



Ooi Bee Hong
Foreign Investment,
Mergers & Acquisitions
T: +603 6208 5805
E: obh@lh-ag.com

1 APRIL 2019

Registration of Company Secretaries Under Companies Act 2016

Guidelines Relating to Practising Certificate for Secretaries under s 241 Companies Act 2016 and the Companies (Practising Certificate for Secretaries) Regulations 2019

The Companies Commission of Malaysia, or SSM,^[1] has recently announced the coming into force of s 241 of the Companies Act 2016 (CA 2016) with effect from 15 March 2019. Being the last remaining provision of the CA 2016 to be enforced, s 241 requires that all^[2] qualified persons who wish to act as a company secretary, irrespective of professional background, be registered with the SSM.

SSM has also simultaneously issued the Guidelines^[3] and the Regulations which provide some guidance on the mechanics of the registration procedures and other applicable provisions. It should be noted that persons who have been appointed as a company secretary prior to the enforcement of s 241 may continue to act as secretary, but it is mandatory for such persons to register with the SSM within 12 months from the enforcement date of s 241 (i.e. on or before 14 March 2020).

Thereafter, SSM will issue a practising certificate upon being satisfied that the requirements as set out in the CA 2016, the Regulations as well as the Guidelines have been met by the applicant.^[4] In addition, SSM shall also maintain a register of secretaries, which will include^[5] detailed information on all secretaries duly registered with the SSM.

Any company secretary who fails to register with the SSM pursuant to s 241 commits an offence under the CA 2016.^[6]

The Regulations can be read [here](#), and the Guidelines, [here](#).

If you have any queries, please contact the author or her team partner [Ooi Bee Hong \(obh@lh-ag.com\)](mailto:obh@lh-ag.com).

Lee Hishammuddin Allen & Gledhill

Level 6, Menara 1 Dutamas
Solaris Dutamas
No. 1, Jalan Dutamas 1
50480 Kuala Lumpur
Malaysia

T +603 6208 5888
F +603 6201 0122/0136
E enquiry@lh-ag.com
W www.lh-ag.com

Published by the Corporate Department

© Lee Hishammuddin Allen & Gledhill. All rights reserved. The views and opinions attributable to the authors or editor of this publication are not to be imputed to the firm, Lee Hishammuddin Allen & Gledhill. The contents of this publication are intended for purposes of general information and academic discussion only. It should not be construed as legal advice or legal opinion on any fact or circumstance.

[Feedback](#)

[Unsubscribe](#)

[1] The Companies Commission of Malaysia

[2] Section 235 of the CA sets out the requirements for a company secretary

[3] Issued pursuant to SSM's powers under s 20C of the Companies Commission of Malaysia Act 2001

[4] Section 241(4) of the CA 2016

[5] Section 241(2) of the CA 2016

[6] Section 241(8) of the CA 2016