



## FREQUENTLY ASKED QUESTIONS

### EXTENSION OF TIME (EOT) FOR CIRCULATION OF FINANCIAL STATEMENTS, HOLDING OF ANNUAL GENERAL MEETING AND LODGEMENT OF FINANCIAL STATEMENTS FOR YEAR ENDING 1 NOVEMBER 2020 TO 31 JANUARY 2021

NO.	QUESTION	ANSWER
1.	What is the reason for this initiative?	To enable companies to comply with the relevant statutory obligations including preparing financial statements, holding AGM, completing relevant statutory documents, as well as to enable audit firms to complete delayed assignments in a more reasonable timeframe.
2.	Can a company with Financial Year End (FYE) 31 October 2020 and earlier apply for this initiative?	No, a company with FYE 31 October 2020 (or earlier) is not eligible for this initiative.  Only companies with FYE <b>beginning 1 November 2020 until 31 January 2021</b> may apply for the extension of time (EOT) under this initiative (eligible companies). Please refer to the first schedule of PD 8/2021.
3.	When can a company start to apply for an EOT for the circulation and lodgement of its financial statements under this initiative?	Under this initiative, the application may be made by eligible companies beginning from 1 June 2021 until 31 July 2021.
4.	Will SSM impose any fees for the application of EOT to circulate and lodge financial statements under this initiative?	No, the fees for the EOT application under this initiative is waived.

NO.	QUESTION	ANSWER
5.	How is the application for an EOT to circulate and lodge financial statements made? Can the EOT application under this initiative be made through MBRS or SSM's counter?	<p>An EOT application for the circulation and lodgement of financial statements under this initiative can only be made by sending the application through email to <a href="mailto:eotmco3@ssm.com.my">eotmco3@ssm.com.my</a>.</p> <p>The contents of the email application must follow the email format provided in Appendix (A).</p>
6.	Can a private company (Sendirian Berhad) apply for an EOT under this initiative?	Yes. The EOT application under this initiative can be made by both private and public companies.
7.	A company with which FYE can apply for an EOT for the circulation and lodgement of its financial statements under this initiative?	Only companies with FYE beginning 1 November 2020 until 31 January 2021 are entitled to apply for the EOT under this initiative (eligible companies).
8	How long will the EOT for circulation, holding an Annual General Meeting (AGM) and lodgement of financial statements be given under this initiative?	The EOT will be for a period of 90 days from the original expiry date of circulation of financial statements, AGM and lodgement of financial statements.
9	When is the due date of the extended period of time to circulate or to lodge financial statements for FYE between 1 November 2020 until 31 January 2021?	<p>The EOT will be for a period of 90 days from the original expiry date of circulation and lodgement of financial statements.</p> <p>Please refer to the examples below: -</p> <p><b><u>Example 1</u></b></p> <p>Financial Year End: 30/11/2020  Expiry date for Financial Statement Circulation: 31/05/2021  Expiry date for Financial Statement Lodgement: 30/06/2021</p> <p><b>EOT under PD 8/2021</b></p> <p>Under paragraph 17 of the PD 8/2021, the extended period of time is 90 days.</p>

NO.	QUESTION	ANSWER
		<p><u>Extension of 90 days</u>  Expiry date for Financial Statement Circulation: 29/08/2021  Expiry date for Financial Statement Lodgement: 28/09/2021</p> <p><b><u>Example 2</u></b></p> <p>Financial Year End: 31/12/2020  Expiry date for Financial Statement Circulation: 30/06/2021  Expiry date for Financial Statement Lodgement: 30/07/2021</p> <p><b>EOT under PD 8/2021</b></p> <p>Under paragraph 17 of the PD 8/2021, the extended period of time is 90 days.</p> <p><u>Extension of 90 days</u>  Expiry date for Financial Statement Circulation: 28/09/2021  Expiry date for Financial Statement Lodgement: 28/10/2021</p> <p><b><u>Example 3</u></b></p> <p>Financial Year End: 31/01/2021  Expiry date for Financial Statement Circulation: 31/07/2021  Expiry date for Financial Statement Lodgement: 30/08/2021</p> <p><b>EOT under PD 8/2021</b></p> <p>Under paragraph 17 of the PD 8/2021, the extended period of time is 90 days.</p> <p><u>Extension of 90 days</u>  Expiry date for Financial Statement Circulation: 29/10/2021  Expiry date for Financial Statement Lodgement: 28/11/2021</p>

