or*
- (b) produce other document or information as the Registrar thinks necessary."*

6. As such, if a company lodged a document or application which is not in compliance with requirements of the CA 2016, the Registrar will issue a query on the document or application.

PROCEDURE ON QUERIES ISSUED BY THE REGISTRAR ON A DOCUMENT AND AN APPLICATION

7. The procedures for query on all lodged documents and applications are as follows:

- (a) Documents and applications which do not comply with the requirements set out under regulation 9 of the Companies Regulations 2017 and Practice Directive 1/2017 will not be accepted for registration;
- (b) Documents and applications which do not comply with section 610 of the CA 2016 will be queried;
- (c) If the query is not answered within **thirty days**, or the prescribed time as specified in the notice, the relevant document or application will be rejected. The Lodger is advised to contact the respective SSM's officer if they require any further information and/or clarification in respect of the query issued by SSM;
- (d) A fresh document or application with a new submission date will have to be lodged together with the relevant fee, where applicable;
- (e) In cases where the initial date of submission of document is beyond the timeline **as provided under the relevant provision of CA 2016**, late lodgement fee shall be applicable.

8. Notification of the query will be sent via email to the Lodger through Corporate Registry System. It is critical for Lodgers to ensure that their email addresses as notified to SSM are accurate and updated.

9. Paragraph 7 shall not apply to:

- (a) applications or lodgements of documents relating to winding-up and management of assets of dissolved companies under Part IV of the CA 2016; and
- (b) corporate rescue mechanism under Division 8 Part III, of the CA 2016.

EFFECT OF THIS PRACTICE NOTE

10. This Practice Note hereby supersedes Practice Note No. 5/2019 issued on 17 July 2019.

REGISTRAR OF COMPANIES

COMPANIES COMMISSION OF MALAYSIA

14 JULY 2026