

CHECKLIST 2

SECTION 45(1) COMPANIES ACT 2016 (CA 2016)

LODGEMENT OF APPLICATION FOR THE REGISTRAR'S APPROVAL

- **FORMATION OF A COMPANY LIMITED BY GUARANTEE (CLBG) WITH THE WORD "BERHAD"/"BHD"**

A. APPLICATION FEE

1. A payment of **RM200** as the required fee for:
 - Approval by Registrar
 - Perusal of the Constitution
2. Application must be accompanied with Section 45 Form – ***Application by CLBG for Minister's approval (Appendix B)*** 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 for incorporating the CLBG under the CA 2016 and not under the Societies Act 1966.
 - State only one (1) category of the CLBG based on the objects stated under section 45(1) CA 2016.
4. Explanation and justification by the promoter for the use of the proposed name. Any supporting letter from the relevant government agency for the use of the proposed name, if applicable.

5. Detailed activities to be carried out.
6. Statutory Declaration by the promoter and proposed director confirming whether prior application has been made or not under the Societies Act 1966 or other laws administered by Bahagian Hal Ehwal Undang-Undang (BHEUU) Jabatan Perdana Menteri, Labuan Financial Services Authority (LOFSA) or other state authorities for registration of Non-Profit Organization. If yes, to provide the supporting documents.
7. A copy of Application for Availability of Names and Reservation under section 27(1), (4) CA 2016.
8. A draft copy of CLBG's Constitution.
9. A copy of identification card (IC)/passport of the promoter and proposed director.
10. The biodata, qualification and experience in charitable activities for each proposed director and promoter. Please refer to the format in **Example 3**.
11. Please ensure that the proposed promoter(s)/director(s) do not have any outstanding compound prior to submission of this application.
12. A letter of consent to act as a promoter from each promoter.
13. A letter of consent to act as a director from each director.
14. An estimated/forecast income and expenditure for a period of two years within the establishment of the CLBG. Please refer to the format in **Example 4**.

C. LODGEMENT

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

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