



CORPORATE RESCUE: CORPORATE VOLUNTARY ARRANGEMENT AND JUDICIAL MANAGEMENT

COURSE INTRODUCTION

The corporate rescue mechanisms under the new Companies Act 2016 allow additional options for a company to restructure its debts and to revive its business. The new processes are the corporate voluntary arrangement and judicial management. They complement the schemes of arrangement process.

COURSE OBJECTIVES

Participants will learn of the improvements in the scheme of arrangement provisions. Participant will also learn the two new corporate rescue mechanisms: corporate voluntary arrangement (CVA) and judicial management (JM). Both mechanisms cater for different situations and with advantages to offer to companies. The automatic moratorium in CVA and JM will stay legal proceedings and give companies time to attempt a restructuring of its debts.

COURSE CONTENTS

Schemes of Arrangement

- Requirements for undergoing a scheme of arrangement.
- Additional safeguard of an independent assessment of the scheme.
- Changes to the law on the extension of a restraining order.

Corporate Voluntary Arrangement

- Overall introduction to the corporate rescue mechanisms.
- The new Corporate Voluntary Arrangement (CVA).
- Requirements for the CVA.
- The CVA moratorium.
- Timelines for the meetings and the approval required.

Judicial Management

- The new JM scheme.
- Requirements to be met for a JM order.
- The JM moratorium.
- Protection of the debenture holder's rights.
- The powers of the judicial manager.
- Approval for the judicial manager's proposals.
- Case study on JM after the decision of Leadmont.

LEARNING OUTCOME

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

- Learn of the scheme of arrangement process.
- Identify the changes of the scheme of arrangement and the restraining order.
- Consider the advantages and benefits of the new corporate voluntary arrangement process.
- Prepare for the new judicial management process and the advantages it offers.
- Understand the impact of judicial management on legal proceedings and any enforcement of legal rights.

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.

ABOUT THE TRAINER

Lee Shih is a dispute resolution Partner at Skrine. He has been admitted to the English Bar and is an Advocate and Solicitor in the High Court of Malaya. His portfolio of litigation work focuses on international arbitration, corporate litigation and corporate insolvency. He regularly advises and acts in insolvency, schemes of arrangement and receivership matters. He is a Council member of the Insolvency Practitioners Association of Malaysia (IPAM) and a member of the Insolvency Practice Committee of the Malaysian Institute of Certified Public Accountants. He also regularly speaks and writes articles on topics relating to company law, insolvency, and receivership. He has given talks at the Companies Commission of Malaysia National Conference, the Companies Commission of Malaysia National Insolvency Conference, the Malaysian Institute of Accountants Annual Conference, the MAICSA Annual Conference and at the Bar Council on these topics. He is the co-author of 'Companies Act 2016: The New Dynamics of Company Law in Malaysia.'

DATE	VENUE	EVENT CODE
12 November 2019	Menara SSM@Sentral, Kuala Lumpur	CEP/KL/19/076
Time	9.00 am – 1.00 pm	
Training Methodology	Lecture and Case Discussion	
Fee	RM300.00 Standard RM250.00 Licensed Secretary Member of MAICSA, MIA, Malaysian Bar, MACS, MICPA, Sabah Law Assoc. & Advocates Assoc. of Sarawak.	
SSM CPE Points	4	

Fee inclusive of certificate of attendance, compact disc pre-loaded with seminar materials and refreshment.



Use one form for each participant. Print or type clearly. This form can be downloaded from SSM's website at www.ssm.com.my. Kindly make copies if more forms are needed. Please register me for the below programme:

DATE	EVENT CODE	PROGRAMME

PARTICIPANT DETAILS: *(All details must be completed)*

Name _____

I/C No. _____ Licensed Secretary No. _____

Prescribed Body Name & Membership No. _____

Designation _____

Company _____

Address _____

Office Tel. No. _____ Fax No. _____ Mobile No. _____

Email Address _____
(Please provide your e-mail address as registration confirmation is sent to you via e-mail.)

Tax Invoice to be issued in the name of _____

Name of HR personnel _____ Tel. No. _____

Vegetarian Meal Other Diet _____

Payment by cheque no. _____ amount RM _____

PAYMENT TERMS

- Fee is payable to **SURUHANJAYA SYARIKAT MALAYSIA**.
- Payment can be made in cash, cheque, bank draft, credit card, postal order or money order.
- Each programme fee must be paid separately.
- Only cheque issued by company/firm can be accepted. Companies/Firms that issue a non-valid cheque will be blacklisted.
- Personal cheque will not be accepted.
- On the reverse of each instrument of payment, please indicate the participant(s) name (maximum 5), License Secretary no./Professional Body name (if any), programme date and event code.
- Attach with a copy of the Registration Form (if payment made before the programme date) or Invoice (if payment made after the programme date) when submitting payment.
- Payment can be made at SSM, Level 17, Menara SSM @ Sentral, Kuala Lumpur and at all SSM branches in Malaysia.

PROGRAMME FEE

Fee is inclusive of certificate of attendance issued by the Companies Commission of Malaysia (SSM), training materials, refreshments and lunch (where applicable).

FAX OR EMAIL YOUR REGISTRATION FORM WITH PAYMENT RECEIPT TO:

COMTRAC & Knowledge Management Division, Level 12, Menara SSM @ Sentral, 7 Jalan Stesen Sentral 5, Kuala Lumpur Sentral, 50623 Kuala Lumpur
Tel: +(603) 2299 4440 (Zakhir) / 4441 (Priya) / 5308 (Fuza) Fax: +(603) 2299 4451 / 4452 Email: comtrac@ssm.com.my

TERMS & CONDITIONS

Registration is on a first-come-first-served-basis. No walk-in accepted. All registrations **MUST** be submitted to SSM accompanied with the full payment five (5) working days before the programme. Admittance will not be permitted unless payment or letter of guarantee is received. Participant will be issued a Certificate of Attendance upon full attendance of the programme and payment is received.

Cancellation

No refund is entertained if participant decide to cancel their registration but a substitute is welcome. Written notification of substitute's name must be received by COMTRAC at least three (3) working days prior to programme. Any difference in fee will be charged accordingly. In cases of cancellation/postponement of programme by COMTRAC, the registration fee will be refunded.

Transfer

No refund is entertained if participant fails to attend a programme. Transfer of registration fee to another programme is not allowed.

Replacement Of Certificate

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.

DISCLAIMER

SSM reserves the right to cancel 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. Upon submitting the registration form, you are deemed to have read and accepted the terms and conditions.

PSMB

Suruhanjaya Syarikat Malaysia is registered as a training provider with PSMB under KERAJAAN1846.

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 get 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.