

COMPANIES ACT 2016: DEALING WITH COMMON ISSUES

COURSE INTRODUCTION

This course deals with the common issues facing companies in moving from the regimen of the Companies Act 1965 to the Companies Act 2016. More importantly, it deals with the inherent uncertainty that accompanies any new Act, let alone an Act of such extensive impact, and the different approaches that may be taken to deal with those uncertainties.

COURSE OBJECTIVES

Any new legislation, however well drafted, raises certain ambiguities in the interpretation of its provisions. The objective of this course is to examine the more common ambiguities raised by the Companies Act 2016 and to work out the best methods of dealing with those ambiguities until there are judicial pronouncements or statutory amendments to resolve them.

COURSE CONTENTS

The course will be in 2 parts. In the first part, common difficulties in interpretation of the Companies Act 2016 being faced by companies will be examined. These include the manner and effect of execution of corporate documents, the liability for representations made by directors and officers, the effect on the company of documents filed with the Registrar of Companies no longer being constructive notice, the legal effect of the new Act on company warrants, and similar issues. The second part will be an examination of how courts deal with ambiguities and a historical look at other legislation, in particular, the Companies Act 1965, and how companies dealt with the latent ambiguities in those legislation until they were resolved, as a guide to the best approach to dealing with ambiguities in the Companies Act 2016.

LEARNING OUTCOME

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

- Understanding inherent uncertainties in new legislation, such as the Companies Act 2016.
- Examining the legal pathways to remove or clarify such uncertainties.
- Appreciating the possible approaches to adopt pending such removal or clarification.

WHO SHOULD ATTEND

Company secretaries, managers, directors, general managers, business owners and anyone who wants to learn about management of business.

ABOUT THE TRAINER

Paul Subramaniam was a practising litigation lawyer for 29 years specializing in corporate and financial litigation. He then focused on the training of and knowledge management of corporate lawyers for 6 years before taking on the role of Chief Risk Officer in 2014 in ZICO Holdings Inc, a company listed on the Singapore Stock Exchange. He is a much sort after speaker and trainer have presented at international and national forums and industry-level conferences and symposiums. Some of his recent engagements include the Commonwealth Law Conference in Melbourne, Australia, the In-House Congress in Singapore and Hong Kong, the Malaysian Institute of Chartered Secretaries and Administrators' Malaysian Company Law Conference all in 2017. He is currently area of interests are psychology and group behaviour.

DATE	VENUE	EVENT CODE
18 June 2020	Kota Kinabalu, Sabah CANCELLED	CEP/KK/20/054
17 September 2020	Menara SSM @ Sentral, Kuala Lumpur	CEP/KL/20/142
12 November 2020	Menara SSM@Sentral, Kuala Lumpur	CEP/KL/20/113
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	

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. 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. _____ 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

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.