

# CESSATION OF COMPANIES & LIMITED LIABILITY PARTNERSHIPS



 Chin Swee Caves Temple, Genting Highlands

## COURSE INTRODUCTION

The Companies Act 2016 has streamlined and modernised the methods for closing down a company. The winding up process allows for an ordered realisation of the company's assets. It can be utilised where the company is either solvent or insolvent. Striking the company off the register allows for the removal of, among others, dormant companies. The provisions on the management of assets of dissolved companies empower the Registrar to represent dissolved companies and vesting of outstanding assets with the Registrar. This course will also cover the winding up process and the striking off of Limited Liability Partnerships (LLP) provided under the Limited Liability Partnerships Act 2012.



# CESSATION OF COMPANIES & LIMITED LIABILITY PARTNERSHIPS

## COURSE OBJECTIVES

Participants will learn of the improvements made to the winding up laws set out in the Companies Act 2016. The voluntary winding up process is maintained and is divided into members' voluntary winding up and creditors' voluntary winding up. However, there are changes in the court winding up process, starting from the statutory demand up to after the winding up order is granted. Participants will also learn about the changes in the striking off provisions including the procedure and the new guidelines. Finally, learn how the assets of dissolved companies are managed. At this seminar, participants will hear about the legal framework from the regulator's perspective and get insights of practical issues from the practitioner's viewpoint.

## LEARNING OUTCOMES

By attending this course, participants will be able to:

- Understand the process of winding up and its impact on the company, creditors and liquidators.
- Appreciate the difference in the two voluntary winding up processes.
- Identify the different effects of voluntary winding up on legal proceedings.
- Recognise the different grounds to initiate the court winding up process.
- Understand the court winding up process from the statutory demand until the winding.
- Be aware of the striking off procedure and to avoid striking off.
- How to apply for the striking off for a dormant company.
- Applying for the reinstatement of a struck off company.
- Learn on the practical issues arising from the management of assets of dissolved companies.
- Understand the winding up and striking off procedures for LLPs.

## COURSE CONTENTS

### Companies

- The members' voluntary winding up process - the requirements of solvency.
- The creditors' voluntary winding up process - where the company is insolvent.
- The conversion from members' voluntary winding up to creditors' voluntary winding up.
- The effect of a voluntary winding up on transactions and legal proceedings.
- The court winding up process on the ground of the company's inability to pay debts.
- The ability to stay and terminate winding up proceedings.
- The new rights and duties of secured creditors in winding up.
- Striking the company off the register.
- How to reinstate a struck off company?
- Considerations for applying to strike off a company and for reinstatement.
- The management of assets of dissolved companies.

### Limited Liability Partnerships

- Method of dissolution - court ordered winding up and voluntary winding up.
- Guidelines on declaration of dissolution in a voluntary winding up.
- Strike off a LLP from the register.

## WHO SHOULD ATTEND

Insolvency practitioners, company directors, company secretaries, finance managers, lawyers, accountants, bankers, regulators, government officers, business owners, corporate consultants who need the knowledge on insolvency law and practice.

# CESSATION OF COMPANIES & LIMITED LIABILITY PARTNERSHIPS



## ABOUT THE TRAINERS

**Sapiah Ambo** joined SSM in July 2004. Currently she is the Head of Insolvency in the Registration Services Division, SSM since July 2023. She is responsible to ensure and monitor the process of striking off names, winding up and management of the asset of dissolved companies and limited liability partnerships are in accordance with the related Acts and Guidelines. Prior to heading the Insolvency Section, she was the Head of Litigation (2019-2023), Head of Prosecution (2014-2019), Head of Insolvency (2010-2014) and Manager at Corporate Development & Policy Division of SSM (2004-2010).

Sapiah obtained her L.L.B (Honours) from University Technology Mara (UiTM), Malaysia in 1992. She had been called to the Sabah Bar and Malaysian Bar respectively. Prior to joining SSM, Sapiah had served at the Judicial Services and had been in private legal practice.

**Nathalie Ker Si Min** is a partner of Lim Chee Wee Partnership. She is a commercial litigator focusing on company law disputes, shareholder remedies and restructuring and insolvency. She graduated from the University of Leeds, United Kingdom. She is a Barrister-at-Law (Gray's Inn) and an Advocate & Solicitor in the High Court of Malaya. Her experience covers oppression actions and quasi-partnerships, winding up and Fortuna injunctions, and complex capital reduction.

Nathalie has authored various publications, including the Malaysia chapter to the INSOL International and World Bank Group Global Guide on measures for distressed businesses in the Covid-19 crisis and the Malaysia Chapter of the Encyclopedia of International Commercial Litigation (Wolters Kluwer, 2020). She regularly gives talks on company law and debt recovery.

# CESSATION OF COMPANIES & LIMITED LIABILITY PARTNERSHIPS

## ADMINISTRATIVE DETAILS

<b>Date</b>	31 March 2026 01 July 2026 19 November 2026
<b>Venue</b>	Virtual platform
<b>Time</b>	09.00 am – 05.00 pm
<b>Training Methodology</b>	Lecture and case discussion
<b>Fee</b>	RM550.00    Standard RM450.00    Licensed Secretary. Member of MAICSA, MIA, Malaysian Bar, MACS, MICPA, Sabah Law Society & Advocates Assoc. of Sarawak.
<b>SSM CPE Points</b>	8 points

## HOW TO REGISTER?

### STEP 1

Strictly via online registration at [www.ssm4u.com.my/ecomtrac](http://www.ssm4u.com.my/ecomtrac)

### STEP 2

#### NEW USER (First Time Login)

- Click on **SIGN UP**
- Key in **REGISTRATION INFORMATION**
- Click on **REGISTER**
- Key in **USERNAME and PASSWORD**

#### EXISTING USER

- Key in **USERNAME** and **PASSWORD**
- Click on **SIGN IN**

### STEP 3

- Select training
- Check on Available Seat
- Click on Add Participant
- Key in participant's information
- Click on Submit
- Check participant's details
- Click on Submit Payment

Note: Please submit your application within 15 minutes. Otherwise the system will automatically cancel your transaction and you will lose your seat(s). Please re-apply if you wish to proceed. Full payment shall be made at the point of registration.



