

# COMPANIES ACT 2016 & LIMITED LIABILITY PARTNERSHIPS ACT 2012

## COURSE INTRODUCTION

The modern legal framework in the Companies Act 2016 came into force on 31 January 2017. It consists of 5 parts, 620 sections and 13 schedules as compared to the Companies Act 1965 which was made up of 12 parts, 374 sections and 10 schedules. The provisions in the Companies Act 2016 have introduced many key changes to the principal legislation that governs the formation, operation, termination, regulation and compliance of companies in Malaysia.

The Limited Liability Partnership (LLP) is governed by the Limited Liability Partnerships Act 2012 (Act 743) and was enforced on 26 December 2012. LLP is an alternative form of business vehicle which complements the traditional options of carrying on a business either by way of a sole proprietorship, partnership or company. LLP provides the protection of limited liability for its partners and flexibility of a partnership arrangement for the internal management of its business.

## COURSE OBJECTIVES

- Provide overview and underlying policies of the Companies Act 2016.
- Raise the level of understanding on the new provisions in the Companies Act 2016.
- Change mindset on how business will be conducted under the Companies Act 2016.
- Identify specific actions required under the new compliance and disclosure requirements.
- To provide a better understanding on the Limited Liability Partnerships Act 2012 (Act 743) and the Limited Liability Partnerships Regulations 2012.
- Understand why LLP was introduced in Malaysia and its distinct characteristics and features.
- Duties & responsibility of partners and compliance officer in understanding the basic compliance under LLP Act 2012.
- A platform for participants to network, learn and seek clarification about LLP and related matters from our experienced trainers.

## COURSE CONTENTS

### Companies Act 2016 (Act 777)

- Starting business in Malaysia.
- Directors, company secretary, auditor and shareholder.
- Share capital, audit and financial reporting.
- Company meetings.
- Corporate insolvency framework.
- Compliance requirements under Companies Act 2016.

### Limited Liability Partnerships Act 2012 (Act 743)

- Limited Liability Partnerships Act 2012 (Act 743) and Limited Liability Partnerships Regulations 2012.
- Rational for introducing LLP in Malaysia.
- Fundamentals of LLP.
- Formation and registration, approval letter from governing bodies for professional practice.
- Conversion of conventional partnership and private company into LLP.
- Partners' duties and liabilities, cessation of partner, effect of bankruptcy of a partner.
- Duties of compliance officer.
- Compliance requirements: registered office, annual declaration, registers and statutory records.
- Method of dissolutions - court ordered winding up, voluntary winding up and striking off.
- Guidelines for declaration of dissolution in a voluntary winding up of a LLP.
- Foreign limited liability partnership.
- Enforcement.
- Lodging of documents with the Registrar.
- MyLLP System.

## LEARNING OUTCOME

By attending this course, participants will be able to:

- Learn the overview of the legal framework of the Companies Act 2016.
- Understand the flexibility in administering companies under the Companies Act 2016.
- Understand how business will be conducted under the Companies Act 2016.
- Get update on the implementation of Companies Act 2016.
- Understand the characteristics and features of LLP in Malaysia.
- Understand duties of partners, compliance officer and compliance requirements of LLP.
- Know the general guidelines for registration of LLP.

## WHO SHOULD ATTEND

Prospective and existing LLP partners, LLP compliance officers, business owners, company directors, CEOs, shareholders, investors, accountants, company secretaries, lawyers and legal advisers, joint ventures partners, venture capitalists, bankers, corporate advisors and anyone who wants to learn more about Companies Act 2016 & LLP Act 2012.

## ABOUT THE TRAINER

**Speakers from Suruhanjaya Syarikat Malaysia.**

DATE	VENUE	EVENT CODE
08 July 2020	Menara SSM@Sentral, Kuala Lumpur	CEP/KL/20/061
Time	9.00 am – 5.00 pm	
Training Methodology	Lecture and Case Discussion	
Fee	<b>RM500.00</b> Standard <b>RM400.00</b> Licensed Secretary Member of MAICSA, MIA, Malaysian Bar, MACS, MICPA, Sabah Law Assoc. & Advocates Assoc. of Sarawak.	
SSM CPE Points	8	

*Fee inclusive of certificate of attendance, 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](http://www.ssm.com.my). Kindly make copies if more forms are needed. Please register me for the below programme:

DATE	EVENT CODE	PROGRAMME
08 July 2020	CEP/KL/20/061	COMPANIES ACT 2016 & LIMITED LIABILITY PARTNERSHIPS ACT 2012

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

Name \_\_\_\_\_ I/C No. \_\_\_\_\_

Licensed Secretary No. \_\_\_\_\_ SSM PC No: \_\_\_\_\_

Professional 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](mailto: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](mailto:comtrac@ssm.com.my).