



BENEFICIAL OWNERSHIP REPORTING FRAMEWORK FOR LEGAL PERSONS IN MALAYSIA

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TRANSFORMING BUSINESS REGISTRIES FOR THE POST PANDEMIC ERA
21 - 24 SEPTEMBER 2022

COMPANIES COMMISSION OF MALAYSIA



Companies Commission of Malaysia (SSM) was established on: 16 April 2002

SSM is responsible for the administration and enforcement of the following legislation:

1. Companies Commission of Malaysia Act 2001
2. Companies Act 2016 (Act 777)
3. Interest Schemes Act 2016 (Act 778)
4. Registration of Businesses Act 1956 (Act 197)
5. Limited Liability Partnerships Act 2012
6. Trust Companies Act 1949 (Act 100)
7. Kootu Funds (Prohibition) Act 1971 (Act 28)

An agency to incorporate companies and register businesses

01

Provide company and business information to the public

02

Ensure compliance with business registration and corporate legislation through comprehensive enforcement and monitoring activities

03

Promoting corporate governance and corporate sustainability

04

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FRAMEWORK

Companies Act 2016
(Effective: 17 January 2017)

REQUIREMENTS

- Recognising BO as ultimate owner of shares and does not include nominees
- Companies to obtain, verify and record BO information and changes
- Companies to submit BO information as part of annual return

IN PRACTICE

- Collection of data by companies through issuance of notices to shareholders
- Keeping and recording BO info
 - Submission of BO info together with annual return through MBRS Portal

CHALLENGES

Low number of BO info submitted together with AR
Challenges faced by some companies in understanding the BO concepts and how to report

ACTIONS TAKEN

- Awareness programme for company secretaries and directors
- Identifying gaps through survey and consultations
Issuance of guidelines

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FRAMEWORK	PURPOSE	IN PRACTICE
Guidelines for the Reporting Framework for Beneficial Ownership of Legal Persons (Effective: 1 March 2020)	<ul style="list-style-type: none">• Provides further guidance to harmonise with international standards and best practices• Sets out parameter of reporting including exemptions (PLCs, subject to other written laws) and who can have access to BO info• Transitional period	<ul style="list-style-type: none">• Collection of data by companies through issuance of notices to shareholders• Keeping and recording BO info• Submission of BO info together with annual return through MBRS Portal
FURTHER ACTIONS TAKEN		WORK IN PROGRESS
<ul style="list-style-type: none">• Continuous awareness programmes• Consultation to enhance the legal framework for BO reporting		<ul style="list-style-type: none">• Companies (Amendment) Bill and Limited Liability Partnerships (Amendment) Bill - pending tabling at Parliament• New templates for submission through MBRS Portal



Thank you for your attention

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