CHECKLIST 5

SECTION 45(4) COMPANIES ACT 2016 (CA 2016)

LODGEMENT OF APPLICATION FOR THE MINISTER'S APPROVAL

- TO HOLD, ACQUIRE, CHARGE, MORTGAGE, SELL, LEASE OR DISPOSE LAND - BY A COMPANY LIMITED BY GUARANTEE (CLBG)

A. APPLICATION FEE

1. A payment of **RM300** as the required fee for:
   - approval by the Minister; and
   - each land.

2. Application must be accompanied with section 45 Form - *Application by CLBG for Minister's approval (Appendix A)* together with the payment. Payment can be made to Suruhanjaya Syarikat Malaysia (**SSM**) by cash/ money order/ bank draft/ banker's cheque.

B. DOCUMENTS TO BE ENCLOSED

3. Application letter
   Contents of the application letter:
   - Reasons or purpose to hold, acquire, charge, mortgage, sell, lease or dispose the land (inclusive of real property).
   - If the transaction is for the holding of land, to explain the source of funds, the manner of land settlement and payment arrangement.
   - Price/value of the land.
   - Main activities of the CLBG.

4. A copy of the Notice of Registration under CA 2016/Certificate of Incorporation (Form 8) under the Companies Act 1965 (CA 1965).

5. A copy of the CLBG's Constitution.

6. A copy of the licence under section 45(1) CA 2016/a copy of licence pursuant to section 24(1) CA 1965 (Form 15) and the licence conditions issued under section 24(3) of CA 1965/section 45(5) CA 2016, if applicable.

7. List of lands that the CLBG currently owns pursuant to section 45(4) CA 2016/19(2) CA 1965. An explanation on the current status of each land / property, the current usage and the development that has been made over the land.

8. Description of the land in both Malay and English languages. This description must be similar with the information contained in the agreement/deed of gift/master title/strata title/other supporting documents (as an Appendix).

Bahasa Malaysia

Sebuah rumah banglo dua tingkat di bawah Geran No. HS(M) 273 PT 5 Tempat Batu 8 ½ Jalan Damansara Kuala Lumpur, Mukim Sungai Buluh, Daerah Petaling Negeri Selangor yang beralamat di No. 100, Jalan 17/21G, 46400 Petaling Jaya, Selangor Darul Ehsan berkeluasan kira-kira 1919.8029 meter persegi.

Bahasa Inggeris

A double storey bungalow held under title No. HS(M) 273 Pt 5 Tempat Batu 8 ½ Jalan Damansara Kuala Lumpur Mukim Sungai Buluh, Daerah Petaling Negeri Selangor bearing postal address known as No. 100, Jalan 17/21G, 46400 Petaling Jaya, Selangor measuring approximately 1919.8029 square metres in area

9. A copy of stamped agreement/deed of gift/other supporting documents relevant to the land transaction.

10. A copy of the latest title/master title/strata title or other supporting documents relevant to the land transaction. Please ensure that the title of the land free from any restriction, charges, caveat and others.

11. A copy of Official Land Search on the land relating to each application to hold, acquire, charge, mortgage, sell, lease or dispose the land. The Official Land Search must be done at least three (3) months prior of the application.

12. Audited Financial Statements of the CLBG for the last two (2) years. For the purpose of purchase of land, a CLBG which has been incorporated for less than two (2) years is not eligible to apply for this application.

13. Financial impact to the CLBG if it holds, acquires, charges, mortgages, sells, leases or disposes the land.

14. Directors' Resolution pertaining to the approval to hold, acquire, charge, mortgage, sell, lease or dispose the land.

15. A statement on Arm's Length Transaction by **all directors/trustees** confirming that they do not have any interest in the land transaction.

16. A copy of Valuation Report from a licensed valuer. The valuation report must contain photos of the land. Not applicable for hold/acquire land through donation.

17. A statutory declaration that in making this application, the CLBG has complied with all requirements of the CLBG's current Constitution by company secretary or one of director/trustee.

C. LODGEMENT

18. The documents are required to be lodged with the fees payable at the address below:

SURUHANJAYA SYARIKAT MALAYSIA
LEVEL 17, MENARA SSM@SENTRAL
NO. 7, JALAN STESEN SENTRAL 5
KUALA LUMPUR SENTRAL
50623 KUALA LUMPUR