



**SURUHANJAYA SYARIKAT MALAYSIA
COMPANIES COMMISSION OF MALAYSIA**

STATEMENT OF DECLARATION BY APPLICANT

[Application by a Shareholder of a Company which has been Wound-up by Members’ or Creditors’ Voluntary Winding-up to Strike Off the Name of a Company which is being wound up under Section 308(3)(a) of the Companies Act 1965 – Where no liquidator is Acting]

I, (NRIC No :.....) of
residential address at
.....
.....
being the shareholder of (company’s name
and registration number) who has been given the unanimous consent by the other
shareholders of the company hereby state the following:

Section A: General Requirements.

- (a) I have been given the full mandate by the other shareholders of the company to apply to the Registrar of Companies (ROC) to strike-off the name of this company from the register;
- (b) (Name and registration number of the company) has been wound up through a *members’/creditors voluntary winding-up vide a.....{state the nature of resolution passed} dated

- (c) There is no liquidator acting for the company since
(insert the date) due to:

Please tick (✓) whichever is appropriate

- *the death or resignation of the liquidator and the absence of any substitution after one (1) year upon the death or resignation of the earlier appointed liquidator;
 - *the whereabouts of the liquidator appointed earlier is unknown for more than one (1) year upon his appointment;
 - *the failure or refusal on part of the liquidator appointed to lodge his notice of appointment with the Registrar and the Official Receiver in accordance with section 280 of CA 1965 for more than six (6) months upon his appointment; or
 - *the failure or refusal on part of the liquidator to carry out his duties as a liquidator for more than six (6) months upon his appointment/the liquidator ceases to act for more that one year at any time during his appointment;
- (d) The appointed liquidator has failed to lodge the statutory Form 75 for more than one (1) year;
- (e) The company is not involved in any impending legal proceedings, whether from within or outside Malaysia; and
- (f) The statutory record of the company is available for inspection at the registered office at

.....
.....

Section B: Specific requirements for members' voluntary winding-up. Please tick (✓) whichever is appropriate

- (g) The company has no sufficient funds to cover for the costs of appointment of a new liquidator and to proceed with the process of voluntary winding up;

- (h) The company *has no outstanding penalty or compound/has outstanding penalty or compound pursuant to the Companies Act 1965 hereby applies to the Registrar of Companies for the penalty or compound to be *waived/reduced to RM;

- (i) The company has no outstanding tax or any other liabilities and is not indebted to the government/ the government departments/agencies in Malaysia;

Section C: Specific requirements for creditors' voluntary winding up. Please tick (✓) whichever is appropriate

- (j) All creditors have consented to the filing of this application.

I, the undersigned hereby confirm that **all** the information stated above is true and correct.

Date:

.....
Signature of Applicant

Lodged by:

Name:
Address:
Tel no: Mobile no: Fax no:
Email address:

CHECKLIST

Company Name:

Company Registration Number:

Please tick to ensure all documents have been submitted

- 1. Cover letter
- 2. Statement of Declaration by Applicant
- 3. Processing fee of RM120.00
- 4. SSM's computer 'Print-Out' containing the information of the company
- 5. Waiver letter from creditors / LHDN *(if any)*

Signature of Applicant :
(Name)

Date :