

(7) The Registrar may waive compliance with subsection (5) in relation to any foreign company if the Registrar is satisfied that—

- (a) it is impractical to comply with this subsection having regard to the nature of the company's operations in Malaysia;
- (b) it would be of no real value having regard to the amount involved;
- (c) it would involve expense unduly out of proportion to its value; or
- (d) it would be misleading or harmful to the business of the company or to any company which is deemed by virtue of section 7 to be related to the company.

(8) Financial statements shall be deemed to have been duly audited for the purposes of subsection (5) if the financial statements is—

- (a) accompanied by a report by an approved company auditor in accordance with section 266; and
- (b) accompanied with a statutory declaration by the agent or, where the agent is not primarily responsible for the financial management of the company, by the person so responsible setting forth his opinion as to the correctness or otherwise of the statement and profit and loss account.

Annual return

576. (1) A foreign company shall lodge with the Registrar, once in every calendar year, an annual return in the form and manner as the Registrar may determine.

(2) The annual return shall contain the following particulars:

- (a) the address of its registered office;
- (b) the address of its business place including branch, if any;

- (c) the address at which its register of members is kept, if not kept at the registered office;
- (d) the address at which its financial records are kept, if not kept at the registered office;
- (e) in the case of a company with a share capital, the summary of its shareholding structure, including debentures;
- (f) the total amount of its indebtedness in Malaysia;
- (g) the particulars of directors, officers, auditors and agents in Malaysia;
- (h) the list of its shareholders or members; and
- (i) such other information as the Registrar may require from time to time.

(3) The return shall be lodged not later than thirty days from the anniversary of its registration date or within such further period as the Registrar in special circumstances allows.

Service of notice

577. Any document required to be served on a foreign company shall be sufficiently served—

- (a) if the document is addressed to the foreign company and left at or sent by post to its registered office in Malaysia;
- (b) if the document is addressed to an agent of the company and left at or sent by post to his registered address; or
- (c) in the case of a foreign company which has ceased to maintain a place of business in Malaysia, if the document is addressed to the foreign company and is left at or sent by post to its registered office in the place of its incorporation or origin.