NO.	QUESTION	ANSWER
10		<p><b><u>Example 4</u></b></p> <p><i>Public Company</i></p> <p>Financial Year End: 30/11/2020  Expiry date for Financial Statement Circulation: 10/05/2021  Expiry date for AGM: 31/05/2021  Expiry date for Financial Statement Lodgement: 30/06/2021.</p> <p><b>EOT under PD 8/2021-</b></p> <p>New expiry date for Financial Statement Circulation: 08/08/2021</p> <p>New expiry date for AGM: 29/08/2021</p> <p>New expiry date for Financial Statements Lodgement: 28/09/2021</p> <p>The public company is still required to comply with section 258 of the Companies Act 2016 (CA 2016) pertaining to the circulation of financial statements prior to an AGM. The financial statements must be circulated at least 21 days prior to the new AGM date.</p>
11.	What is the status of the EOT application for a company which is eligible under this PD which was submitted prior to 1 June 2021?	<p>The company is eligible to apply for EOT under this PD.</p> <p>However, fees paid for EOT application made prior to this PD is not refundable.</p>
12.	Can the director of the company submit the application?	No. The application should only be made by the company secretary.
13.	What are some of the examples of the documents or processes involved necessitating the extension of time?	<p>(a) Preparation of financial statements.</p> <p>(b) Preparation of directors' report.</p> <p>(c) The auditing process and preparation of auditor's report.</p> <p>(d) Circulation of financial statements to members.</p>

NO.	QUESTION	ANSWER
		(e) Tabling of financial statements at AGM.
14.	Can a company which has previously applied for EOT through the counter or MBRS system and its EOT application was rejected, re-apply under this initiative?	Yes, company which has previously applied for EOT through the counter or MBRS system and its EOT application was rejected can re-apply under this initiative provided that the company's financial year end is within 1 November 2020 until 31 January 2021.
15.	Can an email contain many EOT applications?	An email may contain up to a maximum of 10 applications. You may refer to the instruction in Appendix (A).
16.	What is the status of my application by email to <a href="mailto:eotmco3@ssm.com.my">eotmco3@ssm.com.my</a> for extension of time if I do not receive feedback from SSM?	<p>Application for extension of time by email which did not receive any <b>auto reply email from SSM will be considered APPROVED if it meets the Conditions</b> as stated in PD 8/2021 including:</p> <p>(a) For applications of extension of time and submission of the Financial Statements under Section 259 (2) of the CA 2016, your application is automatically approved for 90 days from original expiry date of circulation and original expiry date of lodgement of the financial statements if your application meets the following requirements:</p> <p>(i) Company with financial year ending 1 November 2020 until 31 January 2021; and</p> <p>(ii) The information submitted is correct.</p> <p>(b) For application of extension of time to hold the AGM under Section 340 of the CA 2016, your application is hereby automatically approved for 90</p>

NO.	QUESTION	ANSWER
		<p>days from the original expiry date of the AGM that should be held if your application meets the following requirements:</p> <ul style="list-style-type: none"> <li>(i) Public Companies with financial year ending 1 November 2020 until 31 January 2021; and</li> <li>(ii) The information submitted is correct.</li> </ul> <p>Please note that <b>applications that do not meet the requirements</b> set out in PD 8/2021 are <b>NOT APPROVED AND NO EMAIL NOTIFICATION</b> will be sent.</p> <p><b><i>Please keep an email copy of your application extension of time for future SSM reference purposes for eligible applications.</i></b></p>
17.	If a company did not follow the requirements under PD 8/2021 such as providing wrong or incomplete information, sending the EOT application to wrong email address, etc., can the company make an appeal?	<p>The company secretary must ensure that correct information are provided and the application must be sent to <a href="mailto:eotmco3@ssm.com.my">eotmco3@ssm.com.my</a></p> <p>If the information provided is incorrect or incomplete, the application is deemed <b>NOT APPROVED.</b></p> <p>There is <b>no appeal</b> for EOT application. However, the company can submit new EOT application.</p>

Dated: 1 June 2021

## **APPENDIX (A)**

**Please copy this format into your email and complete all required particulars. Do not attach any document in your email if the application is for five (5) companies or less.**

**If the application is between six (6) to a maximum of 10 companies, you can attach the information in a document and email SSM with 10 companies maximum per attachment per email. All applications must follow the format below.**

### **EXTENSION OF TIME UNDER PRACTICE DIRECTIVE 8/2021**

APPLICATION FOR EXTENSION OF TIME FOR \*CIRCULATION OF FINANCIAL STATEMENTS AND REPORTS/\*\*HOLDING OF ANNUAL GENERAL MEETING/\*LODGEMENT OF FINANCIAL STATEMENTS AND REPORTS. (Delete whichever is not applicable please.)

Company Name:

Company Number:

Financial Year End:

Expiry/last date for Financial Statements (FS) circulation:

\*\*Expiry/last date for Annual General Meeting (AGM):

Expiry/last date for FS lodgement:

FS circulation date under Practice Directive 8/2021 (90 days extension):

\*\*AGM date under Practice Directive 8/2021 (90 days extension):

FS lodgement date under Practice Directive 8/2021 (90 days extension):

### **Declaration:**

**I confirm that the facts and information stated in this document are true and to the best of my knowledge.**

Name of company secretary:

License No./Membership No.:

SSM Practicing Certificate No.:

Note: All dates must be in **dd/mm/yyyy** format.

\* - You can apply for extension of time for one or all of the initiatives (if they are applicable to you).

\*\* - AGM extension of time applicable for a public company only.