BENEFICIAL OWNERSHIP REPORTING FRAMEWORK FOR LEGAL PERSONS IN MALAYSIA

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COMPANIES COMMISSION OF MALAYSIA

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

An agency to incorporate companies and register businesses

Provide company and business information to the public

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

Promoting corporate governance and corporate sustainability

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)
## Beneficial Ownership Reporting Framework in Malaysia

### Frame Work
- 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
### BENEFICIAL OWNERSHIP REPORTING FRAMEWORK IN MALAYSIA

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| Guidelines for the Reporting Framework for Beneficial Ownership of Legal Persons (Effective: 1 March 2020) | • 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 | • 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

- Continuous awareness programmes
- Consultation to enhance the legal framework for BO reporting

### WORK IN PROGRESS

- 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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