

1. Do all Return Of Allotment (ROA) or formerly known as Form 24 must be lodged online through MyCoID System?

Answer:

Yes, all Return of Allotment of Shares (ROA) occurring after 31 January 2017 must be lodged online (MyCoID 2016).

2. If the company has a period for the date of allotment, what is the date used for the calculation of late lodgement?

Answer:

If the company has a period for the date of allotment, the date of lodgement of the calculation are calculated the earliest date of the allotment.

3. If I had lodged the ROA, do I need to lodge the ROM?

Answer:

Yes. The ROA is simply to update the information on the allotment of shares. Whereas the ROM is for the updates on the members information.

4. Can I lodge the ROA and the ROM over the counter because I have not registered as a user registration?

Answer:

No. Please register as a user registration beforehand at any nearest SSM office.

5. Can I lodge the ROM and the ROA and if there is still a document query?

Answer:

No. Please check the status of each query through e-query link: <http://www.ssm.com.my/en/status-query>

6. What is the fee charged for the lodgement of ROA and ROM?

Answer:

Currently, there is no fee until notified further by SSM.

7. Who can lodge the ROA and the ROM?

Answer:

Only the company secretary of a company and who has been registered as a user registration can make the lodgement.

8. What if the ROA and the ROM is found to contain errors.

Answer:

Correction of the information can be made by amendment under the provision of section 602(1) of the Companies Act 2016.

9. Do I need to update the list of members through the ROM in which it occurred before 31 January 2017? Does the payment for late lodgement rates apply?

Answer:

Yes. Late lodgement payment is only imposed for event dates which occurred after 31 January 2017.

10. When do I need to lodge the ROM if there is a change in the register of members?

Answer:

The ROM needs to be lodged within 14 days from the date of the change (Refer section 51(1) of the Companies Act 2016)

11. Is the Extension of Time (EOT) applicable for the ROA and the ROM?

Answer:

Yes. The company may apply for an EOT under section 609(2) of the Companies Act 2016. A guideline on the EOT will be issued by SSM.

12. Can the company secretary who is blacklisted lodge the ROM and ROA?

Answer:

No. Please ensure that you are not blacklisted by referring to the Compliance Division.

13. If I have a problem during or after the lodgement of ROA and ROM is made, how do I overcome this?

Answer:

Please email to enquiry@ssm.com.my or contact the contact center line 03-7721 4000.

14. Will SSM provide a user manual for the ROA and ROM?

Answer:

Yes. It will be updated from time to time.

15. If the allotment is non-cash (otherwise) should the supporting document be provided?

Answer:

Yes. The company still needs to provide the supporting document and uploaded in the MyCoID in pdf and tiff format.

16. If the allotment of shares or the changes to the information of members occurred before 31 January 2017, can I send it through online?

Answer:

No. A document dated before 31 January 2017 should be lodged in the format of Form 24 as required under the Companies Act 1965.

17. Can I park two (2) prices on the 'price per share' for a same type of share in one ROA? If not, why?

Answer:

No. This is because the 'price per share' refers to the market value.

18. What if in the ROA the 'price per share; refers to a different type of share on the same date? Should the price per share be the same or otherwise?

Answer:

If the 'price per share' refers to a different type of share, a different 'price per share' is allowed to be used.

19. In the event a company is required to provide confirmation of its latest shareholding structure or details of its shareholders in the company to third parties, what documents can the company provide to support the information to be made available, especially if the information is requested by Ministries, Government agencies or for Government procurement purposes? *(updated on 31 December 2024)*

Answer:

Pursuant to Section 50(1) of the Companies Act 2016 ("the Act"), every company is required to maintain a register of its members (register of members) and keep it at the company's registered office or another place in accordance with Section 47 of the Act. While Section 50(3) of the Act stipulates that the register of members constitutes prima facie evidence of any matters inserted in the register as required or authorized by the Act.

Further, Section 51(1) of the Act requires companies to promptly notify the Registrar of any changes in the particulars in their register of members. The notification to the Registrar must be made within 14 days from the date of the changes. Consequently, the latest shareholding structure of a company can be obtained from SSM, subject to payment of the prescribed fee stipulated under Regulation 8 of the Companies Regulation 2017.

However, pursuant to Section 51(3) of the Act, companies whose shares are quoted on a stock exchange are not required to notify the Registrar of any changes in their register of members. Due to this exception and the 14-day timeframe for the notification under Section 51(1) of the Act, the Registrar advises that the most latest particulars regarding a company's shareholding structure or composition can be sourced directly from the company secretary.

On this note, Ministries, Government agencies or any third-party requiring evidence or confirmation of the latest shareholding structure or composition of a company may, in addition to the company information printout from SSM, rely on the Letter of Confirmation of the latest shareholding structure or composition of the company issued by the company secretary. The letter issued by the company can serve as sufficient evidence as the shareholding or composition information contained

therein is derived from the register of members kept in the custody of the company secretary which shall be prima facie evidence of any matters inserted therein.

In case of any discrepancies, the Registrar would like to highlight that the respective Ministries, Government agencies or third parties may, subject to the amount of payment stipulated in Section 55 of the Act, request to inspect the register of members and/or request for a copy of the register of members, or of any part thereof, containing the particulars of the shareholders and number of shares held and amount paid on such shares.

Whereas for foreign companies having share capital and members resident in Malaysia, Section 568 of the Act requires the foreign company to keep a branch register for the purpose of registering shares of the members resident in Malaysia who request that the shares be registered at its registered office in Malaysia or at some other place in Malaysia. Further, Section 571 of the Act stipulates that Sections 50, 51 and 55 are applicable respectively to the index of persons holding shares in the branch register. Therefore, the same is advised where the most latest particulars of the shareholding structure or composition of a foreign company can be sourced from their agents.

20. What are the documents that can be obtained from SSM or the company that reflect the changes in the details of the shareholders of the company within a specific period of time? *(updated on 31 December 2024)*

Answer:

The following documents can be obtained from SSM that reflect changes in the details of the company's shareholders:

- (i) **Company Profile:** A report that provides basic information of the company including details of shareholders based on the latest lodgement with SSM;
- (ii) **Particulars of Shareholders:** A document outlining the company's shareholders details extracted from the most recent 10 dates of Form Section 51 (Notification of change in the register of members) lodged with SSM; or
- (iii) **Digitally Certified True Copy of Form Section 51:** This form is available as certified digital copy reflecting the changes in the register of members as lodged with SSM.

The above documents can be accessed through the following SSM's corporate information supply portals:

- (i) SSM e-Info portal at <https://www.ssm-einfo.my>;

- (ii) MYDATA-SSM portal at <https://www.mydata-ssm.com.my>;
- (iii) SSM Search portal at <https://www.ssmsearch.com>; or
- (iv) SSM SAFEDATA portal at <https://www.safedata-ssm.com>.

Additionally, a copy of the register of members can be requested directly from the company subject to the fees stipulated in Section 55 of the Act.