

Return to be filed where documents, etc., altered

567. (1) If any change or alteration is made in—

- (a) the charter, statutes, constitution, memorandum or articles of the foreign company or other instrument lodged with the Registrar;
- (b) the directors of the foreign company or in the name or address of any director;
- (c) the agent of the foreign company or the name or address of any agent;
- (d) the situation of the registered office of the foreign company in Malaysia or the days or hours during which the registered office of the foreign company is open and accessible to the public;
- (e) the address of the registered office of the foreign company in its place of incorporation or origin;
- (f) the name of the foreign company; or
- (g) the powers of any directors resident in Malaysia who are members of the local board of directors of the foreign company,

the foreign company shall, within fourteen days or within such further period as the Registrar in special circumstances allows after the change or alteration, lodge with the Registrar particulars of the change or alteration and such documents as may be determined by the Registrar.

(2) Subject to this Act, the Registrar shall register the change or alteration as provided for under subsection (1) upon receipt of the particulars of the change or alteration.

(3) If a foreign company increases its share capital or authorized share capital, the foreign company shall lodge with the Registrar notice of the amount from which and the amount to which the share capital

has been increased within thirty days or within such further period as the Registrar in special circumstances allows after the increase.

(4) If a foreign company not having a share capital increases the number of its members beyond the registered number, the foreign company shall lodge with the Registrar notice of the increase within thirty days or within such further period as the Registrar in special circumstances allows after the increase was resolved on or took place.

(5) If any order is made by a Court under any law which corresponds to section 366 in force in the country in which a foreign company is incorporated, the foreign company shall lodge with the Registrar an office copy of that order within thirty days or within such further period as the Registrar in special circumstances allows after the order was made.

The branch register

568. (1) Subject to this section, a foreign company which has a share capital and has any member who is resident in Malaysia shall keep a branch register for the purpose of registering shares of the members resident in Malaysia who apply to have the shares registered at its registered office in Malaysia or at some other place in Malaysia.

(2) The company shall not be obliged to keep a branch register under subsection (1) until after the expiration of sixty days from the receipt by the company of an application in writing by a member resident in Malaysia for registration in its branch register in Malaysia of the shares held by the member.

(3) This section shall not apply to any foreign company which by its constitution prohibits any invitation to the public to subscribe for shares in the foreign company.

(4) Every such register as aforesaid shall be kept in the manner provided by Division 8 of Part II as though the register were the register of a company and transfers shall be effected on the register in the same manner and at the same charges as on the principal register of the company and transfer lodged at its registered office in Malaysia