



**SURUHANJAYA SYARIKAT MALAYSIA
COMPANIES COMMISSION OF MALAYSIA**

STATEMENT OF DECLARATION BY APPLICANT

Application by a **Shareholder/Liquidator* of a Company which has been Wound-Up by **Members' or Creditors' Voluntary Winding-Up* to Strike Off the Name of that Company – Where the Affairs of the Company are Fully Wound Up and for a Period of Six Months the Liquidator has Failed to Lodge any Return Required to be Made by Him [Section 308(3)(b) of the Companies Act 1965

I, (NRIC No :.....) of residential address at.....

 being the **shareholder/Liquidator* of (*company's name and registration number*) 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) The affairs of the company has been fully wound up;
- (d) The statutory record of the company is available for inspection at the registered office at.....
.....
.....

Section B: Specific requirements applicable to application by a shareholder in a members' or creditors' voluntary winding-up

- (e) The company has conducted its final meeting but the liquidator has failed to lodge with the Registrar a return in the Form 69 for more than six (6) months;
- (f) The company is not involved in any impending legal proceedings, whether from within or outside Malaysia;

Section C: Specific requirement applicable to application made by a shareholder in a members' voluntary winding-up

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

Section D: Specific requirements applicable to application made by a liquidator in a members' or creditors' voluntary winding-up

- (h) The company has no fund or the fund is insufficient to pay for the cost of holding the final meeting [the company must lodge the latest Form 75 as a proof to show the company has insufficient fund to conduct the final meeting];

- (i) The company and me (in my capacity as the liquidator of the company *has no outstanding penalty or compound/has outstanding penalty or compound under the Companies Act 1965 and hereby applies to the ROC for the penalty or compound to be *waived/reduced to RM

- (j) The company and me (in my capacity as the liquidator of the company) are not involved in any impending legal proceedings, whether from within or outside Malaysia;

Section E: Specific requirement applicable to application made by a liquidator in a members' voluntary winding-up only

- (k) The company has no outstanding liabilities with IRB and any other Government department or agencies;

Section F: Specific requirement applicable to application made by a liquidator in a creditors' voluntary winding-up only

- (l) All creditors of the company 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:

* Strike out whichever is inapplicable

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 :