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24 JULY 2019

CCM Issues New Practice Note No. 5/2019

The Companies Commission of Malaysia (better known as SSM) recently issued Practice Note No. 5/2019, which addresses, among other things, queries raised by the Registrar in respect of documents lodged with the SSM. This Practice Note is aimed at reiterating the importance of submitting true, accurate and updated information in respect of documents lodged with the SSM.

Pursuant to section 610 of the Companies Act 2016 and Practice Directive 1/2017, the SSM has prescribed the requirements for the lodgment of documents. If these requirements are not fulfilled, the Registrar may issue “queries” in respect of any non-compliance. The Registrar is empowered to require that a person (who lodges the document) comply with certain form and manner of lodgment or produce such other document as the Registrar thinks necessary.^[1]

The Practice Note requires a company to respond to queries raised within 30 days (or any other specified period). It is unclear whether the period commences upon the date of the query or on receipt of the query. The document or application will be deemed non-compliant and attract a late lodgment fee if there is no response to the query. The Practice Note provides that all queried applications lodged on or before 30 January 2017 shall be responded by the deadline of 17 August 2019. A convenient way to access these queries has been provided by the SSM [here](#).

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If you have any queries on the Practice Note, please contact the author or her team partner [Aaron Gerard Sankar](mailto:ags@lh-ag.com) (ags@lh-ag.com).

[1]

Companies Act 2016, s 610(2)