



SHARES AND CAPITAL MAINTENANCE

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COURSE INTRODUCTION

What is doctrine of capital maintenance? A company must receive proper consideration for shares that it issues and that having received such capital it must not repay it to members except in certain circumstances – this is a fundamental principle of the Malaysian company law. Whilst in the past, there were very strict prohibitions on how capital is to be used or returned to shareholders. The Companies Act 2016 ("the Act") has relaxed some of these rules and simplified procedures. The Act also facilitates the management and restructuring of the company's share composition by introducing alternative procedures for the reduction of capital and remove restrictions in relation to financial assistance.

COURSE OBJECTIVES

This course will highlight the requirements of the Companies Act 2016 on the issuance of shares and the capital maintenance rule. Practical issues in relation to the issuance of shares will be discussed to give participants more insight on the usage of the different type of shares, the effect of the alteration of the share capital and differentiate the treatment of capital under the accounting standards.

COURSE CONTENTS

- Types of shares.
- Issuance of share capital approving authority, pre-emptive rights, consideration – cash or otherwise.
- Alteration of share capital consolidation, subdivision, conversion to stock and reduction of capital.
- Best practices for calls on shares, forfeiture, transfer of shares and transmission.
- Solvency test and solvency statement.
- Financial assistance to purchase shares of the company or holding company.
- Distribution out of profits and only if the company is solvent – what test to take?
- Share Certificates issuance, cancellation and lost certificate.

LEARNING OUTCOME

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

- Understand the provisions of the Companies Act 2016 related to shares and capital maintenance.
- Distinguish the new legal requirements and practical procedures.
- Learn practical steps when dealing with the pre-emptive rights in the new issue of shares.
- Advise on the different solvency tests to take for the various type of corporate exercises.

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 HRD Corp and does regular training for the Companies Commission Malaysia Training Academy and other professional bodies. She is also co-author of "Company Meetings, Minutes and Resolutions in Malaysia" published in 2021 by the Malaysian Current Law Journal.

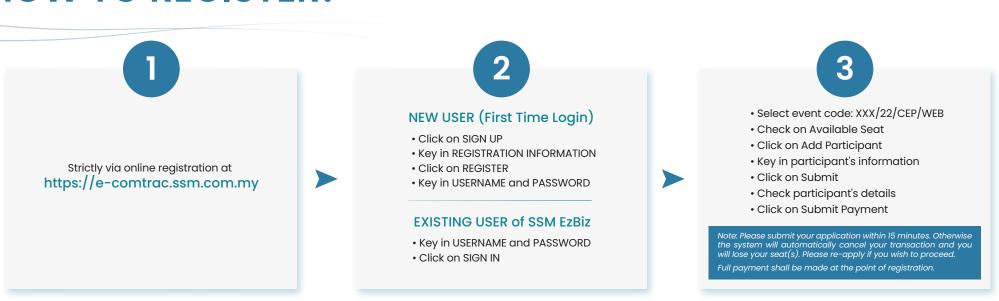
WHO SHOULD ATTEND

Company secretaries, company secretarial assistants, company directors, lawyers, accountants, corporate consultants and all who are involved in issuance of shares and securities

ADMINISTRATIVE DETAILS

Date	21 April 2022
Platform	Virtual platform
Time	9.00 am - 5.00 pm
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.
SSM CPE Points	8 points

HOW TO REGISTER?



TERMS & CONDITIONS

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All registrations MUST be applied through e-COMTRAC. Upon submitting the registration application, you are deemed to have read and accepted the terms and conditions.

A participant is allowed to attend ONE programme per day to be eligible for certificate of attendance. Request for refund will not be entertained if you have registered for more than one programme per day.

No walk-in is accepted and no admission to the training programme without the confirmation slip for classroom training.

Webingr Access Link

A notification e-mail with the webinar access link will be sent at least 1 day before the commencement of the webinar. The access link is unique for registered participants and should not be forwarded or shared with others.

Certificate of Attendance

Participant will be issued a Certificate of Attendance upon full attendance of the programme and payment is received. SSM will charge an administrative fee of RM30.00 per copy for any replacement of certificate due to errors in name or identification card number wrongly filled by participant / representative during registration or loss of certificate, etc.

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Human Resources Development Corporation

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