

HEBAHAN BERKENAAN PD9 2024

Selamat Sejahtera Tuan/Puan

Seperti yang semua sedia maklum, pihak Suruhanjaya Syarikat Malaysia (SSM) telah menguatkuasakan Akta Syarikat (Pindaan) 2024 [A1701] pada 1 April 2024 yang lalu terutamanya peruntukan undang-undang berkaitan pemunyaan benefisial iaitu Penggal 8A dan Seksyen 2.

2. Serentak dengan penguatkuasaan tersebut, SSM telah mengeluarkan “Guidelines for the Reporting Framework for Beneficial Ownership of Companies” dan “Case Studies and Illustrations of the Guidelines for the Reporting Framework for Beneficial Ownership of Companies” bagi tujuan membantu pihak berkepentingan terutamanya syarikat dan setiausaha syarikat dalam mematuhi keperluan perundangan berkaitan pemunyaan benefisial.

3. Selain itu, SSM telah mewajibkan kesemua syarikat untuk menyerahkan simpan maklumat pemunyaan benefisial melalui satu sistem yang dibangunkan khas bagi tujuan serah simpan, kemas kini dan rektifikasi maklumat pemunyaan benefisial dengan Pendaftar yang dikenali sebagai “Electronic Beneficial Ownership System” (e-BOS) bermula dari 1 April 2024 hingga 30 Jun 2024. Dalam tempoh ini, denda lewat serah simpan dan fi permohonan rektifikasi adalah dikecualikan daripada pembayaran seperti yang dinyatakan dalam “Practice Directive No. 9/2024: Lodgement of Beneficial Ownership Information under the Companies Act 2016 Through e-BOS” (PD9/2024) yang dikeluarkan pada 27 Mei 2024 (menggantikan PD9/2024 yang telah dikeluarkan pada 13 Mei 2024).

4. Melalui PD9/2024 yang dikeluarkan pada 27 Mei 2024, syarikat asing mempunyai tanggungjawab untuk menyerahkan simpan maklumat pemunyaan benefisial dalam tempoh 14 hari dari tarikh maklumat tersebut direkodkan dalam daftar pemunya benefisial.

5. Untuk maklumat lanjut berkenaan PD9/2024 dan soalan-soalan lazim (FAQs) yang berkaitan, sila layari laman sesawang SSM seperti capaian berikut:

(i) PD9/2024:

[https://www.ssm.com.my/Pages/Legal_Framework/Document/Practice%20Directive%209%202024%20\(Revised\)%20Uploaded%20version.pdf](https://www.ssm.com.my/Pages/Legal_Framework/Document/Practice%20Directive%209%202024%20(Revised)%20Uploaded%20version.pdf)

(ii) Soalan-soalan lazim:

<https://www.ssm.com.my/Pages/FAQ/FAQ-Beneficial-Ownership.aspx>

6. Pihak tuan/puan boleh menghantar emel di alamat enquiry@ssm.com.my sekiranya terdapat sebarang persoalan atau penerangan lanjut.

TRANSLATED VERSION

NOTICE REGARDING PD9 2024

Dear Sir/Madam

The Companies (Amendment) Act 2024 [A1701] especially the legal provisions related to beneficial ownership, namely Chapter 8A and Section 2 had been enforced on 1 April 2024.

2. SSM had also issued the "Guidelines for the Reporting Framework for Beneficial Ownership of Companies" and "Case Studies and Illustrations of the Guidelines for the Reporting Framework for Beneficial Ownership of Companies" for the purpose of assisting the stakeholders, especially companies and company secretaries in complying with the legal requirements relating to beneficial ownership.

3. In addition, SSM has required all companies to submit beneficial ownership information through a system specially developed for the purpose of submitting, updating and rectifying beneficial ownership information with the Registrar known as "Electronic Beneficial Ownership System" (e-BOS). starting from 1 April 2024 to 30 June 2024. During this period, late submission penalty and rectification application fees are exempted from payment as stated in "Practice Directive No. 9/2024: Lodgement of Beneficial Ownership Information under the Companies Act 2016 Through e-BOS" (PD9/2024) which was issued on 27 May 2024 (replacing PD9/2024 which was issued on 13 May 2024).

4. Through PD9/2024 issued on 27 May 2024, foreign companies have the responsibility to submit beneficial ownership information within 14 days from the date the information is recorded in the beneficial owner register.

5. For more information regarding PD9/2024 and related FAQs, please visit the SSM website as follows:

(i) PD9/2024:

[https://www.ssm.com.my/Pages/Legal_Framework/Document/Practice%20Directive%209%202024%20\(Revised\)%20Uploaded%20version.pdf](https://www.ssm.com.my/Pages/Legal_Framework/Document/Practice%20Directive%209%202024%20(Revised)%20Uploaded%20version.pdf)

(ii) Frequently asked questions: <https://www.ssm.com.my/Pages/FAQ/FAQ-Beneficial-Ownership.aspx>

6. Please email enquiry@ssm.com.my for any questions or further information.

Sekian, harap maklum.

Thank you.