

B. COMPLAINT AGAINST MAICSA MEMBER

* Name of Member : _____

* MAICSA Number : _____

If this Member is an External Company Secretary, please tick where appropriate: Yes No

* Name of Firm : _____

* Address : _____

* Telephone No. : _____

* Date of Appointment as Company Secretary in your Company : _____

MY ROLE/RELATIONSHIP TO THE MEMBER COMPLAINED AGAINST

*(Please ✓ the applicable box and for * items, please provide a copy of the engagement letter and item **, please provide a copy of the grant of probate or letter of administration)*

- | | |
|--|---|
| <input type="checkbox"/> Auditor* | <input type="checkbox"/> Client* |
| <input type="checkbox"/> Tax agent/representative* | <input type="checkbox"/> Company Secretary |
| <input type="checkbox"/> Liquidators/Receivers* | <input type="checkbox"/> Director |
| <input type="checkbox"/> Not related/unconnected | <input type="checkbox"/> Executor/Administrator** |

C. ACTION TAKEN (Tick where applicable)

Have you lodged a report or complaint to the police, other government agency/agencies, statutory or regulatory authority/authorities?

- * NO
- * YES. I have lodged a complaint/report with the following (please furnish a copy of the complaint/report together with this Complaint Form) :
 - Police Date:_____ Report ref. no.:_____
 - Companies Commission of Malaysia Date:_____ Report ref. no.:_____
 - Others: (please indicate) Date:_____ Report ref. no.:_____

Are there any court proceedings instituted that is linked to the complaint?

- * NO
- * YES (Please provide details together with this Complaint Form)

In the event a complaint is lodged against a member of the Institute, it is the policy of the Institute to require the complainant to submit a duly completed, signed and affirmed complaint form, together with a processing fee of RM250.00. The processing fee is payable for every fresh complaint lodged. Please note that the processing fee is non-refundable.

Upon receiving the complaint form and payment, it is our practice to write to the member/s concerned and ask for their response to the allegations received against them. The complaint and response from the member will then be forwarded to the disciplinary body of the Institute, the National Investigation Group (NIG), to investigate the matter. In order to facilitate the resolution of such complaint or for a case requiring referral, NIG will thereafter, refer such case to the National Disciplinary Tribunal (NDT). All the findings and decisions made by the Disciplinary Committee(s) of the Institute will be final.

Note

* Mandatory field to be completed

*** D. DETAILS OF COMPLAINT**

Please set out CLEARLY each allegation(s) against the member and the details of the complaint. You may use an attachment and title it as "Particulars of Complaint" if insufficient space.

Please support each allegations with substantial evidence/document:

1. _____
2. _____
3. _____
4. _____
5. _____

*** PLEASE STATE THE NATURE OF THE COMPLAINT *(Please ✓ the applicable box)***

Non-compliance with the policies of the Companies Commission of Malaysia and/or the Institute's Code of Ethics and Conduct in respect of the following areas:

- Non-compliance of constitution /Articles of Association of MAICSA
- Breach of independence and/or integrity and/or objectivity
- Failure to exercise due care and diligence in discharge of duties
- Failure to respond to professional correspondence
- Improper lien on books and records
- Failure to access to the Registered Office
- For Others *(Please specify below)*

E. DOCUMENTS TO SUPPORT THE COMPLAINT

(eg. Copy of the complaint/report lodged with the police, other government agency, statutory authority or regulatory authority as disclosed in item C above, Statutory documents, letters, minutes of meetings, proof of transaction, etc.)

The following documents are attached with this Complaint Form to support the complaint:

No.	Document	Tick where appropriate
* 1.	Company's Memorandum and Articles of Association	<input type="checkbox"/>
2.	Constitution	<input type="checkbox"/>
3.	Company's Notification of Change in the Register of Director, Managers and Secretaries Form under Section 58 of the Companies Act 2016 and/or Form 49 of Companies Act 1965	<input type="checkbox"/>
4.	Company's Annual Return (Latest)	<input type="checkbox"/>
5.	Company Search from SSM (Latest) (as notified by Secretariat)	<input type="checkbox"/>
6.	Others: (please indicate) _____	

*** F. PARTICULARS OF PAYMENT FOR PROCESSING FEE OF RM250.00**

- 1. Online Banking: Maybank-5144 8630 1427 or RHB-2640 9400 004178 (Please attach the online transaction slip for our verification)
- 2. Cheque/ Bank Draft: All cheques and bank drafts should be made payable to "MAICSA"
- 3. Credit Card: Please tick (/) and fill up the following section

<input type="checkbox"/> Charge to Visa	<input type="checkbox"/> Charge to MASTERCARD
Bank : _____	Card No : _____
Name on the Card : _____	Expiry Date : _____


The Malaysian Institute Of Chartered Secretaries & Administrators.
Bangunan MAICSA, No. 57 The Boulevard
Mid Valley City, Lingkaran Syed Putra
59200 Kuala Lumpur
Tel: 03-22829276 Fax: 03-22829281
Email: complaints@maicsa.org.my

*** G. DECLARATION BY COMPLAINANT**

STATUTORY DECLARATION

I, *(name)* _____, *(NRIC no.)* _____, hereby do solemnly and sincerely declare the following:

1. I am a director/shareholder/manager/liquidator/others (please specify) _____ of _____ (name of company) or I am the _____ (state relationship with company) of the Company.
2. All information given therein on the Complaint (including the relevant supporting documents) are to the best of my knowledge and belief to be accurate in all respects.
3. That The Malaysian Institute of Chartered Secretaries and Administrators be authorised to inform _____ (*Insert name of Company Secretary*) (the “Respondent”) that a complaint has ben made against him/her, and to furnish the Respondent with a copy of this Complaint Form together with the enclosures.
4. I authorise MAICSA to forward a copy of this complaint(s) and any other information provided by me from time to time to the member against whom this complaint is made.
5. I confirm and agree to render full assistance and cooperation in respect of the Complaint including providing clarifications by way of telephone calls, letters and emails and attending meetings, when invited, with representatives of the disciplinary committees of The Malaysian Insitute of Chartered Secretaries and Administrators investigating the matter, as and when required.
6. I hereby acknowledge that I will regard the conclusions and determinations reached by the Disciplinary Committee(s) of the Institute as conclusive. I affirm my understanding that all findings and decisions made by the Disciplinary Committee(s) are confidential, and I commit to not disclose or share such information with any third party or on social media without consulting the Disciplinary Committee(s).
7. In the event that I do decide to withdraw the Complaint, I have no objections to The Malaysian Institute of Chartered Secretaries and Administrators reserving the right to proceed with the investigation of the Complaint, as it deems fit.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1960.

Subscribed and solemnly)
declared by the abovenamed)	Signature of complainant
at _____)	(Director/ Shareholder/ Manager/Liquidator/Others
in the state of _____)	(please specify).....)
on this _____ day of _____ 20____)	

Before me,

.....
COMMISSIONER FOR OATHS