



Surat Pekeliling

Untuk Profesion Perakaunan

Circular No. 82/2020

5 AUGUST 2020

TO ALL ACCOUNTANTS

CONSULTATIVE DOCUMENTS ON THE PROPOSED COMPANIES (AMENDMENT) BILL 2020 AND LIMITED LIABILITY PARTNERSHIPS (AMENDMENT) BILL 2020

In late July 2020, Suruhanjaya Syarikat Malaysia (SSM) issued two Consultative Documents on the proposed Companies (Amendment) Bill 2020 and Limited Liability Partnerships (Amendment) Bill 2020 for public consultation as enclosed below.

Amidst the recovery period of the COVID-19 pandemic and as SSM continues its effort to establish Malaysia as the preferred destination to do business, it is imperative that measures to improve the insolvency framework and transparency are introduced.

In this regard, the SSM is proposing to amend the Companies Act 2016 (CA 2016) and Limited Liability Partnerships Act 2012 (LLPA 2012) by introducing new policies to enhance the provisions relating to corporate rescue mechanisms and beneficial ownership framework to bring Malaysia in tandem with international best practices.

1. Consultative Document on the Proposed Companies (Amendment) Bill 2020

This Consultative Document sets out the proposed Policies and Guiding Principles in relation to the Companies (Amendment) Bill and seeks responses on the following clusters:

- a) Widening the application of corporate rescue mechanism;
- b) Enhancing the framework in relation to restructuring and rescue mechanism;
- c) Enhancing the framework in relation to beneficial ownership; and
- d) Consequential and miscellaneous amendments on certain provisions in the CA 2016.

2. Consultative Document on the Proposed Limited Liability Partnerships (Amendment) Bill 2020

This Consultative Document sets out the Policies and Guiding Principles in relation to the Limited Liability Partnerships (Amendment) Bill and seeks responses on the following clusters:

- a) Introduction of the corporate rescue mechanisms for Limited Liability Partnerships (LLPs);
- b) Introduction of the beneficial ownership framework in relation to LLPs; and
- c) Miscellaneous amendments on certain provisions in the LLPA 2012



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The Institute invites written feedback on the proposals in these Consultative Documents including suggestions for particular issues or areas to be clarified or elaborated further and any alternative proposals that SSM should consider. To facilitate SSM's assessment, please support each comment with a clear rationale, accompanying evidence, data or illustration, as appropriate.

Members who are interested to provide comments, please fill up the attached [template](#) (*click to download*) and please submit your comments to Small and Medium Practices Department (smp@mia.org.my) by **12 August 2020 (Wednesday)**.

Please be guided accordingly.

Yours faithfully

MALAYSIAN INSTITUTE OF ACCOUNTANTS

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