# CESSATION OF COMPANIES & LIMITED LIABILITY PARTNERSHIPS

## TERMS & CONDITIONS FOR TRAINING PROGRAMMES

### PROGRAMME FEE

- Fee is payable to SURUHANJAYA SYARIKAT MALAYSIA.
- Admittance to training programme shall be granted only upon registration and full payment is received.

### PAYMENT MODE

- Registrations and payment for training programmes MUST be made through online at e-COMTRAC ([www.ssm4u.com.my/ecomtrac](http://www.ssm4u.com.my/ecomtrac)). Upon submitting the registration application, participants are deemed to have read and accepted the terms and conditions herein.
- Payment by cash and cheque is not acceptable effective from January 2021.

### CLASSROOM TRAINING

- For classroom-based training, a confirmation e-mail will be sent to participants at least 1 working day prior to the programme.
- Participants are required to present Malaysia's identification card and foreign participants are required to present passport at the registration counter for verification and admission to training programme.
- Admittance may be denied upon failure to present identification card / passport.

### LIVE WEBINAR TRAINING

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

### E-LEARNING TRAINING

- Upon successful registration, an email will be sent containing the access link to the pre-recorded webinar and accompanying material will be sent on the start date of the programme.
- Access will be available for a fixed duration of seven (7) days starting from the session's commencement date. After this period, the link will expire, and access to the webinar and materials will no longer be available.

### CERTIFICATE OF ATTENDANCE

- Upon full attendance of the programme and payment is received, participants will be issued an e-Certificate of Attendance.
- Participants can download the e-Certificate of Attendance from e-COMTRAC platform in three (3) working days after the programme or in seven (7) working days for conference / symposium. Please take note that the certificate is available for download up to 30 days from the conclusion of the programme. An administrative fee of RM30.00 per copy is chargeable for downloading the certificate after the 30th day. 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 will incur a fee of RM30.00 for reissuance.

### CANCELLATION / ABSENT

- No refund will be given to participants who failed to attend the programme.
- Replacing registered participant is not allowed.

### TRANSFER

Transfer of registration fee to another training programme is not allowed.

### PERSONAL DATA PROTECTION NOTICE

Your personal data and other information provided in this application and including any additional information you may subsequently provide, may be used and processed by COMTRAC/SSM as a reference in future to communicate with you on our training programmes/events. In line with the Personal Data Protection Act 2010, we wish to obtain your agreement and consent for using your personal data. If you do not consent to the processing and disclosure of your personal data, you should send an e-mail to us at [comtrac@ssm.com.my](mailto:comtrac@ssm.com.my).

### HUMAN RESOURCES DEVELOPMENT CORPORATION

SSM is registered as a training provider with HRD Corp under GOV1000117857. All trainings are claimable under SBL Scheme subject to HRD Corp approval. Participant's employer needs to apply for grant at least one day before the commencement of training.

### COPYRIGHTS

The materials of the training programme are solely for participants' personal use. No part of these materials may be stored, reproduced or transmitted in any form or by any means, including photocopying, e-mailing and recording, without the written permission of the author or SSM. Information contained in these documents is understood to be correct at the time of writing. The assessments and views expressed in these materials shall be treated/ regarded purely for public information and discussion and it does not constitute formal advice. The views provided are for general information to provide better clarity and understanding of the subject matter. It should not be relied upon as an alternative to specific legal advice from your lawyer or other professional service provider. If you have any specific issues and/ or questions about any legal matter, you should consult your lawyer or other professional service provider. In no event shall the SSM be liable for any damages, whether in an action of contract, negligence or other tort, arising from the contents in these materials.

### EXCLUSION OF LIABILITY

The speaker(s) or trainer(s) is independent and shall not represent SSM, act as its agent or otherwise represent that their personal views are endorsed by SSM. The assessments and views expressed during the programme are entirely the speakers/trainers' own. SSM shall not be liable for whatever circumstances arising from any engagement between the speaker(s) or trainer(s) and the participant(s).

### DISCLAIMER

SSM reserves the right to cancel the programme, change date(s), venue(s), speaker(s) or any other changes due to any unforeseen circumstances that may arise without prior notice to participants. SSM also reserves the right to make alternative arrangements without prior notice. SSM accepts no responsibility for death, illness, injury, loss or damage of any property belonging to, or financial loss by any persons attending the programme, whatever the cause. SSM shall not be responsible for any costs, damages or losses incurred by participants due to the changes and / or cancellation. SSM is not responsible for the integrity of participants' computer or device, your internet signal bandwidth, or any other consideration outside of the control of SSM.

SSM shall not be responsible for any problems or technical malfunction, including, without limitation, the acts, omissions, problems or malfunctions of any telephone network or lines, computer online systems, servers, computer equipment, software, failure of e-mail, traffic congestion on the internet or at any web or combination thereof.

All information contained in the brochure is correct and accurate at the time of publication.